

MINUTES

TITLE: Full Council Meeting
DATE: Thursday 3 May 2012
TIME: 9.30 am
VENUE: Tasman Council Chambers, 189 Queen Street, Richmond
PRESENT: Mayor R G Kempthorne (Chair), Crs M L Bouillir, B W Ensor, B F Dowler, J L Edgar, G A Glover, J L Inglis, T B King, C M Maling, T E Norriss, P F Sangster, E J Wilkins

IN ATTENDANCE: Motueka Community Board Chairman (D J Ogilvie)
Acting Chief Executive (D C Bush-King)
Financial Manager (R Holden)
Recovery Manager (A Humphries)
Executive Assistant (V M Gribble)

APOLOGIES

Moved Crs Bouillir/Inglis
CN12-05-03

THAT apologies from Crs Z S Mirfin and S G Bryant for absence be received.
CARRIED

1 PUBLIC FORUM

1.1 R Hellyer

Mr Hellyer spoke about charging for services and attitude towards developers by the Environment and Planning Department.

1.2 C Robinson

Mr Robinson spoke about heavy traffic problems in Talbot Street between the mall property and the pool business. He also objects to the general ratepayer paying tourism rates.

2 CONFIRMATION OF MINUTES

2.1 Full Council, 22 March 2012

Moved Crs Maling/Inglis
CN12-05-04

THAT the minutes of Full Council meeting held on 22 March 2012, containing resolutions CN12-03-01 to CN12-03-08 be confirmed as a true and complete record.
CARRIED

3 REPORTS

3.1 Elected Members Remuneration and Allowances – RCN12-05-05

Executive Officer – Strategic Development, Sandra Hartley, was in attendance to speak to the report.

The report sought Council approval for allocation of the remuneration pool for 2012/2013 set by the Remuneration Authority.

It was noted that the Remuneration Authority is reviewing remuneration and allowances payable to councillors. Council addressed the mileage rules in its submission saying they were not fair and appropriate.

Moved Crs King/Norriss CN12-05-05

THAT the Motueka Community Board agree that the Model “G” formula be used to calculate the salaries from the 2012/2013 Remuneration Pool:

Model “G”

The 2012/2013 Remuneration Pool is \$544,535 (including the Mayor’s salary of \$118,700).

| | |
|--|------------|
| Available Remuneration Pool (2012/2013 year) | \$425,835 |
| Total Points | 184 |
| Point Value | \$2,314.32 |

| | Total Points | Current Salary/Member/Year | Proposed Salary | Total Remuneration from Pool |
|-------------------------------|--------------|----------------------------|-----------------|------------------------------|
| 4 Chairs @ 16 points | 64.0 | \$36,419.04 | \$37,029.12 | \$148,116.48 |
| 9 Councillors @ 12 points | 108.0 | \$27,314.28 | \$27,771.84 | \$249,946.56 |
| 2 Com Bd Chairs @ 4.8 points | 4.8* | \$10,925.71 | \$11,108.74 | \$11,108.74 |
| 6 Com Bd members @ 2.4 points | 7.2* | \$5,462.86 | \$5,554.37 | \$16,663.10 |
| | 184 | | | \$425,834.88 |

*NB – Half the Community Board remuneration is outside of the remuneration pool.

CARRIED

3.2 Rates Remission Policy for Land Affected by Natural Disasters – RCN12-05-06

Acting Chief Executive, Dennis Bush-King and Finance Manager, Russell Holden were in attendance to speak to the report contained in the agenda. The purpose of the report was to review Council’s Rates Remission Policies with a view to extending them to

cover relief to ratepayers whose properties have suffered damage from natural disaster to the extent that they are not inhabitable.

If a property is rendered uninhabitable then Council has the discretion to remit the rates, but linking it only to a declaration of emergency doesn't seem fair. It was considered it should be based on lack of use of property, regardless of circumstances.

Discussion was held on what would qualify and Mr Bush-King said staff have tried to ring-fence Council's exposure. A S124 notice was seen as an important qualification to limit exposure although he acknowledged there were many situations where dwellings would be uninhabitable and not result in a 124 notice. He noted that Council would retain the discretion to say "yes" or "no".

Councillors discussed amendments to the proposed policy if the matter was to be voted on - refuse collection to be removed from 3a) and 3b) in Policy on Remission of Rates for Land Affected by Natural Disaster", and the need for a Civil Defence Emergency declaration to be removed from the policy.

Moved Crs Bouillir/Sangster
CN12-05-

THAT the Tasman District Council:

- a) Receives Report RCN12-05-06 on a possible Rates Remission Policy for Natural Disasters; and
- b) Agrees that the Summary of Information and Statement of Proposal attached to the report as Appendix 1, as amended, be approved, and advertised for public consultation using the Special Consultative Procedure (section 83 of the Local Government Act 2002).

LOST

A morning tea break was taken at 10.32 am.
The meeting resumed at 10.51 am.

3.3 Acting Chief Executive's Report – RCN12-05-07

Mr Bush-King spoke to his report which provided an update on various matters regarding the amalgamation poll, the Representation Review, the Long Term Plan, Land and Water New Zealand, and the recovery project. Mr Bush-King referred Councillors to the Code of Conduct complaint concerning the 'flyer' released prior to the Poll closing and that in his view the matter was now closed.

Recovery Manager, Adrian Humphries, was in attendance to brief the Council on the recovery process to date in Golden Bay, following the flood event of December 2011.

On behalf of Council, Cr King thanked Dennis Bush-King for the manner in which he has serviced the Council and dealt with staff over the period he has been Acting Chief Executive.

Mayor Kempthorne also thanked Dennis for his work and said it had been a pleasure to work with him.

**Moved Crs Norriss/King
CN12-05-06**

**THAT the Tasman District Council receives the Acting Chief Executive's Report (RCN12-05-07).
CARRIED**

3.4 Mayor's Report for March/April 2012 – RCN12-05-08

Mayor Kempthorne spoke to his report which contained a commentary of his activities for the months of March/April 2012 for Councillors' information.

Mayor Kempthorne commented on the meeting held with property owners regarding noise issues at Motupipi, resulting from the motorcross track on the Harwood's property. A system has been setup for an email advice of when motorcross events are being run.

Cr Sangster complimented Mayor Kempthorne on the way he has handled the situation, which is difficult, with one group wanting to ride and another group not wanting them to ride.

**Moved Crs Inglis/Ensor
CN12-05-07**

THAT the Tasman District Council:

- a) Receives the Mayor's Report for March/April 2012 (RCN12-05-08); and**
- b) Approves the attendance of Crs C M Maling and M L Bouillir as Tasman District Council's representatives, at the Local Government New Zealand Conference in July 2012.**

CARRIED

4 MACHINERY RESOLUTIONS

**Moved Crs Ensor/Glover
C12-05-08**

THAT the Tasman District Council receives the Machinery Resolutions report RCN12-03-09 and that the execution of the following documents under the Seal of Council be confirmed:

Licence

Peter Pontiers, 12508L2, Licence to occupy - Takaka Library carpark for Saturday Market (as approved by Golden Bay Community Board).

Gary Basher, 22006L8, Forestry grazing licence, Howard Valley, 3 year term

Deed of Renewal

J R Balck, 133302L1, Deed of renewal and variation to lease - grazing lease Pages Road, Takaka

Easement

Key Properties Ltd, RM090216V1, Both a partial surrender of easement in gross, and a new easement in gross

J P Homes, RM060125, Cancellation of easement in gross

J P Homes, RM060125, Easement in gross for wastewater - replacement for cancelled easement for Council wastewater pipes

CARRIED

5 RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs Glover/Ensor

CN12-05-09

THAT the public be excluded from the following part of the proceedings of this meeting:

Commercial Opportunities Report

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:

| Item | 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 |
|-------------|--|--|---|
| 5.1 | Commercial Opportunities Report | Good reason to withhold exists under section 7 | Section 48(1)(a)(i) |

This resolution is made in reliance on Section 48(1)(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or 7 of that 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:

| Item | Reason to withhold information under Section 7 | Section |
|-------------|--|----------------|
| 5.1 | Enable a local authority holding the information to carry out, without prejudice or disadvantage, commercial activities | 7(2)(h) |

CARRIED

(Refer to Confidential Minutes, Resolution numbered CN12-05-10.)

Moved Crs Edgar/Inglis

CN12-05-11

THAT open meeting be resumed.

CARRIED

The meeting concluded at 12.38 pm.

Date Confirmed:

Chair:

UNCONFIRMED MINUTES