

**MINUTES OF A MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON THURSDAY 25 JUNE 2009 COMMENCING AT 9.00AM**

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**PRESENT:** His Worship the Mayor, K Marshall (Chairperson), Councillors I Barker, G Collingwood, M Cotton, M Holmes, A Miccio, P Rainey, R Reese (Deputy Mayor), D Shaw and G Thomas

**IN ATTENDANCE:** Acting Chief Executive (S Coleman), Chief Financial Officer (C Fitchett) and Administration Adviser (A Rose)

**APOLOGIES:** Apologies were received and sustained from Councillors A Boswijk, D Henigan and A McAlpine

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**1.0 OPENING PRAYER**

The opening prayer was read by Councillor Thomas.

**2.0 PUBLIC EXCLUDED BUSINESS**

**2.1 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) Opera in the Park- Sponsorship**

*Reason:*

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

Reese/Thomas

Carried

The meeting went into Public Excluded session at 9.07am and resumed in Public session at 10.40am.

**2.2 Re-admittance of the Public**

Resolved

***THAT** the public be re-admitted to the meeting.*

Cotton/Barker

Carried

## 2.3 Confirmation of Minutes

28 May 2009

Resolved

***THAT** the minutes of the ordinary meeting of the Nelson City Council, held on Thursday 28 May 2009, be confirmed as a true and correct record.*

His Worship the Mayor/Holmes

Carried

## 3.0 STATUS REPORT – JUNE 2009

Agenda pages 10-13 refer.

Resolved

***THAT** the Council Status Report for June 2009, be received.*

Thomas/Rainey

Carried

## 4.0 REPORTS AND RECOMMENDATIONS OF COMMITTEES AND WORKING PARTIES

### 4.1 Regional Transport Committee – 5 May and 17 June 2009 and Regional Land Transport Programme

Document 784011, dated 17 June 2009, pages 1-17 Supplementary Order Paper No 1 refers.

The Transport Manager, Andrew James, joined the meeting and presented the minutes and the report and the attached draft Regional Land Transport Programme for Nelson 2009-2012.

He said that he had received advice from the New Zealand Transport Authority that the Teal River Bridge is to be constructed with funding from the Government's Economic Stimulus Package. He went on to warn Council from other information he had received that there was a real possibility that the \$23 million of R funding might be lost unless Council moved to commit it as soon as possible. He also reminded Council that any allocation of R Funding needs to be consulted on under the Regional Land Transport Strategy Significance Policy.

Councillor Shaw suggested that staff need to investigate options for the commitment of the R funding and bring back a report to Council.

Councillor Cotton said it was vital that the region take up the R funding and if it couldn't be spent on the construction of the Southern Link in the timeframe it should be spent on an upgrade of the Whangamoia State Highway.

Councillor Barker expressed concern that the programme had the region's priorities completely wrong. He said that the community had expressed a clear view on a number of occasions that it wanted the Southern Link Road constructed as soon as possible and the Council's priority should be to provide for what the people want. He also reminded Council that Nelsons local MP had also said that Council should be

promoting that road. He said that the Regional Land Transport Programme did not reflect what the community have been saying.

Councillor Miccio stressed the importance to the City not to lose the \$23 million of R funding. There was general agreement that a report was needed to come to Council urgently on how Council could commit the R funding.

Resolved

***THAT Council approve the Regional Land Transport Programme;***

***AND THAT Council re-visits its subsidised roading programme after the National Land Transport Fund has been allocated;***

***AND THAT the terms of reference for the study into the effects of arterial traffic flows (RAD 756015) be amended to include an additional base model (without any enhanced passenger transport services and infrastructure) which can be used as a comparison with other options;***

***AND THAT staff urgently investigate options for R funding and bring a report back to Council as soon as possible.***

Shaw/Holmes

Carried

#### **4.2 Infrastructure Committee – 15 June 2009**

Resolved

***THAT the minutes of a meeting of the Infrastructure Committee, held on Monday 15 June 2009, be received.***

Holmes/Cotton

Carried

It was agreed that the recommendations in the minutes be considered separately.

#### **4.3 State Highway 6 Atawhai Drive Speed Limit**

Resolved

***THAT the New Zealand Transport Agency be advised that the Nelson City Council continues to support the speed limit reduction to 80km/h along SH6 between Allisdair Street and the bridge over the Maitai River;***

***AND THAT the New Zealand Transport Agency investigate methods to reduce the speed environment between Allisdair Street and the bridge over the Maitai River with a view to enabling a lower speed limit to be imposed;***

***AND THAT this investigation be included in the Regional Land Transport Programme for prioritisation.***

Holmes/Rainey

Carried

#### **4.4 Regional Land Transport Strategy**

Councillor Cotton expressed concern at the wording used in Appendix B, Paragraph 4.4.2 “and the use of long stay parking by commuters should be discouraged through

the application of charges and controls”. And he also expressed concern about Paragraph 5.3, Appendix B, Page 104 which talked about incentives for employers to reduce free parking for employees and all support sustainable transport.

Several Councillors expressed the frustration they had felt serving on the Land Transport Committee.

Resolved

***THAT the amended Regional Land Transport Strategy circulated with report no 782495 to the Infrastructure Committee meeting of 15 June 2009, be adopted and then when the Climate Change Action Plan is reviewed Council consider what specific action it will take, the emission reductions these actions will achieve and revisit the targets to ensure they more closely match what is proposed.***

Holmes/Rainey

Carried

#### **4.5 Parking and Vehicle Control 2004, No 207 – Amendments to Schedule**

Resolved

***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 779864 to the Infrastructure Committee of 15 June 2009:***

- i. Schedule 4 – Special parking Areas – Loading Zone***
- ii. Schedule 9 – No Stopping***
- iii. Schedule 14 – Give Way sign***

***AND THAT future reports on amendments to this bylaw be placed on the agenda for the ordinary Council meeting.***

Holmes/Rainey

Carried

#### **4.6 Community Services Committee – 18 June 2009**

Resolved

***THAT the minutes of a meeting of the Community Services Committee held on Thursday 18 June 2009 be received.***

Rainey/Thomas

Carried

#### **4.7 Environment Committee – 18 June 2009**

Resolved

***THAT the minutes of a meeting of the Environment Committee held on Thursday 18 June 2009 be received.***

Reese/Shaw

Carried

## 5.0 VODAFONE – NEW TELECOMMUNICATIONS FACILITY AT WAKAPUAKA

Document No 786214, dated 2 June 2009, agenda pages 32-46 refer.

It was explained that this report had been considered by the Infrastructure Committee Meeting of 15 June 2009 which had agreed the matter should lie on the table pending further investigation. That investigation having been completed, it was appropriate that a decision now be made.

Resolved

***THAT the following resolution adopted by Council at its meeting on 12 August 2004 be rescinded.***

***“THAT the Chief Executive be delegated the authority to enter into an agreement with Vodafone for the purpose of establishing a new cell phone site on Lot 3 DP 7530, subject to the following conditions***

- i. THAT Vodafone obtains a publicly notified resource consent***
- ii. THAT Vodafone pays a commercial rental, the rent to be adjusted by the CPI each year, but the agreement to provide for the opportunity every 5 years to review the rent to market rental***
- iii. THAT Vodafone pays Council’s legal costs, valuation costs, and an administration fee of \$200 for the agreement, and***
- iv. THAT Vodafone pays for suitable landscaping at the site”.***

***AND THAT the following recommendation from Report 786214 be adopted:***

***THAT the Chief Executive be delegated the authority to complete an agreement with Vodafone for the purpose of establishing a new telecommunications facility on Lot 3 DP 7530, subject to the following conditions***

- i. THAT Vodafone is required to seek and be granted a publicly notified resource consent;***
- ii. THAT Vodafone will pay a commercial rental, to be adjusted by the CPI each year, but with the opportunity to review the rent to market rent every 5 years; and***
- iii. THAT Vodafone pays Council’s legal costs, valuation costs, and an administration fee of \$500, all plus GST.***

Reese/Miccio

Carried

## 6.0 GOVERNANCE FINANCE REPORT FOR THE 10 MONTHS ENDED 30 APRIL 2009

Document No 789739. dated 9 June 2009, agenda pages 51-110 refer.

The Chief Financial Officer presented the report. It was agreed to follow up when the budgeted donation of \$95,000 was expected from the Trafalgar 2000 Trust.

Resolved

***THAT the report be receive and the variations noted.***

Thomas/His Worship the Mayor

Carried

## **7.0 PROPOSED REGIONAL ENVIRONMENTAL AWARDS**

Document No 784336, dated 25 May 2009, agenda 47-50 refer.

The Manager Environmental Policy, Martin Workman joined the meeting and presented the report which was to seek approval to organise a joint environmental awards programme with Tasman District Council for 2009. It was agreed that the name Environment and Heritage Awards would be used. Mr Workman said it was also necessary for a panel of three Councillors to be appointed as judges for the awards.

Resolved

***THAT the Council approve Council Staff organising a joint environmental and heritage awards programme with Tasman District Council in 2009;***

***AND THAT His Worship the Mayor, Councillor Shaw and one of Councillors Boswijk, McAlpine or Henigan be appointed as judges.***

Shaw/Collingwood

Carried

## **8.0 PROPOSED BYLAW NO 219 – NUMBERING OF BUILDINGS**

Document No 789071, dated 8 June 2009, agenda pages 111-115 refer.

Resolved

***THAT Bylaw 219 – Numbering of buildings – as attached to document 789071 be confirmed;***

***AND THAT Bylaw 219 come into effect on Monday 13 July 2009;***

***AND THAT on coming into effect of Bylaw 219, Bylaw 204 be revoked.***

Holmes/Collingwood

Carried

The need to promulgate and promote this Bylaw was identified during discussion.

## **9.0 SUTER TRUST BOARD: DRAFT STRATEGIC PLAN AND STATEMENT OF INTENT 2009/10**

Document No 791440, dated 15 June 2009, agenda pages 116-152 refer.

The Acting Chief Executive, Susan Coleman, presented the report. Councillor Barker requested that the Suter be asked to respond to his suggestion that they consider ways to realise the potential value of their art work by offering items for sale with the condition that they remain at the Gallery.

Resolved

***THAT the Council advise the Suter Trust Board that it's funding allocation for the Trust for the 2009/10 financial year will be \$420,000 operating funding and \$40,000 minor capital funding;***

***AND THAT Suter Trust Board 2008/09 Statement of Intent be approved;***

***AND THAT the Directors of the Suter Trust Board be provided with feedback as agreed by Council on the draft 2009-19 Strategic Plan and 2009/11 Statement of Intent.***

Reese/Rainey

Carried

#### **10.0 APPOINTMENT OF THREE COUNCILLORS TO SERVE ON NELSON TASMAN REGIONAL PEST MANAGEMENT COMMITTEE**

The Monitoring Coordinator, Paul Sheldon, joined the meeting and advised Council that there was a need to activate the Nelson Tasman Regional Pest Management Committee to review the status of Argentine and Darwin Ants and accordingly three Councillors needed to be appointed to represent Nelson City Council on the Joint Committee.

Resolved

***THAT Councillors Barker, Reese and Thomas be appointed to the Nelson Tasman Regional Pest Management Committee.***

His Worship the Mayor/Barker

Carried

#### **11.0 ADOPTION OF THE LONG TERM COUNCIL COMMUNITY PLAN 2009-19**

Resolved

***THAT the Long Term Council Community Plan 2009-19 be adopted in accordance with Section 93 and 94 of the Local Government Act 2002.***

Miccio/His Worship the Mayor

Carried

Councillor Reese abstained from voting, Councillor Barker requested his vote against the motion be recorded.

#### **12.0 SETTING OF THE RATES FOR THE 2009/10 FINANCIAL YEAR**

His Worship the Mayor explained that as Nelson City Council has adopted its Community Plan and has made the necessary changes to its proposed rating policy as a result of submissions received during the special consultative procedure it now has to set and assess the rates described in its rating policy and the following resolution was required to be passed:

Resolved

***THAT*** the Nelson City Council set the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2009 and ending on 30 June 2010. All figures are GST inclusive:

*The revenue approved below will be raised by the following rates:*

|                                      |                            |
|--------------------------------------|----------------------------|
| <i>General Rate</i>                  | <i>\$22,623,151</i>        |
| <i>Uniform Annual General Charge</i> | <i>\$5,656,063</i>         |
| <i>Separate General Charge</i>       | <i>\$3,778,201</i>         |
| <i>Waste Water Charge</i>            | <i>\$5,649,672</i>         |
| <i>Water Charge</i>                  | <i><u>\$10,109,228</u></i> |
| <i>Rates and Charges</i>             | <i>\$47,816,315</i>        |
| <i>Goods and Services Tax</i>        | <i><u>\$5,977,039</u></i>  |
| <i>Total Rates and Charges</i>       | <i><u>\$53,793,354</u></i> |

***(1) General Rate***

*A general rate set under section 13 of the Local Government (Rating) Act 2002, assessed on a differential land value basis as described below:*

- a rate of 0.49983 cents in the dollar of land value on every rating unit in the “residential” category*
- a rate of 0.54982 cents in the dollar of land value on every rating unit in the “part non-rateable” category*
- a rate of 0.54982 cents in the dollar of land value on every rating unit in the “multi residential” category*
- a rate of 1.16461 cents in the dollar of land value on every rating unit in the “commercial outside the inner city zone” category*
- a rate of 0.99867 cents in the dollar of land value on every rating unit in the “commercial outside the inner city zone subject to 25% residential & 75% commercial” category*
- a rate of 0.83222 cents in the dollar of land value on every rating unit in the “commercial outside the inner city zone subject to 50% residential & 50% commercial” category*
- a rate of 0.66628 cents in the dollar of land value on every rating unit in the “commercial outside the inner city zone subject to 75% residential & 25% commercial” category*
- a rate of 1.74942 cents in the dollar of land value on every rating unit in the “commercial inside the inner city zone” category*
- a rate of 1.43702 cents in the dollar of land value on every rating unit in the “commercial inside the inner city zone subject to 25% residential & 75% commercial” category*
- a rate of 1.12463 cents in the dollar of land value on every rating unit in the “commercial inside the inner city zone subject to 50% residential & 50% commercial” category*
- a rate of 0.81223 cents in the dollar of land value on every rating unit in the “commercial inside the inner city zone subject to 75% residential & 25% commercial” category*

- a rate of 0.44985 cents in the dollar of land value on every rating unit in the “urban farmland” category
- a rate of 0.32489 cents in the dollar of land value on every rating unit in the “rural” category
- a rate of 0.44985 cents in the dollar of land value on every rating unit in the “small holding” category

**(2) Uniform Annual General Charge**

A uniform annual general charge under section 15 of the Local Government (Rating) Act 2002 of \$302.00 per separately used or habitable portion of a rating unit, (excluding properties subject to statutory declarations for unoccupied or second residential units not being used as separate units).

**(3) Separate General Charge - Stormwater**

A targeted rate under section 16 of the Local Government (Rating Act) 2002 of \$220.40 per rating unit, (excluding rural and small holding categories and residential properties east of Gentle Annie saddle and properties subject to statutory declarations for unoccupied or second residential units not being used as separate units).

**(4) Waste Water Charge**

A targeted rate for waste water disposal under section 16 of the Local Government (Rating) Act 2002 of:

- \$326.50 per separately used or habitable portion of a residential rating unit, (excluding properties subject to statutory declarations for unoccupied or second residential units not being used as separate units), that is connected either directly or through a private drain to a public waste water drain
- For non-residential rating units, a single waste water charge of \$326.50 per separately used or habitable portion of a rating unit that is connected either directly or through a private drain to a public waste water drain and a “trade” waste charge will be levied

**(5) Water Supply Charges**

A targeted rate for water supply under Section 19 of the Local Government (Rating) Act 2002, of:

- A minimum annual charge \$173.46
- Price of water:
 

|                            |                            |
|----------------------------|----------------------------|
| 0 – 10,000 cu.m/year       | \$1.745 per m <sup>3</sup> |
| 10,001 – 100,000 cu.m/year | \$1.683 per m <sup>3</sup> |
- > 100,000 cu.m/year \$1.621 per m<sup>3</sup>
- Summer irrigation \$1.279 per m<sup>3</sup>

**(6) Clean Heat Warm Homes**

A targeted rate per separately used or habitable portion of a rating unit that has been provided with home insulation and/or a heater to replace a non-complying solid fuel burner under Section 16 of the Local Government (Rating) Act 2002, of:

- |                         |                    |          |
|-------------------------|--------------------|----------|
| • Loan assistance range | \$1,400 to \$1,599 | \$140.00 |
| • Loan assistance range | \$1,600 to \$1,799 | \$160.00 |
| • Loan assistance range | \$1,800 to \$1,999 | \$180.00 |
| • Loan assistance range | \$2,000 to \$2,199 | \$200.00 |

|                                |                           |                 |
|--------------------------------|---------------------------|-----------------|
| • <i>Loan assistance range</i> | <i>\$2,200 to \$2,399</i> | <i>\$220.00</i> |
| • <i>Loan assistance range</i> | <i>\$2,400 to \$2,599</i> | <i>\$240.00</i> |
| • <i>Loan assistance range</i> | <i>\$2,600 to \$2,799</i> | <i>\$260.00</i> |
| • <i>Loan assistance range</i> | <i>\$2,800 to \$2,999</i> | <i>\$280.00</i> |
| • <i>Loan assistance range</i> | <i>\$3,000 to \$3,199</i> | <i>\$300.00</i> |
| • <i>Loan assistance range</i> | <i>\$3,200 to \$3,399</i> | <i>\$320.00</i> |
| • <i>Loan assistance range</i> | <i>\$3,400 to \$3,599</i> | <i>\$340.00</i> |
| • <i>Loan assistance range</i> | <i>\$3,600 to \$3,799</i> | <i>\$360.00</i> |
| • <i>Loan assistance range</i> | <i>\$3,800 to \$3,999</i> | <i>\$380.00</i> |
| • <i>Loan assistance range</i> | <i>\$4,000 to \$4,199</i> | <i>\$400.00</i> |
| • <i>Loan assistance range</i> | <i>\$4,200 to \$4,399</i> | <i>\$420.00</i> |
| • <i>Loan assistance range</i> | <i>\$4,400 to \$4,599</i> | <i>\$440.00</i> |
| • <i>Loan assistance range</i> | <i>\$4,600 to \$4,799</i> | <i>\$460.00</i> |
| • <i>Loan assistance range</i> | <i>\$4,800 to \$4,999</i> | <i>\$480.00</i> |

#### **(7) Postponement Application Charge**

*A targeted rate for rates postponement application charges under Section 16 of the Local Government (Rating) Act 2002, of \$400.00 per rating unit that commenced rates postponement during the 2008/09 rating year.*

#### **(8) Postponement Interest Charge**

*A targeted rate for rates postponement interest charges under Section 16 of the Local Government (Rating) Act 2002 per rating unit based on the 2009/10 rates levied and any outstanding balance from previous rating years, of:*

|                                 |                |
|---------------------------------|----------------|
| • <i>Interest charge</i>        | <i>6.75%pa</i> |
| • <i>Reserve fund</i>           | <i>0.25%pa</i> |
| • <i>Scheme application fee</i> | <i>1.00%pa</i> |

#### **Differential Categories**

*The Nelson City Council adopts the following as its definition for its differential categories for the 2009/10 financial year:*

##### **(1) General Rate**

- *Residential – all rating units that are used primarily for residential purposes*
- *Multi Residential – all rating units that contain more than one residential dwelling that are capable of being used primarily for residential purposes*
- *Commercial – any rating unit which is used primarily for commercial use. Properties that have a portion of residential use shall have a reduced commercial differential*
- *Commercial Inner City Zone – any rating unit which is used primarily for commercial use that is located within the Inner City Zone. Properties that have a portion of residential use shall have a reduced inner city commercial differential*
- *Rural – any rating unit which is used primarily for dairy, fattening & grazing, quarries & forestry & horticultural use and is recorded as rural on the District Valuation Roll*
- *Small Holding – any rating unit which is primarily used as a small holding and having an area greater than 5,000m<sup>2</sup> and is recorded as a small holding on the District Valuation Roll*
- *Urban Farmland – any rating unit which is used primarily for farming or tomato growing within the old City boundary*

***Due Dates for Payment of Rates***

*The above rates (excluding water charges) are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson and shall be payable in four instalments on the following dates:*

| <u><i>Instalment Number</i></u> | <u><i>Instalment Date</i></u> | <u><i>Penalty Date</i></u> |
|---------------------------------|-------------------------------|----------------------------|
| <i>Instalment 1</i>             | <i>1 August 2009</i>          | <i>27 August 2009</i>      |
| <i>Instalment 2</i>             | <i>1 November 2009</i>        | <i>27 November 2009</i>    |
| <i>Instalment 3</i>             | <i>1 February 2010</i>        | <i>26 February 2010</i>    |
| <i>Instalment 4</i>             | <i>1 May 2010</i>             | <i>27 May 2010</i>         |

***Due Dates for Payment of Water Rates***

*Residential water rates are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson and shall be payable on the following dates:*

| <u><i>Billing Month</i></u> | <u><i>Penalty Date</i></u> |
|-----------------------------|----------------------------|
| <i>July 2009</i>            | <i>20 September 2009</i>   |
| <i>August 2009</i>          | <i>20 September 2009</i>   |
| <i>September 2009</i>       | <i>20 October 2009</i>     |
| <i>October 2009</i>         | <i>20 December 2009</i>    |
| <i>November 2009</i>        | <i>20 December 2009</i>    |
| <i>December 2009</i>        | <i>20 January 2010</i>     |
| <i>January 2010</i>         | <i>20 March 2010</i>       |
| <i>February 2010</i>        | <i>20 March 2010</i>       |
| <i>March 2010</i>           | <i>20 April 2010</i>       |
| <i>April 2010</i>           | <i>20 June 2010</i>        |
| <i>May 2010</i>             | <i>20 June 2010</i>        |
| <i>June 2010</i>            | <i>20 July 2010</i>        |

*Special (final) water rates will be due and payable 14 days from the date of the special (final) water reading.*

*Commercial water rates are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson on the 20<sup>th</sup> of the month following the date shown on the water invoice*

***Penalty on Rates***

*Pursuant to Sections 57 & 58 of the Local Government (Rating) Act 2002, the council delegates authority to the Chief Financial Officer to apply the following penalties on unpaid rates (including water accounts) at their discretion:*

- a first additional charge of 10% of the amount of each rate instalment remaining unpaid on the penalty date as shown on each rate instalment notice.*
- a second additional charge of 10% will be added to any balance remaining outstanding from a previous rating year (including penalties previously charged) as at 31<sup>st</sup> December 2009*
- a further additional charge of 10% will be added to any balance remaining outstanding from a previous rating year (including penalties previously charged) as at 30 June 2010*
- The above penalties will not be charged where Council has agreed to a program for payment of outstanding rates.*

***Penalty Remission***

*In accordance with Council's rate remission policy, the council will approve the remission of the penalty levied on instalment one due to late payment provided the total annual rates are paid in full by 27 November 2009. If full payment of the annual rates is not paid by 27 November 2009 the penalties relating to the four instalments outlined above will apply.*

