

MINUTES

TITLE: Golden Bay Community Board
DATE: 11th November 2008
TIME: 9.03 am
VENUE: Collingwood Fire Station

PRESENT: J Bell (Chairperson), C McLellan (Deputy Chair), and Board members L Gamby and K Brookes

IN ATTENDANCE: Mayor Kempthorne (until 12.11pm) , Cr Riley from 9.15am, Murray Staite (Corporate Services Manager), N Heyes and L Turley (Minutes Secretaries) and members of the Press and Public

1. APOLOGIES

**Moved Board members McLellan/Gamby
GB11/11/01**

**THAT apologies for absence received from Cr Borlase; and for lateness from Cr Riley, be sustained.
CARRIED**

**Moved Board members Brookes/Gamby
GB11/11/02**

**THAT Mayor Kempthorne and Cr Riley be granted speaking rights.
CARRIED**

2. PUBLIC FORUM

Joanne Vaughan - wished to congratulate the Board on Variation 57 which now makes the TRMP operative; she thanked the Board for its contribution to the process.

Rosamund Arthur - expressed concern about the drainage pipe that is close to her water tank at 36 Gibbs Road; the water from the pipe has caused a lot of erosion and the tank has not been shored up. She said Engineering staff have looked at the problem but Council has shown no interest or responsibility. Ms Arthur tabled papers showing that it is a TDC pipe.

The Chairperson advised that the Board has been in correspondence with Council to endeavour to resolve the problem and would forward the papers to Engineering Services.

Alan Vaughan - with regard to the TRMP now being operative, Mr Vaughan asked the Board if the matter of Lakes and Rivers has been resolved.

Mayor Kempthorne explained that Council would go through a Variation process for Rivers and Lakes.

Alan Vaughan questioned the reduction in the number of Board members at meetings lately. He said that last month voting proceedings were held up temporarily because there were only two people around the table. Mr Vaughan said he would like two more people elected to the Board giving it six people with the power to vote.

Cr Riley arrived at 9.14am.

There was some discussion on having the Community Board operating with six members instead of four.

The Chairperson explained the previous discussion to Cr Riley who said that he and Cr Borlase intend to make a statement to the Board; he said that while it is their view to be part of the Board, Council needs to appoint them.

Mayor Kempthorne said that Council is concerned about a conflict of interest if councillors are on the Board.

The Chairperson advised that this has been dealt with in the past by councillors withdrawing from the table during discussion on matters where a conflict may be perceived.

Ross McDonald - spoke on Labyrinth Park and showed photos of the proposed carparking, entrance way and toilet. He said the public is expecting them to be open now, but the weeds are growing out of control. He asked for urgent effort to be put in so they can get the Park underway.

Cr Riley will suggest to the Reserves Department that weed control work needs doing at the earliest opportunity.

Liza Eastman - thanked the Board for its efforts in raising funds for the holiday banners. She expressed disappointment with the funding request being turned down by Network Tasman. The banners this year have been professionally made. The possibility of using local people to put the banners up and take them down to save on costs was discussed. Mrs Eastman said the Arts Council will put in a small amount of funding to enable some children to be involved, however further funding is required.

The Chairperson acknowledged Mrs Eastman's work in the past and said that the \$3,600 will have to be found elsewhere.

The Corporate Services Manager said he will ask the Community Services Manager if there is any Council funding available so the banners can be put up.

Board member Gamby explained to the meeting that these banners will be attached to power poles and that registered people on a cherry picker need to put them up, hence the cost.

It was reported that the Board has approached United Group Limited to see if they will erect and take down the banners as a community service; there has been no response to date.

Warren Iggo - mentioned it has been 19 years since the Golden Bay County Council ceased to exist. He was saddened to see the targeted rate applied. Mr Iggo said roading maintenance has been improved under Tasman District Council and there is better visibility now. However, since 1975 there have been no seal extensions apart from Taupata Creek to Puponga. Mr Iggo said that the Collingwood streetscaping project has not yet been completed; he said there was also supposed to be a walkway formed along the foreshore.

The Chairperson replied that the Board is still pursuing the targeted rate issue. Seal extension requests have been made and TDC has advised that the Golden Bay area is not a priority area for sealing. People have the option of sealing under the Low Trafficked Rural Road policy. Mr Bell said the Board wants to see the streetscaping finished in Collingwood; to reduce the cost, paving of the north-eastern side of Tasman Street could be dropped from the proposal, but the planting and plaques etc should be finished.

With regard to the walkway, the Chairperson said the plans were dropped because it is too expensive for the amount of use it would get. He said the area from the Joan Whiting Hospital to Poplar Lane should have the verge levelled and a wooden bridge installed shortly.

David Ferguson - raised the matter of the planting of Tauhinu to prevent the erosion of sand dunes. He said it is a terrible weed and suggested some alternatives that could be used i.e. Pingau, Spinifex, or Marram,

Mr Ferguson applauded the work the contractors did in clearing the roadsides; he considered road safety should come first.

The Chairman explained the different methods of trimming used; a sawblade that leaves a very tidy finish or the mulching head which smashes larger branches. The preference is for the saw blade to be used on larger material.

Jim Robertson – agreed with Mr Ferguson’s comments about the planting of Tauhinu.

Mr Robertson asked for a toilet in the vicinity of the Wainui Falls; he said thousands of people visit the falls.

Mr Robertson raised concerns about the use of aerial dropped 1080; Mr Robertson had a report from DOC showing the impact of aerial application of 1080 on non target native fauna. He expressed concern about the numbers of birds dying from 1080 poisoning.

It was agreed that the Board obtain a copy of the report “Impacts of Aerial Application of 1080 on Non target Native Fauna” from the Department of Conservation.

Graham Ball - spoke about Tauhinu and expressed his concern about wind blown seeds. He said this area is very vulnerable to this type of weed and farmers do not need yet another weed to control.

The Chairman replied that the Board has done some research on this plant and has taken the matter up with the Department of Conservation and Tasman District Council.

**Moved Board members McLellan/Brookes
GB11/11/03**

**THAT the issue of the Tauhinu plantings be added as a late agenda item.
CARRIED**

Bruce Richmond - supported all previous speakers regarding Tauhinu. He is concerned it will invade his land.

Graham Beardmore - said he is against Tauhinu being planted. He said that just because it is a native does not make it a good plant. He expressed concern about a lot of the grasses sold in nurseries that could easily become pests.

Board member Gamby gave an instance of Tauhinu being a very invasive plant.

Penny Griffith - spoke to and tabled a paper by herself and Grahame Anderson on the commemoration of the 350th anniversary of Abel Tasman's death, October 2009. She spoke of the opportunity to put on a series of events / activities / displays as it is an important historical event for this region. She would like to have Council's support.

Mayor Kempthorne and Mr Staite said they would follow the matter up.

BJ White - mentioned the problems associated with freedom camping. There are issues with rubbish and excrement. He said many small vans use our facilities without contributing anything to the district.

Mr White also expressed concerned about

- Vehicles such as 4-wheel bikes hooning on the beaches disturbing birds.
- Swiftsure Street drainage, legalisation. He said this problem has now been going on for six months and he has not yet had a response from Council's Jeff Cuthbertson. He asked for the matter to be addressed.

Cr Riley replied that he has spoken about this matter with Jeff Cuthbertson who said he has not received correspondence from Mr White to reply to. In response Mr White said his lawyer has written to Mr Cuthbertson but has had no reply. Cr Riley said he would follow this up with Mr Cuthbertson.

The Chairperson assured Mr White the Board is still pursuing the drainage and road legalisation issues.

The Chairperson explained Council's policy on Freedom camping and that it applies only to self-contained vehicles. He said during the holiday season Council employs Control Services Nelson to enforce the policy.

Cr Riley stated that many small hire vans have no facilities.

Mayor Kempthorne said that this is a national problem and that a South Island policy is presently being worked on.

With regard to the inappropriate use of vehicles on beaches, the Chairperson said these are always of concern. He said some councils in the North Island are starting to address the problem through by-laws.

Ivan & Lily McKay – Board member McLellan spoke on behalf of the McKays who were unable to attend the meeting. They are still concerned about the corner on Rototai Road and that nothing has happened regarding the fence or judder bars. Construction of new houses has begun so it will only get busier. Mr & Mrs McKay asked if Rototai Road could be considered for some of the funding under “Minor Road Safety” through Council’s Steve Elkington.

The Chairperson said the Board has forwarded the matter, which is being dealt with by Mr Elkington.

Cr Riley spoke on behalf of Victoria Davis; he said Ms Davis is very concerned about the targeted rate decision. She would like separation from Tasman District Council or amalgamation with Nelson City Council investigated.

Cr Riley reported on several other matters, including:

- That he was recently a judge at the Environment Awards;
- Tarakohe progress – is moving forward positively;
- LTCCP workshops - another workshop last week but no final decisions made. Submissions do count; individual ones are better than form ones.
- Stormwater problems in Patons Rock. Some properties are lower than sea level at full tide.
- Dumped scallop shells on the Takaka Hill.
- A public building he knows of has a lack of structural stability in an earthquake. He is looking into this and will report back later.
- The cat’s eyes have been removed from Commercial Street.
- He will be attending a NZ Transport Agency meeting and will raise issues the Board has asked for.

Board member McLellan said that there is a lack of cat’s eyes on the Takaka side of the hill.

Board member Gamby – said he had recently found two supermarket bags full of scallop shells dumped in the river.

Mayor Kempthorne - explained the Council’s LTCCP; that this is a 10-year plan which came into being through the LGA. He said it shows the community what work is planned to be done. Mayor Kempthorne said if people have any questions about the LTCCP they should talk to Susan Edwards (Council’s Strategic Planning Manager).

The Chairperson replied to the Mayor; he asked if the submission hearings and consideration timeframe could be extended as it is too compressed at the end of June.

Murray Staite replied that the time has been extended, giving more time for submissions to be considered.

Karen Brookes asked what the legal standing is regarding photocopied submissions.

Mayor Kempthorne replied that all submissions are considered. He said that typed submissions are easier to read than hand-written ones.

Council's Road Safety Co-ordinator, Krista Hobday, spoke about the upcoming Motorcycle training course. She said she would like to see young people attending the course. Trainers are coming from Wellington and it will be an all-day course. She said she has advised the Collingwood Area School and the Golden Bay High School regarding the course.

Rosamund Arthur – said she has not heard from Council's Jeff Cuthbertson either.

Mayor Kempthorne replied that Jeff Cuthbertson is very busy and gave the assurance that the matter is being dealt with.

Mike Devine - said that water is being diverted through his property even though his LIM report said that no public drains cross his property. He said nobody has replied to him either.

The Chairperson said the Board has made recommendations to Engineering Services about the stormwater suggesting that flows from the upper part of Upper Gibbs road be diverted into Penny Weight Creek which runs alongside Lewis Street.

The meeting adjourned for morning tea between 10.46am and 11.10am.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the GB Community Board meeting held on 14th October 2008

**Moved Board members McLellan/Brookes
GB11/11/04**

THAT the Minutes of the meeting of the GB Community Board held on 14th October 2008 (containing resolutions GB08/10/01 – GB08/10/22) be confirmed as a true and correct record.

CARRIED

4. LATE AGENDA ITEM

4.1 Tauhinu Plantings

**Moved Board members Gamby/McLellan
GB11/11/05**

THAT the GB Community Board recommends to Tasman District Council's Reserves Department that Tauhinu not be planted on reserves and the recent plantings be removed and replaced with other species. Further, that Tauhinu be removed from the planting list.

CARRIED

The Chairperson pointed out that the Department of Conservation has a different point of view; he said the plant is endemic in Golden Bay and there are three different varieties. He said the way for people to express their concerns is to approach the Department of Conservation through their Community Forum meeting.

4. REPORTS

4.1 Chairperson's Report

Fireworks Display at Collingwood

Board member McLellan commented on the recent successful fireworks display at Collingwood.

**Moved Board members McLellan/Bell
GB11/11/06**

THAT the Board sends a letter to the Collingwood Fire Brigade congratulating them on the very successful fireworks display.

CARRIED

Gold Star Award

**Board members Gamby/McLellan
GB08/11/07**

THAT a letter of congratulations be sent to Barry Pomeroy on the presentation of his RSA Golden Star Award.

CARRIED

Annual Plan Meetings

Leigh Gamby apologised for his absence from the Community Annual Plan meetings.

Mayor Kempthorne commented on the item in the Chairperson's report under the heading of Mayoral Contact; he said he was rather bemused by the comments written. He said the comments in his own report to Council were intended to be complimentary, not negative. He clarified that his comments are always brief and perhaps did not include the best wording.

Carolyn McLellan thanked the Mayor for explaining this, and for coming to the meetings. She considered the Board has a good working relationship with Mayor Kempthorne.

Mayor Kempthorne said he will aim to get attend three community board meetings next year and will try and tie them in with the Citizenship ceremonies.

Burning of Plastics

The problem of having dioxin released into the environment through the burning of plastics (such as baleage wrap and chemical containers), was discussed at length. Mayor Kempthorne said there are two places to drop off recyclable containers and wraps, the one nearest to Golden Bay is at Mariri Refuse station in Motueka. He made the suggestion that Rural Women could support this form of ag-recovery and follow it through. There was a discussion on the burning of plastics.

It was suggested that there could be collection points in the Bay for the chemical containers as it could be dangerous to take the goods to Mariri in a car. The need for triple-rinsing was discussed. It was suggested that the availability of Mariri for recycling/dumping of agri-plastics needs to be advertised in Newsline, along with the safety process of triple rinsing and puncturing of the plastic containers. Mr Staite said he would follow this through and Mayor Kempthorne said he would write a letter to Ag-recovery.

Moved Board members Brookes/Gamby GB11/11/08

That the Golden Bay Community Board responds to concerns by writing to Tasman District Council and the Ministry of Health enquiring about a possible link between the burning of plastics and the concentration of dioxin in animal fats and whether policy changes are required in order to mitigate this risk.

Further, that the GB Community Board supports the extension of Ag-recovery to the collection of baleage wrap.

CARRIED

Agenda setting

Discussion was held on the request that Community Board agendas be set 12-14 days before a Board meeting instead of the 8 days as at present; it was considered that the reason for this was to allow time for comment by Council staff on agenda items.

Mayor Kempthorne explained that all reports are seen by the Chief Executive Officer before they go on the Agenda, and that 8 days is not long enough for him.

Murray Staite said that in Motueka the 11-12 day timeframe is worked on successfully.

In discussions, Board members felt that the Chairperson's Report should not be censored by the Chief Executive Officer.

Mayor Kempthorne replied that the Community Board is a Council organisation and that some content may be inappropriate or personal and the Chief Executive Officer must have the opportunity to talk to the Chairperson should he wish to.

Board member Gamby pointed out that Community Board members swear an oath to the community in Golden Bay to put forward their wishes, wants, and aspirations.

He said the Chairperson usually runs his report past the other Board members.

Mayor Kempthorne replied that the Chairperson's report has to comply with the Code of Conduct and cannot have personal criticism or content in it. He said the CEO has the right to take things out of the Chair's report.

Board member McLellan suggested a 3-month trial of the 12-14 day lead time. Some concern was expressed about an increase in Late Agenda items, and correspondence received after the agenda has been set.

The need for a report on Swiftsure Street was expressed and it was asked if a report such as this would be a charge against the Community Board. Mr. Staite thought it would be a charge against the Board.

The Chairperson said that up until now this and other issues have been dealt with through 'Confirm' service requests.

**Moved Board members McLellan/Gamby
GB11/11/09**

**THAT the Golden Bay Community Board trials the setting of the agendas for Board meetings 12 days before each meeting for the next three months, with discussion on the March agenda as to how it is working for all parties.
CARRIED**

Targeted Rate

Mayor Kempthorne spoke to the Board about information gleaned from a Zone 5 meeting. He said Eugene Bowen (CEO of Local Government NZ) thought it likely that LGNZ would oppose any submission to Government that tried to change the legislation on targeted rates.

Board member McLellan said that to target one section of the community because it has a community board is an injustice.

It was pointed out that the change to the legislation was requested to merely clarify the meaning of the current law, not to change it.

Mayor Kempthorne considered the matter of a targeted rate on community boards to be a 'vexed' issue. He said there are two councillors in Golden Bay, three in Motueka, plus himself, who oppose the targeted rate.

The Chairperson pointed out that there has been a shift in position from Local Government NZ due to lobbying by council which has resulted in some backing down.

The Board thanked the Mayor for his information, and for attending the meeting.

Mayor Kempthorne left the meeting at this point.

There was more discussion on targeted rates. The Chairperson said that part of his report was censored. He said Standing Orders require that things be discussed openly and that if an issue needs to be discussed it should not be removed. The Chairperson said the legality of the targeted rate charge has never been legally challenged.

The Chairperson read from the Code of Conduct: Appendix One: Policy Quality. He said there are eight tests that must be applied to advice in Reports. He said in his view the CEO Report to the Council for the 30 October meeting did not comply with 5 of the 8 tests. If the Code of Conduct is to be used, it should be used in its entirety. It should not be used as a means to prevent the raising of concerns and proper consideration of them.

**Moved Board members McLellan/Brookes
GB11/11/10**

That the Golden Bay Community Board endorses sending a copy of the report together with a rebuttal of it to the Local Government Commission, Local Government New Zealand, The Society of Local Government Managers, The Office of Controller and Auditor General, The Office of the Ombudsmen and to the Executive of New Zealand Community Boards along with other agencies as may be deemed appropriate.

CARRIED

Board member Gamby commented regarding the Targeted rate and the Board's budget, that a reduction because you are living within it, is acceptable.

Mr Staite said he would like to sit down with the Board and discuss its budget.

The Chairperson said that the Board is happy to do this and that it has operated within budget over several years.

Alterations to the Building Act regarding Minor building work

**Moved Board members McLellan/Gamby
GB11/11/11**

THAT the GB Community Board requests that Tasman District Council publicises through Newsline and Newsline Update advertisements the recent changes to the Building Act which have reduced the need for consents for minor building works.

CARRIED

Mr Staite said he would attend to that.

'In Committee' Items

The Chairperson said it is the Councillors role to ensure that in committee business is minimised. He said that, while discussions may be in committee, decisions reached

need to be made be available to the public in open meeting. In some cases the decisions are not being released.

Mr Staite said if items are commercially sensitive you will expect to see them In Committee.

**Moved Board members McLellan/Bell
GB11/11/12**

**That the Golden Bay Community Board raises concerns about the increase in 'in committee' business being conducted by Tasman District Council with Council and, if subsequently required, with other agencies.
CARRIED**

Labyrinth Park

Mr Ross McDonald provided photos showing the area proposed for a carpark. He said the group is asking that a white side line be put on the road. It was thought that the existing drain could be shifted around the back to save costs. There is a piece of flat ground with more room if needed, further along towards the gates. The gates could also be shifted back if necessary. He said there is a good area for having a toilet behind the rocks which is close to the sewerage scheme. Mr McDonald said water for the toilet could come from the transfer station. He considered the entranceway could be made really beautiful. There are a few people prepared to do the work and they would like to get it underway as soon as possible.

It was reported by Mr McDonald that Lloyd Kennedy (Community Services Manager) has been on site after the Forest & Bird Society had been in touch with him; a lot of work could be done without initial cost. The Forest & Bird Society is trying to get funding for weed control and restoration.

Sollys has given a quote of \$3000 to clear, level and fill the car park area and put in a culvert. There is dolomite down already. The Board needs to fast track this as it is almost the holiday season and there are visitors arriving daily.

It was pointed out that there is nothing to prevent people from doing weeding at Labyrinth Rocks now.

Mr Staite said he will talk with Mr Kennedy and impress the urgency on him. The toilet has not yet been costed. Mr Staite said he would take the photos with him to Richmond.

**Moved Board members Bell/Gamby
GB11/11/13**

**That the Golden Bay Community Board supports in principle a request from the Friends of Labyrinth Park for Golden Bay Reserves funding for establishing a toilet and also for the installation of a culvert and some sealing for a car park adjacent to the Park with a service request to Council that these items be costed and that it is suggested this work be undertaken as soon as possible.
CARRIED**

Clifton Cemetery Reserve Suggestions

**Moved Board members Bell/McLellan
GB11/11/14**

**That the GB Community Board discusses the ideas raised by Mr Rowse with the Community Services Manager and Parks and Reserves Manager and report the item back to the December Board meeting.
CARRIED**

5. BUSINESS ITEMS

5.1 Memorandum - Engineering Executive Assistant - State Highway Liaison Meeting

It was reported that both Crs Riley and Borlase will be attending this meeting.

**Moved Board members McLellan/Brookes
GB11/11/15**

**That the memorandum be received and the contents noted with the comment that this issue is ongoing and will also be raised at the next liaison meeting.
CARRIED**

There being no further business the meeting closed 12.44pm.

Date Confirmed:

Chair: