



AGENDA

ORDINARY MEETING OF THE NELSON CITY COUNCIL

Thursday 17 September 2009

Commencing at 9.00am

Council Chamber, Civic House,

Trafalgar Street,

Nelson

Membership:

His Worship the Mayor K Marshall (Chairperson)

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

BUSINESS

As set out below

823563

Nelson City Council
17 September 2009

Refer to
Page No.

Note: It is expected that the meeting will be concluded by 12.30pm.

APOLOGIES

OPENING PRAYER

1.0 PUBLIC FORUM

- 1.1 Representatives of the Atawhai Play Centre, Ban the Tower Inc., and Bright Sparks Pre-school (Kate Mitchell or Sarah Allan, and Sue Grey) wish to speak to the Council regarding the Telecom proposal to undertake consultation in respect of a cell phone tower in the Dodson Valley area.(Report 816736 pages 8–26 of the agenda refers)

2.0 CONFIRMATION OF MINUTES

A-G

3 September 2009

Recommendation

THAT the minutes of the ordinary meeting of the Nelson City Council, held on Thursday 3 September 2009, be confirmed as a true and correct record.

3.0 MAYOR'S REPORT

4.0 REPORTS – PERFORMANCE

4.1 Community Outcomes progress report

1-3

Document No 822600 Dated 17 September 2009

Note: The “Top of the South Indicators” report accompanies the agenda as a separate document.

5.0 REPORTS – POLICY

5.1 Building Act Infringement Offences.

4-7

Document No 803804 Dated 3 September 2009

5.2 Telecom cell phone tower application – Atawhai

8-26

Document No 816736 Dated 10 August 2009

6.0 REPORTS FROM COMMITTEES AND OTHER GROUPS

6.1 Joint Shareholders Committee – 17 August 2009

27-29

Recommendation:

THAT the minutes of the meeting of the Joint Shareholders Committee held on Monday 17 August 2009 be received and the following Recommendations be adopted:

- i) THAT it be recommended to the Nelson City Council that the terms of reference for the Combined Shareholders Group be amended by the insertion of:***
 - a) Standing Orders to be applied at each meeting shall be Model Standing Orders NZS 9202:2003;***
 - b) The Chairperson shall alternate on a per meeting basis, between both councils and the Chairperson shall not have a casting vote;***
 - c) Power to represent each Council in all matters relating to shareholder interest in the jointly owned CCOs and joint ventures;***
 - d) To discuss any other matters that relate to each Council's joint shareholding.***
- ii) THAT the nine monthly report of Port Nelson Ltd to 31 March 2009 be received.***
- iii) THAT the Nelson Tasman Tourism Statement of Intent 2009/2010 be approved for signing.***

6.2 Plan Change Committee – 13 August 2009

The minutes of this meeting were adopted by the Council at its meeting on Thursday 3 September 2009 however in this process a specific recommendation to the Council from the Committee was overlooked.

The recommendation, as set out below, relates to the appointment of Councillors to a working group to oversee the review of the Conservation overlay within the Nelson Resource Management Plan.

Recommendation:

THAT the Council appoint three Councillors to that working party.

7.0 PUBLIC EXCLUDED BUSINESS

7.1 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 meeting of the Nelson City Council, Public Excluded Business – 3 September 2009*

ii) *Purchase of land Covent drive*

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) *Proposed Plan Change 13*

Reasons:

To protect the privacy of natural persons; and

A right of appeal lies to the Environment court against the final decision of the council

iv) *Joint Shareholders Committee – 18 August 2009*

Reason:

To enable the Committee to carry on negotiations without prejudice or disadvantage.

7.2 Re-admittance of the Public

Recommendation

THAT the public be re-admitted to the meeting.