

MINUTES OF A MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON THURSDAY 16 APRIL 2009 COMMENCING AT 9.00AM

- PRESENT:** His Worship the Mayor, K Marshall (Chairperson), Councillors I Barker, A Boswijk, G Collingwood, M Cotton, D Henigan, M Holmes, A Miccio, A McAlpine, R Reese ((Deputy Mayor), D Shaw and G Thomas
- IN ATTENDANCE:** Chief Executive (K Marshall), Divisional Manager Corporate Services (H Kettlewell) and Administration Adviser (A Rose)
- APOLOGIES:** Apologies were received and accepted from Councillor P Rainey and for lateness from Councillor D Shaw
-

1.0 OPENING PRAYER

His Worship the Mayor said that the matter of a formal opening to the Council meeting was under review and Councillor Thomas and himself were looking into the matter and would be bringing suggestions to the next meeting of Council.

2.0 CONFIRMATION OF MINUTES

5 March 2009

Resolved

***THAT** the minutes of a meeting of an ordinary meeting of the Nelson City Council, held on Thursday 5 March 2009, be confirmed as a true and correct record.*

His Worship the Mayor/Thomas

Carried

4 March 2009

Resolved

***THAT** the minutes of a meeting of the Nelson City Council, held on Wednesday 4 March 2009, be confirmed as a true and correct record.*

Reese/Boswijk

Carried

3.0 STATUS REPORT – APRIL 2009

3.1 Brook Sanctuary Fence

It was noted that there needed to be some clear direction from the Brook Sanctuary. In particular, their time frame for proceeding with the construction of the fence.

3.2 Tasman Rugby Union

It was noted that Council had yet to receive the Tasman Rugby Union Funding Plan.

3.3 Attendance at a meeting by Nelson MP Hon. Nick Smith

His Worship the Mayor said that Mr Smith would be coming to speak to Council in May, but that the Council would have to fit in with his timetable. In addition, it was agreed that the other MPs responsible for the Nelson area should be invited to meet socially with the Council.

Resolved

THAT His Worship the Mayor invite the Honourable Nick Smith MP for Nelson to formally meet with the Council at a time that suits Mr Smith.

AND THAT the Council holds a social function to meet the other members of Parliament who service the Nelson area.

Barker/Collingwood

Carried

Attendance: Councillor Shaw arrived at the meeting at 9.25am.

Resolved

THAT the Status Report for April 2009 be received.

Boswijk/Barker

Carried

4.0 MAYOR'S REPORT

His Worship the Mayor gave a broad ranging report, touching on matters including:

- The Auckland Super City proposal and its possible impact on the rest of the country;
- Rugby World Cup 2011;
- Combined Shareholders' Meeting 27 March 2009.

His Worship the Mayor also reported that the Nelson City Council/Tasman District Council Combined Shareholders' Group meeting held on 27 March 2009 had agreed on a way forward and made the recommendation that the Combined Shareholders' Group be formally constituted as a joint committee of Nelson City Council and Tasman District Council. He said this recommendation would be being brought forward to the next Governance Committee for consideration.

4.1 Financial Course 101

It was confirmed that the Financial Course 101 would be held in the Council Chamber on 22 May 2009 and seven Councillors and two staff members were attending.

4.2 National Forum on Family Violence

His Worship the Mayor said he would be attending the national forum on family violence to be held in Waitakere City the following weekend.

4.3 Sister City Relationships

His Worship the Mayor said he wished to review the formal relationships the Council currently has with its three sister cities, and said that there should be a clearly demonstrable economic benefit deriving from these relationships.

4.4 Nelson Rail Trail Proposal

His Worship the Mayor touched briefly on the proposal to develop a cycleway to form part of the national cycle path, which would be a loop beginning and ending in Nelson and would include use of the old railway track formation from Richmond to Kawateri.

4.5 Sealord Ltd

His Worship the Mayor said he had had two sessions with Sealord Ltd representatives. They advised that the restructuring that had recently occurred had had nothing to do with the recession; it was a normal business activity to make the company more efficient.

4.6 Auckland Local Government Reform

It was agreed to circulate the Sunday Star Times article on regional governance in Auckland to the councillors.

Resolved

THAT the Mayor's report for April 2009 be received.

His Worship the Mayor/Reese

Carried

5.0 REPORTS AND RECOMMENDATIONS OF COMMITTEES

5.1 Hearings Panel 15 December 2008 and 24 February 2009

Resolved

THAT the minutes of the meeting of the Hearings Panel held on 15 December 2008 be received.

Barker/Shaw

Carried

Resolved

THAT the minutes of the meeting of the Hearings Panel held on 24 February 2009 be received.

Collingwood/Holmes

Carried

5.2 Hearings Panel delegation regarding street naming, liquor licensing, dog control etc.

Resolved

THAT the Delegation Manual be amended to allow all councillors to sit on all Hearing Panel matters, except those specifically related to the Resource Management Act.

Shaw/Reese

Carried

5.3 Community Services Committee 12 March 2009

Resolved

THAT that the minutes of the meeting of the Community Services Committee held on 12 March 2009 be received.

Boswijk/McAlpine

Carried

5.4 Infrastructure Committee 19 March 2009

Resolved

THAT the minutes of the meeting of the Infrastructure Committee held on 19 March 2009 be received and the following recommendation to the Council be adopted:

Parking and Vehicle Control Bylaw 2004, No. 207 – Amendment to Schedules

THAT the following alterations be made to the schedules of Bylaw No. 207, Parking and Vehicle Control – 2004, all as per the attachments to Report 729256

- i) Schedule 4 – Special Parking Areas;***
- ii) Schedule 9 – No Stopping.***

Holmes/Cotton

Carried

5.5 Governance Committee 2 April 2009

Resolved

THAT the minutes of the meeting of the Governance Committee held on 2 April 2009 be received and the following recommendation adopted:

Drinking in Public Places Bylaw Review 2009

THAT the Drinking in Public Places Bylaw No 206 be confirmed subject to the following amendments:

Schedule A be amended by adding the following under Clause 1: (i.e. a 24 hour seven day a week ban)

- ix. *“That the area of Stoke Commercial Centre bounded by and including Main Road Stoke, Songer Street, Neale Avenue and Poorman Valley Stream.”*
- x. *Extension of the Nelson Business District westwards to include the area bounded by Kerr Street, Gloucester Street, Pioneers Park, Haven Road, ANZAC Park and Halifax Street.*

Schedule A being amended by adding the following under Clause 2: (i.e. a 7pm to 7am ban but a 9pm to 7am ban during Daylight Savings).

- vi. *Saxton Field Reserve*
- vii. *Isel Park*
- viii. *Broadgreen Gardens*
- ix. *Marsden Reserve*
- x. *The Botanic Reserve*
- xi. *Paddy’s Knob*
- xii. *Green Meadows*
- xiii. *Abel Tasman Statue Carpark*
- xiv. *Victory Square Reserve*
- xv. *Neale Park*
- xvi. *Railway Reserve (Tahunanui Drive to Saxton Road)*
- xvii. *QEII Walkway/Cycleway.*

Thomas/Henigan

Carried

5.6 Remuneration Review Committee 17 March 2009

Resolved

***THAT** the minutes of the meeting of the Remuneration Review Committee held on 17 March 2009 be received.*

Thomas/His Worship the Mayor

Carried

6.0 JOINT COMMITTEES

6.1 Civil Defence Emergency Management Group

Resolved

***THAT** the minutes of the meeting of the Civil Defence emergency Management Group held on 27 March 2009 be received.*

Reese/Thomas

Carried

Attendance: the meeting adjourned for morning tea from 10.20am to 10.30am.

7.0 NELSON REGIONAL SEWERAGE BUSINESS UNIT – BUSINESS PLAN 2009/10

The General Manager of the Nelson Regional Sewerage Business Unit, Michael Schruer joined the meeting and presented the report.

Resolved

THAT Nelson Regional Sewerage Business Unit – Business Plan 2009/10 be received.

Holmes/Miccio

Carried

8.0 PUBLIC EXCLUDED BUSINESS

8.1 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 meeting of the Nelson City Council, Public Excluded Business – 5 March 2009.***

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 Public Excluded Status Report – April 2009***

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 part of the Hearings Panel, Public Excluded Business – 24 February 2009**

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 part of the Community Services Committee, Public Excluded Business – 12 March 2009**

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 part of the Infrastructure Committee, Public Excluded Business – 19 March 2009**

Reasons:

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

To protect the privacy of natural persons; or

To maintain legal professional privilege.

(vi) **Minutes of the Governance Committee Public Excluded Business – 2 April 2009**

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) **Minutes of the Remuneration Review Committee Public Excluded Business – 17 March 2009**

Reason:

To protect the privacy of natural persons.

(viii) **Performing Arts and Conference Centre**

Reason:

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

(ix) **Horoirangi Aquaculture Proposal Partnership**

Reasons:

*Protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information;
or*

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

His Worship the Mayor/Miccio

Carried

The meeting went into Public Excluded session at 10.35am and resumed in Public session at 11.38am.

8.2 Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Collingwood/Holmes

Carried

There being no further business, the meeting ended at 11.38am.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON

_____ DATE