***Discount on Rates***

*Pursuant to Section 55 of the Local Government (Rating) Act 2002, the Council will allow a discount of 2.0 percent of the total rates (excluding water charges) where a ratepayer pays the year's rates in full on or before the penalty date for instalment one being 27 August 2009.*

***Payment of Rates***

*The rates shall be payable at the Council offices, Civic House, 110 Trafalgar Street, Nelson between the hours of 8.00am to 5.00pm Monday to Friday. Where any payment is made by a ratepayer that is less than the amount now payable, the Council will apply the payment firstly to any rates outstanding from previous rating years and then proportionately across all current year rates due.*

Cotton/Holmes

Carried

Councillor Reese abstained from voting, Councillor Barker requested his vote against the motion be recorded.

**13.0 LATE ITEM – DRAFT STATEMENT OF INTENT 2009/19 – TASMAN BAYS HERITAGE TRUST**

Document No 7901077, dated 4 June 2009, agenda pages 1-17 Supplementary Order Paper No 2 refer.

His Worship the Mayor advised that in accordance with Section 47A(7) of the Local Government Official Information and Meetings Act 1987 the reason why the item was not on the agenda, and the reason why discussion of this item could not be delayed until a subsequent meeting, because it came to hand after the agenda had closed and it needs to be considered at this meeting because of the need for urgency. Accordingly, he said, a procedural resolution is required before any discussion can take place.

Resolved

***THAT the item regarding the Draft Statement of Intent 2009/2010 Tasman Bays Heritage Trust be considered at this meeting, pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, because of the need for urgency.***

His Worship the Mayor/Reese

Carried

The Divisional Manager, Hugh Kettlewell, joined the meeting and presented the report.

Resolved

**THAT the Nelson City Council signal its approval and support for the Statement of Intent as attached to this report to the Tasman Bay Heritage Trust and to the Tasman District Council;**

**AND THAT the Council advise the Tasman Bay Heritage Trust and the Tasman District Council that it's funding allocation for the Trust for the 2009/10 financial year will be \$748,700;**

**AND THAT the Tasman District Council be asked to meet with the Nelson City Council as a matter of urgency to discuss the proposed Statement of Intent of the TBHT and the modifications which that Council might require, so that the Statement of Intent might be finalised before 30 June 2009;**

**AND THAT should Tasman District Council resolve to approve the Statement of Intent as it stands staff be authorised to give effect to the Councils approval;**

**AND THAT the Nelson City Council formally thank the Tasman Bay Heritage Trust chairman and board members for their good work on behalf of the Museum.**

Reese/Thomas

Carried

#### 14.0 LATE ITEM – COMMUNITY ASSISTANCE POLICY

Document No 785521, dated 3 June 2009.

His Worship the Mayor advised that in accordance with Section 47A(7) of the Local Government Official Information and Meetings Act 1987 the reason why the item was not on the agenda, and the reason why discussion of this item could not be delayed until a subsequent meeting, because it came to hand after the agenda had closed and it needs to be considered at this meeting because of the need for urgency. Accordingly a procedural resolution is required before any discussion can take place.

Resolved

**THAT the item regarding the Community Assistance Policy be considered at this meeting, pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, because of the need for urgency.**

His Worship the Mayor/Reese

Carried

The Acting Chief Executive, Susan Coleman, presented the report.

Resolved

**THAT the Council adopts the 2009 Community Assistance Policy.**

Collingwood/Rainey

Carried

## 15.0 PUBLIC EXCLUDED BUSINESS

### 15.1 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 – 28 May 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.*

- (ii) ***Council Public Excluded Status Report – June 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 Infrastructure Committee, Public Excluded Business – 15 June 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 – 18 June 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.*

His Worship the Mayor/Rainey

Carried

The meeting went into Public Excluded session at 12.40pm and resumed in Public session at 12.43pm.

**15.2 Re-admittance of the Public**

Resolved

**THAT the public be re-admitted to the meeting.**

His Worship the Mayor/Miccio

Carried

There being no further business, the meeting ended at 12.43pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

\_\_\_\_\_ CHAIRPERSON \_\_\_\_\_ DATE