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**MINUTES**  
of the  
**CORPORATE SERVICES COMMITTEE MEETING**  
held  
**9.30 am, Thursday, 22 August 2013**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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**Present:** Councillor T B King, Mayor R G Kempthorne, Councillors G A Glover, S G Bryant, B F Dowler, J L Edgar, B W Ensor, J L Inglis, Z S Mirfin, C M Maling, T E Norriss, P F Sangster, and E J Wilkins.

**In Attendance:** Chief Executive (L McKenzie), Corporate Services Manager (M J Drummond), Policy Manager (S Markham), Executive Assistant (V M Gribble)

**1 OPENING, WELCOME**

**2 APOLOGIES AND LEAVE OF ABSENCE**

Moved Cr Edgar/Mayor Kempthorne  
FN13-08-1

That apologies for absence from Cr M L Bouillir be received.  
CARRIED

**3 CONFIDENTIAL LATE ITEM - LAND PURCHASE**

Moved Mayor Kempthorne/Cr Inglis  
FN13-08-2

That the Corporate Services Committee agrees to receive the late confidential item – LEH Baigent Reserve – CHH Tender – Confidential (RCN13-08-11) for discussion in the meeting. The reason for the late item is that the report was not to hand when the agenda was prepared and tenders close on 30 August 2013.  
CARRIED

**4 SUSPENSION OF STANDING ORDERS**

Moved Cr Maling/Mayor Kempthorne  
FN13-08-3

That the Corporate Services Committee suspend Standing Orders to allow Mr Fitchett to speak in the public forum for ten minutes, on behalf of Mr M Clark.  
CARRIED

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## **5 PUBLIC FORUM**

### **5.1 Mr C Robinson**

Mr Robinson spoke about the lack of disabled parking at the Sprig & Fern in Queen Street which was a condition of the resource consent.

Cr Mirfin arrived at 9.35 am.

### **5.2 Cr Edgar**

Cr Edgar read a submission on behalf of Debbie Fitzpatrick about her concerns that the flat she has on the property which is rented out could affect the amount of rates remission she will receive for her property under the policy for remission of rates on land subject to Council initiated zoning changes.

### **5.3 Mr J Fitchett on behalf of Mr M Clark**

Mayor Kempthorne declared a conflict of interest and left the table.

Mr Fitchett tabled and read a submission on behalf of Mr M Clark and Ms S McBride concerning the rates remissions to be applied to their property.

## **6 DECLARATIONS OF INTEREST**

Mayor Kempthorne declared an interest in the rates remission application for Mr M Clark and Ms S McBride and advised that when that application was considered he would leave the table and take no part in discussion.

## **7 CONFIRMATION OF MINUTES**

**Moved Cr Norriss/Cr Mirfin  
FN13-08-4**

**That the minutes of the Corporate Services Committee meeting held on Thursday, 11 July 2013, be confirmed as a true and correct record of the meeting.**

**CARRIED**

## **8 REPORTS OF COMMITTEE**

Nil

## **9 PRESENTATIONS**

Nil

## **10 REPORTS**

### **10.1 Action Sheet - 22 August 2013**

The Committee reviewed the action sheet which was included in the agenda.

**Moved Cr Glover/Cr Sangster**

**FN13-08-5**

**That the Corporate Services Committee receives the Action Sheet - 22 August 2013**

**RFN13-08-08.**

**CARRIED**

**11.2 Corporate Services Activity report**

Corporate Services Manager, Mike Drummond, spoke to the report which commented on:

- Port Nelson Directors Fees – Mr Drummond advised that staff of Nelson City Council and Tasman District Council would be working on a single approach for determining directors fees based on an agreed methodology. Port Directors fees are normally reviewed on a two-yearly cycle and last time agreement between NCC and TDC could not be reached. The current request for an increase in Directors fees covers a two-year period and will be considered by the Joint Shareholders Committee.
- Nelson Tasman Tourism Review – Mr Drummond advised that the consultants have been granted a two week extension and will be meeting with Councillors at a workshop following the Corporate Services Committee meeting today. Concern was expressed about the terms of reference and Councillors felt it was biased towards the tourism sector.

Mr Drummond advised the review is wide, the consultants are talking to operators, and they have clear instructions as to the balance the report needs to bring forward, with justification if any for a ratepayer contribution to tourism. They have been talking to people involved in the industry and Mr Drummond is confident they will bring back a balanced view. The current i-Site model is not sustainable and a new delivery model is needed.

Mayor Kempthorne noted the councillors concerns can be raised at the workshop with Opus following the meeting.

- Golden Bay Service Centre – the question was asked whether the storage facility at Elms Street is being fully utilised and is it needed? Mr Drummond advised that staff are currently reviewing what records can be destroyed and what needs to be kept from those remaining of the old Golden Bay Service Centre. The Elms Street storage is about three-quarters full. Council has statutory obligations to meet concerning records and archives including the need to provide appropriate storage facilities that ensure preservation of records.
- Policy Review Treasury - Mr Drummond advised work is commencing on a review of Treasury policy. A S&P credit rating will allow Council to borrow at a lower rate and policy inconsistencies need to be addressed. The borrowing and other limits set in the treasury policy will not be revisited at this time, that will happen as part of the ten year plan Financial Strategy Review.

**Moved Cr Bryant/Cr Ensor**

**FN13-08-6**

**That the Corporate Services Committee receives the Corporate Services Activity report**

**RFN13-08-02.**

**CARRIED**

### **11.3 Lee Valley Dam - Crown Irrigation Investments Report**

Cr Maling left the table during discussion on this matter and returned shortly afterwards.

Corporate Services Manager, Mike Drummond, spoke to the report which was included in the agenda.

**Moved Cr Norriss/Cr Inglis**

**FN13-08-7**

**That the Corporate Services Committee:**

- 1) receives the Lee Valley Dam - Crown Irrigation Investments Report RFN13-08-10; and**
- 2) approves staff participation in the development of a Registration of Interest (ROI) document to be lodged with Crown Irrigation Ltd on behalf of WWAC and Council.**

**CARRIED**

### **11.4 Rates Remission for Land Subject to Council Initiated Zone Changes**

Mayor Kempthorne declared a conflict of interest in relation to the application from M Clark and S McBride.

Corporate Services Manager, Mike Drummond and Rates Officer, Judith Seatter were in attendance for discussion on this item.

Chief Executive, Lindsey McKenzie, was asked whether Mr Fitchett's submissions in the public forum should give rise to doubt the legality of the rates remissions policy. He said that he understood that Mr Fitchett was not challenging the policy per se but pointing out how he thought the Committee should apply the policy in Mr Clarks case and the consequences of not doing so. Those consequences, he said, related to the possibility of judicial review proceedings if Councillors didn't disclose the potential conflicts or perceptions of bias that Mr Fitchett eluded to.

Mr McKenzie said he didn't think that what was said related to the question of the policy's validity or adequacy.

In answer to a question about declaring a conflict of interest on the matter, Mr McKenzie said that what distinguishes Mayor Kempthorne from Councillor Maling is that Mr Fitchett referred to a media report featuring Mayor Kempthorne which it was alleged showed bias. Mayor Kempthorne has responded by declaring an interest. It is not so much a conflict of interest but a perception of bias, he said.

Mr Drummond spoke to the report. He advised Council they were given the additional information concerning values of land and areas sold to Council from the applicants as a Councillor had requested the information. Staff endeavored to include all the information they have on the properties. Whether or not any weight is given to any circumstance is for councilors to consider and then draw their own conclusions. One of the reasons staff concluded a business is operated from the Clark property is that the business cards have that address on them. It is the registered office of the company although is not necessarily the office from which it operates. The land was revalued based on the new zoning, then sold to Council at that higher value.

Mr Drummond noted in the tables the land value is the current land value. The revalued land is the land valued at its original zoning. The difference between the two is what we based the proposed remission on.

In reply to a question, Mr Drummond advised the policy doesn't say a property must be solely used for residential purposes, and the balance of the property may or may not be used for another

purpose.

Mr Drummond advised that staff extracted information from individual applications. Decision-making comes down to applying the criteria set in the remissions policy and staff have endeavoured to give all information relevant to that criteria. If you have concerns about an application you can leave it to lie on the table, but you will need to give staff a clear steer as to what extra information you wish them to obtain.

Cr Glover said she will be abstaining from voting. She believes there should have been a rates deferral only and today's discussions are only showing her why she felt this way.

### Moved Cr Edgar/Cr Norriss

**FN13-08-8**

**That the Corporate Services Committee:**

- 1) receives the Rates Remission for Land Subject to Council Initiated Zone Changes RFN13-08-09 report; and
- 2) remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2012/13 year for \$9,837 as detailed below:

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Re valued Land Value	100% Remission 2012/13
1957015000	Salvador A S	439 Lower Queen St	750,000	460,000	\$954
1957019300	Heslop J F	61 Headingly Lane	1,550,000	495,000	\$3,471
1957019600	Knalmann R V & Jary CM	78 Headingly Lane	1,100,000	405,000	\$1,793
1957019700	Horder E R & Wells S J	72 Headingly Lane	675,000	280,000	\$1,300
1957019900	Fraser C & A	50 Headingly Lane	1,100,000	355,000	\$2,319
					<b>\$9,837</b>

And remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2013/14 year for \$10,097 as detailed below:

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Re valued Land Value	100% Remission 2013/14
1957015000	Salvador A S	439 Lower Queen St	750,000	460,000	\$979
1957019300	Heslop J F	61 Headingly Lane	1,550,000	495,000	\$3,563
1957019600	Knalmann R V & Jary C M	78 Headingly Lane	1,100,000	405,000	\$1,840
1957019700	Horder E R & Wells S J	72 Headingly Lane	675,000	280,000	\$1,334
1957019900	Fraser C & A	50 Headingly Lane	1,100,000	355,000	\$2,381
					<b>\$10,097</b>

**CARRIED**

### Moved Mayor Kempthorne/Cr Dowler

**FN13-08-9**

**That the Corporate Services Committee remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2012/13 year**

for 100% (\$3,619) for Valuation number 1957019800:

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Revalued Land Value	Remission %		
					50%	80%	100%
1957019800	P & M Fitzpatrick/ Goodfellow Trustee Co Ltd	70A Headingly Lane	1,600,000	425,000	\$1,810	\$2,895	\$3,619
This property has a flat which is rented out.							

And remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2013/14 year for 100% (\$3,715) for Valuation number 1957019800:

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Revalued Land Value	Remission %		
					50%	80%	100%
1957019800	P & M Fitzpatrick/ Goodfellow Trustee Co Ltd	70A Headingly Lane	1,600,000	425,000	\$1,857	\$2,971	\$3,715
This property has a flat which is rented out.							

**CARRIED**

Mr Drummond advised that in the case of the Cargill property, he wasn't sure about the area of land leased but it is a low level of income from the grazing, and the applicant felt it appropriate to bring that information to our attention.

Cr Maling left the meeting at 10.47 am.

Mr Drummond referred to the application which says there is a lease on the land, no area, or no income derived. It may be appropriate to gain more information before making a decision.

The comment was made that this highlights the difficulty of the policy. Council is making judgements about why people are leasing etc. It makes a more vexing policy to implement.

After the first year Council needs to look at the practical application of the policy. How it is working in practice \ might need tweaking. This process is highlighting it interpretation challenges. We need to make sure we're not making applicants the victims of ambiguity within the policy.

It was noted there was a number of criteria, some not relevant in specific circum stances, some around rezoning and who initiated what and over what land area, which are important for going forward. Council could go back and find out what they rent it out for and what they do with it, but it was unsure what would be gained.

**Moved Cr Mirfin/Cr Edgar  
FN13-08-10**

**That the Corporate Services Committee remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2012/13 year for 100% \$1,464 for Valuation number 1938099000:**

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Revalued Land Value	Remission % 2012/13		
					50%	80%	100%
1938099000	Cargill BP & KR	16 McShane Rd	890,000	445,000	\$732	\$1,171	\$1,464
A portion of the property is leased out to a third party.							

**And remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2013/14 year for 100% \$1,503 for Valuation number 1938099000:**

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Revalued Land Value	Remission % 2013/14		
					50%	80%	100%
1938099000	Cargill BP & KR	16 McShane Rd	890,000	445,000	\$752	\$1,202	\$1,503
A portion of the property is leased out to a third party.							

**CARRIED**

Cr Ensor voted against the motion

Mayor Kempthorne declared an interest in Mr Clark's application and left the table.

Clarification was sought that Mr Clark took Council to the Environment Court to have the deferment lifted.

Policy Manager, Mr Markham said that was correct.

It was noted Mr Clark knew at that time of the rate implications and said some of the information presented by Mr Fitchett was incorrect.

Cr King considered rezoning processes important. Council rezoned some areas and he agrees with 100% remission for that land. Subsequently submissions were lodged, advice was taken from Valuation NZ and an additional area was rezoned. Mr Clark was well aware of the implications, and he also asked for a remissions policy to be instituted. (Read from Mr Clark's submission). Clearly, the balance of the land greater than what is shown on Mr Fitchett's map today was initiated and argued strongly by the landowners. Cr King's personal belief is that portion should not have rates remission applied but the part initiated by Council should have a 100% remission. It is important that as we go ahead into future zoning processes that those who advocate for that zoning to be undertaken do recognise the implications and bear the additional rates costs. The reason for this policy was that people were unaware and were not promoting rezoning of their land.

Mr Drummond advised that the remissions policy requires annual application. Today's remissions only apply to 2012/2013 and 2013/2014.

**Moved Cr Ensor/Cr Bryant**

**FN13-08-11**

That the Corporate Services Committee leave items 8 and 9 (AMG Clark and S M McBride) to lie on the table and more information be obtained looking at the area of land initially to be rezoned by Council and the area of land brought in subsequent to decisions.

**CARRIED**

Mayor Kempthorne returned to the table.

**Moved Mayor Kempthorne/Cr Ensor****FN13-08-12**

That the Corporate Services Committee leave items 10 and 11 (CRA & ML Yarrell) to lie on the table to look at the type of business activity and how it fits with the mixed business zone.

**CARRIED**

**Moved Cr Mirfin/Cr Edgar****FN13-08-13**

That the Corporate Services Committee remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2012/13 year for 100% \$2,895 for Valuation number 1957020600:

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Re valued Land Value	Remission % 2012/13		
					50%	80%	100%
1957020600	Gibbs A J & K F	404 Lower Queen Street	\$ 1,325,000	\$ 445,000	\$1,448	\$2,316	\$2,895
A portion of this property has been sold back to Council for Roothing.							

**CARRIED**

**Moved Cr Mirfin/Cr Edgar****FN13-08-14**

That the Corporate Services Committee remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2013/14 year for 100% \$2,972 for Valuation number 1957020600:

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Re valued Land Value	Remission % 2013/14		
					50%	80%	100%
1957020600	Gibbs A J & K F	404 Lower Queen Street	\$ 1,325,000	\$ 445,000	\$1,486	\$2,378	\$2,972
A portion of this property has been sold back to Council for Roothing.							



CARRIED

Moved Cr Edgar/Cr Mirfin  
FN13-08-12

That the Corporate Services Committee remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2012/13 year for 100% \$8,439 for Valuation number 1957020300:

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Re valued Land Value	Remission % 2012/13		
					50%	80%	100%
1957020300	Wall J M	428 Lower Queen Street	\$ 3,375,000	\$ 810,000	\$4,220	\$6,751	\$8,439
A portion of this property has been sold back to Council for Roothing.							

CARRIED

Moved Cr Edgar/Cr Mirfin  
FN13-08-13

That the Tasman District Council remits rates in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2013/14 year for 100% \$8,662 for Valuation number 1957020300:

Valuation Number	Ratepayer(s)	Address	2012/13 Land Value	Re valued Land Value	Remission % 2013/14		
					50%	80%	100%
1957020300	Wall J M	428 Lower Queen Street	\$ 3,375,000	\$ 810,000	\$4,331	\$6,930	\$8,662
A portion of this property has been sold back to Council for Roothing.							

CARRIED

Moved Cr Bryant/Cr Ensor  
FN13-08-14

That the Corporate Services Committee declines the application for a remission in accordance with Council's Policy on Rates Remission for Land Subject to Council Initiated Zone Changes for the 2012/2013 and 2013/2014 years for Valuation number 1960020002:

Valuation Number	Ratepayer	Address	Proposed Remission
1960020002	Hart R J	75 Hart Road	Decline

CARRIED

11.5 Port Tarakohe Closed Account

Moved Mayor Kempthorne/Cr Edgar

**FN13-08-15**

That the Corporate Services Committee:

- 1) receives the Port Tarakohe Closed Account report RFN13-08-06. ; and
- 2) approves the establishment of the Port Tarakohe Closed Account from 1 July 2013.

**CARRIED**

**11.6 Treasury Report**

Mr Drummond spoke to the report, saying staff have delayed placing debt with the LGFA while waiting for the S&P credit rating as this will allow placing of debt at a lower cost.

In answer to a question about use of the word “excellent” in relation to debt levels, Mr Drummond said the term “excellent” refers to the result from starting the year with more debt than anticipated, and the year end debt staying within budget.

**Moved Cr Glover/Cr Inglis**

**FN13-08-16**

That the Corporate Services Committee receives the Treasury Report RFN13-08-03.

**CARRIED**

**11.7 Financial Services Activity**

**Moved Mayor Kempthorne/Cr Edgar**

**FN13-08-17**

That the Corporate Services Committee receives the Financial Services Activity Report RFN13-08-05.

**CARRIED**

**12 PUBLIC EXCLUDED**

**Moved Cr Norriss/Cr Edgar**

**FN13-08-18**

That the public be excluded from the following part(s) of the proceedings of this meeting. The general subject of each matter to be considered 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 the passing of this resolution follows.

**LEH Baigent Reserve – CHH Tender**

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 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, as follows:

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, negotiations	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of

under section 7.	(including commercial and industrial negotiations).	information for which good reason for withholding exists under section 7.
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**AND that Don Turley and Fiona McConnochie (Hamish Fletcher Lawyers), Stuart Ritchie (Fletcher Vautier Moore), Ron Oliver, Hamish Rush and David Easton be allowed to remain in the Council Chambers for this public excluded item due to their interest in the matter.**  
**CARRIED**

The open meeting resumed at 3.25 pm.

Cr Bryant left the meeting at 3.25 pm.

### **11.8 Property Services Activity Report**

Mr Frater spoke to the report. He noted the Drag Racing had asked that the 7 December 2013 date be changed to 30 November 2013 due to a clash of dates with another event.

Cr Mirfin asked for the Mapua Medical Centre to be given an opportunity to put their case for a new medical centre on the Mapua site.

Cr Norriss advised that he knows of two horses that were killed as a result of fireworks at the Motueka Aerodrome last Saturday night. He said there had been no advertising about the fireworks.

**Moved Mayor Kempthorne/Cr Dowler**  
**FN13-08-22**

**That the Corporate Services Committee:**

- 1) receives the Property Services Activity Report RFN13-08-07; and
- 2) approves the 2013/2014 drag racing dates of 9 November 2013, 30 November 2013, 1 February 2014 (lay day 2 February 2014), and 5 April 2014 (lay day 6 April 2014).

**CARRIED**

### **11.9 Information Services Activity**

Mr Drummond spoke to the report contained in the agenda.

The question was asked about the trial of iPads and what will happen going forward.

Mr Drummond advised the Councillors who were provided with electronic equipment were allowed to purchase it from Council, and they he would check that they had been invoiced.

**Moved Cr Norriss/Cr Inglis**  
**FN13-08-23**

**That the Corporate Services Committee receives the Information Services Activity Report RFN13-08-04.**

**CARRIED**

### **11.10 Human Resources Activity Report**

Mr Drummond spoke to the report, which in past had been in committee due to the personal information in the report, but in reviewing this report there is no personal information. The report is intended to give Councillors a view of the HR activity with a breakdown of staff by age, level of service etc.

Cr Dowler and Cr Norriss left the meeting at 3.30 pm.

Cr Glover asked about the increase of staff numbers from June 2009 to June 2013 for the Corporate Services section. Mr Drummond undertook to get the information.

(Officers note: This was provided to all councilors by memo 27/08/2013)

Cr Edgar noted there are two staff running for councils and asked is the process being managed by staff?

Mr Drummond assured Council the two staff have been spoken to and understand restrictions and rules that apply. They have also been issued with formal letters setting out the requirements for staff campaigning for Council.

Cr Mirfin asked about staff turnover. Do we know what it costs for each staff member and how is it accounted for?

Mr Drummond replied that no specific costing work has been done across Council to determine the cost of turnover for each staff member.

**Moved Cr Ensor/Cr Glover**  
**FN13-08-24**

**That the Corporate Services Committee receives the Human Resources Activity Report**  
**RFN13-08-01.**  
**CARRIED**

The meeting concluded at 3.35 pm.

Date Confirmed:

Chair: