



AGENDA

ORDINARY MEETING OF THE NELSON CITY COUNCIL

Thursday 29 May 2008

Commencing at 9.00am

Council Chamber

Floor 2A, Civic House

Trafalgar Street

Nelson

Council Membership:

His Worship the Mayor K Marshall (Chairperson)

Councillors I Barker, A Boswijk, G Collingwood, M Cotton, D Henigan, M Holmes, A McAlpine,
A Miccio, P Rainey, R Reese (Deputy Mayor), D Shaw and G Thomas

B U S I N E S S

As set out below

Ordinary Meeting of the Council
29 May 2008

AJR:ca

Refer to
Page No.

APOLOGIES

1.0 OPENING PRAYER

2.0 CONFIRMATION OF MINUTES

Recommendation

17 April 2008

1-7

THAT the minutes of the ordinary meeting of the Nelson City Council, held on Thursday 17 April 2008, be confirmed as a true and correct record.

15 May 2008

8

THAT the minutes of the Extraordinary meeting of the Nelson City Council, held on Thursday 15 May 2008, be confirmed as a true and correct record.

3.0 COUNCIL STATUS REPORT – MAY 2008

9-13

Recommendation

THAT the report be received.

4.0 MAYORS REPORT

4.1 Attendance at LGNZ Conference

Recommendation

THAT the Mayor, Deputy Mayor and Chief Executive attend the Local Government Conference in Rotorua in July;

AND THAT the Mayor be the Nelson City Council Delegate and the Chief Executive be the alternate.

4.2 Nomination for Vice President of LGNZ

14-15

Recommendation

THAT Nelson City Council nominate Kerry Prendergast, Mayor of Wellington, as Vice President of the New Zealand Local Government Association.

4.3 Building Act Accreditation

16-17

Note: Nelson City Council is one of the Councils for which accreditation is imminent.

5.0 REPORTS AND RECOMMENDATIONS OF COMMITTEES

5.1 Applications – 30 April 2008 **18-23**

5.2 Community Services - 29 April 2008 **24-33**

5.3 Infrastructure – 8 May 2008 **34-39**

Recommendation

***THAT** the following alterations be made to the schedules of Bylaw No 207 – Parking and Vehicle Control – 2004 all as per the attachments to document no 655228;*

(i) Schedule 9 – No Stopping and No Parking

5.4 Environment – 13 May 2008 **40-48**

5.5 Corporate Governance – 15 May 2008 **49-53**

Recommendation

***THAT** Part 6 of the Consolidated Bylaw “Cemeteries and Crematorium” be revoked;*

***AND THAT** the Draft Bylaw “Burials and Cremations”, included as Attachment 2 of Document No 652834, be adopted for public consultation in accordance with the provisions of the Local Government Act 2002;*

***AND THAT** the proposed conditions for the Exclusive Right of Burial, and the Interment Warrant, including the requirements relating to the Erection of Memorials, outlined in Attachment 3 to Document No 653834, be adopted as Council policy.*

Note: A copy of the draft Bylaw is enclosed. **54-70**

**6.0 SOLITAIRE INVESTMENTS DEVELOPMENT CONTRIBUTIONS –
NGAWHATU AND MARSDEN VALLEYS** **71-96**

Document No 654242, dated 31 March 2008

Note:

- i. This report was referred to the Council from the Infrastructure Committee minutes of 8 May 2008.
- ii. The additional information requested by the Committee accompanies the agenda as a separate document.

**7.0 SUBMISSION ON THE PROPOSED NZ COASTAL POLICY
STATEMENT 2008** **97-112**

Document No 659168, dated 17 April 2008

Note: This report was referred to Council from the Environment Committee meeting of 13 May 2008.

8.0 GOVERNANCE REVIEW

8.1 Committee Restructure and Memberships

Following discussions at the workshop on 15 May 2008

Recommendation

THAT all Councillors be members of the Community Services, Infrastructure, Environment and Corporate Governance Standing Committees.

8.2 Revised Schedule of Standing Committee and Council Meetings

Following the workshop held on 15 May 2008 a revised schedule of Standing Committee and Council meetings has been drawn up for the remainder of 2008 and is circulated as a separate A3 sheet, dated 20 May 2008.

Note: There was not enough notice to reschedule the Community Services meeting of 10 June 2008.

Recommendation

THAT the revised schedule of Standing Committee and Council meetings 1 June 2008 to 31 December 2008 be approved.

9.0 REVOCATION OF BYLAWS AND PROMULGATION OF NEW BYLAW (215) – MISCELLANEOUS MATTERS

113-118

The Special Consultative Procedure in respect of the revocation of the following bylaws:

- i) Consolidated Bylaw 1992
 - a) Part 1: Introduction
 - b) Part 2: Refuse Collection and Disposal
 - c) Part 4: Public Swimming Pools
 - d) Part 5: Miscellaneous Matters
- ii) Fire Prevention Bylaw 1981 (No 170)
- iii) Control of Animals Bylaw (No 185)
- iv) Nelson Public Library Bylaw 2001 (No 201)

And the introduction of a new Bylaw No 215 – Miscellaneous Matters, opened on 19 April 2008 and closed at 4.00pm on Tuesday 20 May 2008.

A copy of Bylaw 215 as consulted on is attached.

No submissions were received in respect of the proposals.

It is therefore appropriate that the process now be concluded.

Recommendation

THAT *the revocation of the following bylaws be confirmed.*

- i) *Consolidated Bylaw 1992*
 - a) *Part 1: Introduction*
 - b) *Part 2: Refuse Collection and Disposal*
 - c) *Part 4: Public Swimming Pools*
 - d) *Part 5: Miscellaneous Matters*
- ii) *Fire Prevention Bylaw 1981 (No 170)*
- iii) *Control of Animals Bylaw (No 185)*
- iv) *Nelson Public Library Bylaw 2001 (No 201)*

AND THAT *Bylaw 215 “Miscellaneous Matters” as circulated, be adopted;*

AND THAT *Bylaw 215 come into effect, and the revocation of the bylaws mentioned above take affect, as from Monday 9 June 2008.*

10.0 IWI PROPOSAL FOR ADDITIONAL NAME FOR THE NORMANBY BRIDGE

A report will be circulated prior to the meeting.

11.0 DELEGATIONS REGISTER

A report will be circulated prior to the meeting.

12.0 PUBLIC EXCLUDED BUSINESS

12.1 Exclusion of the Public

Recommendation

THAT *the public be excluded from the following parts of the proceedings of this meeting in accordance with section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 on the grounds that the public conduct of this part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.*

- (i) *Minutes of part of the ordinary meeting of the Nelson City Council, Public Excluded Business – 17 April 2008*

Reasons:

To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied the information; or

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons.

(ii) ***Minutes of part of an Extraordinary meeting of the Nelson City Council, Public Excluded Business – 15 May 2008***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons

(iii) ***Council Public Excluded Status Report – May 2008***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons

(iv) ***Minutes of the Community Services Committee, Public Excluded Business – 29 April 2008***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons

(v) ***Minutes of the Corporate Governance Committee Public Excluded Business – 15 May 2008***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons

(vi) ***Achilles Avenue***

Reasons:

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons

(vii) ***NZ United World College Trust***

To enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or

To protect the privacy of natural persons

12.2 Re-admittance of the Public

Recommendation

THAT the public be readmitted to the meeting.