

MINUTES

TITLE: Tasman District Council
DATE: Thursday 15 December 2011
TIME: 9.30 am
VENUE: Tasman Council Chamber, 189 Queen Street, Richmond

PRESENT: Mayor R G Kempthorne (Chair), Crs S G Bryant, B W Ensor, B F Dowler, J L Edgar, J L Inglis, T B King, C M Maling, Z S Mirfin, T E Norriss, E J Wilkins, P F Sangster

IN ATTENDANCE: Acting Chief Executive (D C Bush-King)
Corporate Services Manager (M W Staite)
Strategic Development Manager (S Edwards)
Executive Assistant (V M Gribble)

APOLOGIES

Moved Crs Bryant/Maling
CN11-12-01

THAT apologies from Crs M L Bouillir and G A Glover for absence, and from Cr P F Sangster for lateness, be sustained.
CARRIED

1 CONFIRMATION OF MINUTES

1.1 Tasman District Council – 20 October 2011

Moved Crs Edgar/King
CN11-12-02

THAT the minutes of the Tasman District Council meeting held on 20 October 2011 containing resolutions CN11-10-06 to CN11-10-10 be confirmed as a true and complete record.
CARRIED

1.2 Tasman District Council – 27 October 2011

Moved Crs Norriss/Mirfin
CN11-12-03

THAT the minutes of the Tasman District Council meeting held on 27 October 2011 containing resolution CN11-10-11 be confirmed as a true and complete record.
CARRIED

1.3 Tasman District Council – 3 November 2011

**Moved Crs Mirfin/Wilkins
CN11-12-04**

THAT the minutes of the Tasman District Council meeting held on 3 November 2011 containing resolutions CN11-11-01 to CN11-11-11 be confirmed as a true and complete record.

CARRIED

1.4 Extraordinary Council – 23 November 2011

**Moved Crs Norriss/Inglis
CN11-12-05**

THAT the minutes of the Extraordinary Council meeting held on 23 November 2011 containing resolutions CN11-11-12 to CN11-11-13 be confirmed as a true and complete record.

CARRIED

1.5 Tasman District Council – 24 November 2011

**Moved Crs Wilkins/Mirfin
CN11-12-06**

THAT the minutes of the Tasman District Council meeting held on 24 November 2011 containing resolutions CN11-11-14 to CN11-11-15 be confirmed as a true and complete record.

CARRIED

2 REPORTS

2.1 Changes to Schedule of Charges – RCN11-12-02

Strategic Development Manager, Susan Edwards, was in attendance to present the report.

The report in the agenda sought Council approval for changes to the Schedule of Charges for inclusion in the Draft Long Term Plan 2012 – 2022.

Discussion was held on the need to increase prices and concern about the economic situation presently. It was reiterated that Council requires services to be user-pays.

**Moved Crs Norriss/King
CN11-12-07**

THAT Tasman District Council:

- a) **Receives report number RCN11-12-02 Changes to Schedule of Charges; and**
- b) **The Schedule of Charges as outlined in Appendix One to the report be approved for inclusion in the Draft Long Term Plan 2012 – 2022.**

CARRIED

2.2 Long Term Plan Policy on Significance – RCN11-12-03

Strategic Development Manager Susan Edwards was in attendance for discussion on this report.

The report sought Council approval of an amended Policy on Significance for inclusion in the Draft Long Term Plan 2012 – 2022.

Thresholds were amended to read “...\$10 million in any one year of the Long Term Plan.”

**Moved Crs Edgar/Ensor
CN11-12-08**

THAT the Tasman District Council confirms the proposed Policy on Significance, as attached in Appendix 1, as amended, for inclusion in the Draft Long Term Plan 2012 – 2022.

CARRIED

2.3 Long Term Plan Rating Remission and Postponement Policies – RCN11-12-04

Strategic Development Manager Susan Edwards was in attendance for consideration of this report.

The Policy on Remission of Excess Metered Water Rates was excluded from the report and will be presented to Council on 26 January 2012.

It was noted that the Policy on Uneconomic Balances has been amended from \$10 to \$30.

The report sought Council approval of the following policies for inclusion in the Draft Long Term Plan 2012 – 2022:

- a) Policy on Remissions for Sporting, Recreation or Community Organisations
- b) Policy on Remission of Rates on Land Protected for Natural Conservation Purposes
- c) Policy on School Wastewater Charges
- d) Policy on Penalty remissions

- e) Policy on Remission of Uniform Charges on Non-contiguous Rating Units Owned by the Same Ratepayer
- f) Policy on Uneconomic Balances
- g) Policy on Rate Relief for Maori Freehold Land
- h) Policy for Payment of Rates for Subsequent Financial Years

**Moved Crs King/Mirfin
CN11-12-09**

THAT the Tasman District Council approves the following policies, as attached in Appendix 1 to report RCN11-12-04, for inclusion in the Draft Long Term Plan 2012 – 2022:

- a) **Policy on Remissions for Sporting, Recreation or Community Organisations;**
- b) **Policy on Remission of Rates on Land Protected for Natural Conservation Purposes**
- c) **Policy on School Wastewater Charges**
- d) **Policy on Remission of Excess Metered Water Rates**
- e) **Policy on Penalty remissions**
- f) **Policy on Remission of Uniform Charges on Non-contiguous Rating Units Owned by the Same Ratepayer**
- g) **Policy on Uneconomic Balances**
- h) **Policy on Rate Relief for Maori Freehold Land**
- i) **Policy for Payment of Rates for Subsequent Financial Years**

CARRIED

2.4 Statement on Fostering Maori Participation in Council Decision-making – RCN11-12-05

Strategic Development Manager, Susan Edwards, presented the report contained in the agenda.

The report sought Council approval of a Statement on Fostering Maori Participation in Council Decision-making for inclusion in the Draft Long Term Plan 2012 – 2022.

Item d) on page 55 was amended to read “Appointing an elected representative as a Maori/iwi portfolio holder”.

**Moved Crs Edgar/King
CN11-12-10**

THAT Tasman District Council:

- a) **receives the Statement of Fostering Maori Participation in Council Decision-making Processes, Report RCN11-12-05; and**
- b) **approves the Statement on Fostering Maori Participation in Council Decision-making as attached in Appendix 1 to Report RCN11-12-05.**

CARRIED

2.5 Disaster Fund – RCN11-12-06

Strategic Development Manager, Susan Edwards, was in attendance for consideration of this report.

The purpose of the report was to seek an indication from Councillors on:

- a) the target levels for disaster contingency funding in the Council's General Disaster Fund and the Classified Rivers Protection Fund;
- b) the timeframe over which Council seeks to achieve the target levels in a) above.

Susan Edwards advised that Council had asked staff to smooth the first three years of the budget and the easiest way was to use the Disaster Fund to do that.

Mr Staite said staff will be reviewing excesses in the policies and the matter will come back to a future meeting for Council's consideration.

Councillors asked for a separate line on rate assessments for disaster funding so it is clear for ratepayers to see.

Moved Crs Norriss/King CN11-12-11

THAT Tasman District Council:

- a) receives the Disaster Funds Report RCN11-12-06;
- b) receives the draft report "Council Controlled Disaster Funds – Risk Assessment and Recommendations, October 2011" prepared by WHK;
- c) agrees to option b) outlined in report RCN11-12-06, which is to increase the total target level for disaster funding to \$6.5 million inflation adjusted each year to be achieved over the forthcoming ten year period and agrees to this option being included in the Draft Long Term Plan 2012 – 2022;
- d) notes that under option b), Council will contribute a total of \$1.65 million (plus inflation) to the disaster fund over the first three years of the Draft Long Term Plan, then increase the contribution to \$600,000 (plus inflation) per year for the remainder of the ten year period of the Plan;
- e) notes that the progress against the target amounts will be tracked against the projections in the WHK report and that the contributions may need to be adjusted through Annual Plan processes;
- f) notes that the Corporate Services Manager will ensure there is capacity within Council's existing loan facility to enable Council to cover up to \$6.5 million of costs in the event of a disaster which depletes the disaster fund it holds, and that the loan facility would need to remain in place until the target level is achieved in the disaster funds;
- g) notes that staff will report back to Council by 30 June 2012 to review the excesses for use of the General Disaster Fund and the Classified Rivers Protection Fund.

CARRIED

Cr Sangster arrived at the meeting at 10.10 am.

2.6 Mayor's Report – RCN11-12-07

The agenda contained an overview of the Mayor's meetings and activities for November 2011.

**Moved Crs King/Edgar
CN11-12-12**

**THAT the Tasman District Council receives the Mayor's Report for November 2011 (RCN11-12-07).
CARRIED**

2.7 Acting Chief Executive's Report – RCN11-12-08

Acting Chief Executive, Dennis Bush-King, spoke to his report contained in the agenda. The report provided an update on the following matters:

- a) Long Term Plan 2012 – 2022
- b) Disestablishment of the Council Enterprises Subcommittee
- c) Delegations Register
- d) 2012 meetings calendar
- e) Three-yearly revaluation of land in the District
- f) Abel Tasman Foreshore Management Plan hearings
- g) Amalgamation petition

Discussion was held on the proposal to disestablish the Council Enterprises Subcommittee.

Cr Bryant was opposed to the Council Enterprises Subcommittee being disestablished and said he would be voting against the motion.

**Moved Crs King/Ensor
CN11-12-13**

THAT the Tasman District Council

- 1) Receives the Acting Chief Executive's Report RCN11-12-08;**
- 2) agrees to the disestablishment of the Enterprises Subcommittee and the transfer of functions to the Corporate Services Committee.**
- 3) agrees to amend the Delegations Register as follows:**

Section 5.4

Add the positions of Communications Advisor and Human Resource Manager to the list of positions having authority to place notices and advertisements

Section 9.1 and 9.2

Delete reference to the Enterprise Subcommittee and amend the matters for which the Corporate Services Committee has responsibility to cover

Port Tarakohe	Motueka Airport
Council's Forestry Estate	Council's Commercial Property Portfolio

Section 7.1

Insert a second paragraph as follows:

The officers identified in Table 2 are also authorised to enter into specified contracts for services commensurate with their authorised expenditure limits provided that any contracts which contain professional indemnity insurance, termination with notice, and intellectual property clauses shall be signed by a Third Tier Manager or above, except for contracts in excess of \$300,000 which must be approved by the Tenders Panel in accordance with Section 11.4 of the Delegations Register.

Section 8.1

Delete and renumber subsequent paragraphs.

Section 11.4

Delete existing paragraph and replace with:

There shall be appointed a Tenders Panel of not less than two members and the Chief Executive to award tenders for contracts which exceed \$300,000.00 in value, except for contracts with a value less than \$500,000.00 procured using the qualified panel of suppliers established in accordance with Tasman District Council's Procurement Strategy. All decisions made by the Tenders Panel shall be reported back to the appropriate Standing Committee at its next scheduled meeting. Decisions shall be made by consensus although if necessary the majority view prevails.

CARRIED

Cr Bryant voted against the motion.

Morning tea adjournment was taken at 10.46 am.

The meeting resumed at 11.10 am.

Mayor Kempthorne left the meeting at this time.

2.8 Machinery Resolutions – RCN11-12-09

The execution of the documents included in the Machinery Resolutions report under Council Seal require confirmation by Council.

Moved Crs Norriss/Edgar
CN11-12-14

THAT the Tasman District Council receives the Machinery Resolutions report RCN11-12-09 and that the execution of the following documents under the Seal of Council be confirmed:

Covenant

Owen Robson, Susan Bathgate and Alan & Kate Robson, Subsidiary dwelling for principal purpose of visitor accommodation and will be removed or rendered an accessory building when no longer required.

Deed

2 Degrees, Lease at Petrie Carpark (as per site approval by Engineering)
2 Degrees, Gum Road, Richmond Hills, 6 year term (plus 3 x 6 year right of renewal)
installation site for telecommunications

Licence

Mapua Bowling Club, 31939L2, Licence, 5 year term, Mapua Bowling Club to occupy Recreation Reserve at Mapua

CARRIED

3 RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs King/Wilkins
CN11-12-15

THAT the public be excluded from the following part(s) of the proceedings of this meeting.

NZ Local Government Insurance Corporation Ltd Report – RCN11-12-01

The general subject of the matter while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for passing this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
NZ Local Government Insurance Corporation Ltd	Good reason to withhold exists under section 7	Section 48(1)(a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interests protected by Section 6 or 7 of the Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Reason to withhold information under Section 6 or 7	Section
Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	7(2)(h)

CARRIED

(Refer to Confidential Minutes Book, resolution number RCN11-12-16)

**Moved Crs Norriss/Edgar
RCN11-12-17**

**THAT open meeting be resumed.
CARRIED**

The meeting concluded at 11.15 am.

Date Confirmed:

Chair: