

MINUTES OF A MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON THURSDAY 17 APRIL 2008 COMMENCING AT 9.04AM

PRESENT: 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

IN ATTENDANCE: Chief Executive (V Altmnts) and Administration Adviser (A Rose)

1.0 OPENING PRAYER

The opening prayer was read by the Chief Executive.

2.0 CONFIRMATION OF MINUTES

9 March 2008

Resolved

***THAT** the minutes of the ordinary meeting of Nelson City Council, held on Thursday 9 March 2008, be confirmed as a true and correct record with the addition of the words “and His Worship the Mayor (ex-officio) added to the last clause of the resolution under item 17 Proposed City Strategy”.*

Barker/Thomas

Carried

Resolved

***THAT** the minutes of the ordinary meeting of the Nelson City Council to approve the draft Annual Plan 2008/09 for public consultation, held on Thursday 27 March 2008, be confirmed as a true and correct record.*

Shaw/Barker

Carried

3.0 COUNCIL STATUS REPORT – APRIL 2008, AGENDA PAGES 24A-24F REFER

A request was made that, where appropriate, the Committee that the Council resolution report or action originated from be identified on the Status Report.

3.1 Proposed Central City Strategy

In answer to some questions regarding the progress on the development of a Central City Strategy, the Manager Environmental Policy, Martin Workman, and Senior Planner, David Jackson, joined the meeting and briefed the Council.

The Senior Planner said that up to six members of the public had been approached and five have confirmed their interest: Mr John Palmer, Ms Sharon McGuire, Mr Bill Mulder, Mr Ropata Taylor and Ms Sarah Holman. One other person had yet to confirm whether they were willing to be a member of the group.

In answer to a question the Chief Executive explained that the Steering Group of three Councillors had the ability to approach people and he confirmed that the Steering Group will report back to Council.

In answer to another question the Senior Planner said that draft Terms of Reference are being worked out and will be referred to the Steering Group at its first full meeting for approval.

It was requested that the Council be kept up to date with progress made by the Working Party.

In particular, Councillor Shaw said that, as the Council's Urban Design Champion, he would be especially interested in sitting in on the Steering Group meetings to follow the process.

Resolved

THAT the Council Status Report – April 2008, be received.

Boswijk/Rainey

Carried

4.0 REPORTS AND RECOMMENDATIONS OF COMMITTEES

4.1 Applications Committee

Resolved

THAT the minutes of meetings of the Applications Committee, held on 26 February and 26 March 2008, be received.

Barker/Shaw

Carried

It was requested that the agenda/order paper for the Applications Committee be sent to those Councillors who were not on the Committee.

4.2 Community Services Committee

Resolved

THAT the unconfirmed minutes of a meeting of the Community Services Committee, held on 18 March 2008, be received and the following recommendations to the Council adopted:

i) Statement of Proposal for the sale of Blackwood Street Land

THAT the proposed indicative subdivision of the Blackwood St land as shown in Attachment 2 and the draft Statement of Proposal as shown in Attachment 3 in report No 644936, be approved for consultation under the Local Government Act 2002;

AND THAT this special consultative procedure be included in the 2008/09 Draft Annual Plan consultation.

ii) Proposed Revocation of part of the Maire Street Reserve

THAT the land not be sold and that it be developed as a reserve in consultation with neighbours.

Rainey/Boswijk

Carried

4.3 Infrastructure Committee

Resolved

THAT the unconfirmed minutes of a meeting of the Infrastructure Committee, held on 20 March 2008, be received and the following recommendation to the Council adopted.

Parking and Vehicle Control Bylaw 2004, no. 207 – Amendments to Schedules

- i) *Schedule 7 – Resident Parking Space*
- ii) *Schedule 14 – Give way signs*

Holmes/Miccio

Carried

4.4 Environment Committee

Resolved

THAT the unconfirmed minutes of a meeting of the Environment Committee, held on 1 April 2008, be received.

Reese/Shaw

Carried

The meeting adjourned for morning tea from 10.10am until 10.22am.

4.5 Corporate Governance Committee

Resolved

THAT the unconfirmed minutes of a meeting of the Corporate Governance Committee, held on 3 April 2008, be received.

Thomas/Henigan

Carried

4.6 Nelson City Bylaws

Resolved

THAT the following bylaws be revoked using the Special Consultative Procedure:

- i) *Consolidated Bylaw 1991*
 - a) *Introduction*
 - b) *Part 2 – Refuse Collection and Disposal*
 - c) *Part 4 – 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”, also incorporating provisions regulating refuse collection receptacles, be promulgated using the Special Consultative Procedure;

AND THAT the Statement of Proposal relating to the revocation of the above bylaws and the promulgation of Bylaw 215 be approved;

AND THAT the date of the coming into effect of Bylaw 215 and the revocation of the bylaws above mentioned be the same.

Thomas/Barker

Carried

4.7 Saxton Field Indoor Stadium

Document No 657210, dated 9 April 2008, agenda pages 99-125 refer.

The Divisional Manager Community Services, Susan Coleman, and the Manager Community Projects, Andrew Petheram, joined the meeting and presented the report, which provided information on a request by the Saxton Indoor Stadium Society for an extension of the Council’s underwriting provision for the proposed stadium at Saxton Field.

The report presented three options and recommended that Council adopt Option 1.

Councillor Shaw said he favoured Option 2 as he felt that asking the Society for extra money put too much pressure on them. This view found some support around the table. It was also felt that there should be user agreements put in place.

Proposed Councillor Shaw, seconded Councillor Henigan.

THAT the previous resolution of the Council of 6 March 2008 be varied as follows:

THAT the Nelson City Council contribution to the Saxton Field Indoor Sports Stadium (excluding Sports House) be a maximum of \$5,388,665 (excluding GST) subject to:

1. Tasman District Council contributing a maximum of \$3,592,442 (excluding GST) and
2. The Saxton Field Sports Stadium Society Inc. contributing a minimum of \$2,518,892 (excluding GST)

AND THAT the Nelson City Council provides the Stadium Society a loan up to \$784,892 if required, if the Society has not obtained sufficient funds in time to meet construction progress payments with the stadium rental being increased by the amount of interest on the outstanding loan;

AND THAT Sports House be funded, partly by way of loan (\$665,000) financed by a rental of \$70,000 (Excluding GST) per annum from the users, with the remainder (\$335,000) funded by the two Councils – NCC \$201,000; TDC \$134,000;

AND THAT if required the Council will provide the Stadium Society with \$418,000 by way of a loan and an additional grant of \$366,000 to be funded by way of a further loan;

AND THAT a legal agreement be signed with the Saxton Field Sports Stadium Society Inc. to manage the Saxton Field Indoor Sports Stadium.

The motion was put and lost.

The meeting continued to debate the options set out in the report and it was felt that if Option 1 was accepted there was always opportunity for Council to reconsider further support if required.

Resolved

THAT the previous resolution of the Council of 6 March 2008 be varied as follows:

THAT the Nelson City Council contribution to the Saxton Field Indoor Sports Stadium (excluding Sports House) be a maximum of \$5,388,665 (excluding GST) subject to:

- 1. Tasman District Council contributing a maximum of \$3,592,442 (excluding GST) and***
- 2. The Saxton Field Sports Stadium Society Inc. contributing a minimum of \$2,518,892 (excluding GST)***

AND THAT the Nelson City Council provides the Stadium Society a loan up to \$784,892 if required, if the Society has not obtained sufficient funds in time to meet construction progress payments with the stadium rental being increased by the amount of interest on the outstanding loan;

AND THAT Sports House be funded, partly by way of loan (\$665,000) financed by a rental of \$70,000 (Excluding GST) per annum from the users, with the remainder (\$335,000) funded by the two Councils – NCC \$201,000; TDC \$134,000;

AND THAT a legal agreement be signed with the Saxton Field Sports Stadium Society Inc. to manage the Saxton Field Indoor Sports Stadium including a requirement to have user agreements, continuing commitment to use the facility.

Cotton/Reese

Carried

5.0 GENERAL BUSINESS

5.1 Planting of Deciduous Trees on the Lower Slopes of the Grampians

In answer to a question, the Manager Community Projects briefed the Council on the history regarding the decision to plant deciduous trees on the lower slopes of the Grampians.

6.0 PUBLIC EXCLUDED BUSINESS

6.1 Exclusion of the Public

Resolved

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 – 6 March 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) Council Status Report – 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.

(iii) Minutes of the Community Services Committee, Public Excluded Business – 18 March 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 Corporate Governance Committee Public Excluded Business – 3 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) Wakatu Square Redevelopment

Reasons:

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

To protect the privacy of natural persons.

Miccio/McAlpine

Carried

The meeting went into Public Excluded session at 11.20am and resumed in Public session at 12.43pm.

6.2 Re-admittance of the Public

Resolved that the public be readmitted to the meeting.

His Worship the Mayor/Holmes

Carried

The meeting closed 12.43pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE