

**MINUTES OF A MEETING OF THE NELSON CITY COUNCIL HELD AT ARTHOUSE ARCHITECTURE, 3 HAVEN ROAD NELSON, AND THEN IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET ON 6 MAY 2010 COMMENCING AT 9AM**

---

PRESENT:	Councillor R Reese (Chairperson), His Worship the Mayor K Marshall, Councillors M Holmes, G Thomas, I Barker, A Boswijk, G Collingwood, M Cotton, D Shaw, A Miccio, P Rainey
IN ATTENDANCE:	Chief Executive (K Marshall), DM Community Services, (S Coleman), Senior Executive Technical Services (A Louverdis) Strategic Planning Adviser (S Yarrow)
APOLOGIES:	Apologies were received and accepted from Councillors A McAlpine and D Henigan

---

## **1.0 PUBLIC FORUM**

### **1.1 Nelson Urban Design Workshop Presentation at Arthouse Architecture**

The Council convened at the offices of Arthouse Architecture where a presentation was given by the seven teams who participated in the Nelson Urban Design Workshop on 24 April 2010. The aim of the workshop was to develop an urban design solution for the Zumo corner (Corner of Vanguard and Rutherford Streets) within its local and wider city context.

The Deputy Mayor thanked them for their presentation and encouraged Councillors to look over the designs which would remain on display at Arthouse Architecture until the following week.

The meeting then adjourned at 9-45am and reconvened at 10.00am in the Council Chamber, Civic House.

## **2.0 OPENING PRAYER**

Councillor Thomas gave the opening prayer.

## **3.0 PUBLIC FORUM CONTINUED**

### **3.1 Cable Bay Rifle Range**

Bruce and Sharon Harvey addressed Council in relation to the Cable Bay Rifle Range which they own and operate.

The meeting was advised that Council is in legal proceedings with the Harvey's.

The Harvey's made it clear that they had in fact advised their lawyers that they were presenting their position to Council.

The Harvey's then presented their side of the case to Council.

The Chairperson thanked Bruce and Sharon Harvey for their presentation.

#### 4.0 CONFIRMATION OF MINUTES

- 4.1 With reference to item 1.2 Councillor Barker advised the meeting that he had attended the ANZAC Day Service in Marsden valley and was in favour of the proposal for a Returned Servicemen and Servicewomen Memorial.

***THAT the minutes of the ordinary meeting of the Nelson City Council held on 22 April 2010 be confirmed as a true and correct record.***

Barker/Boswijk

Carried

#### 5.0 CHAIRPERSONS REPORT

The Deputy Mayor gave a brief verbal report advising that she had received a copy of the Model Communities application from staff. She said it was a fantastic project and wished to acknowledge all of the staff that had worked on the application. It had been produced in a very short time frame and was an outstanding result. In producing the application staff had engaged with groups and organisations and the project had received unequivocal support.

#### 6.0 REPORTS PERFORMANCE

Attendance: Councillor P Rainey left the meeting.

##### 6.1 Nelson Tasman Business Tourism Six Monthly Report to Shareholders July – December 2009

His Worship the Mayor stood aside from the meeting during this presentation as Chair of the iSite New Zealand Visitor Information Network.

Phil Taylor and Paul Davis were in attendance to present their report and provided a Powerpoint presentation.

Phil Taylor explained that the budget is slightly ahead of the year end projection and looking to a profit of \$50,000. The Nelson iSite is on track to make a small profit. This is quite an achievement as few in the country have managed to make a profit to date.

A DVD was then shown of a promotional programme on New Zealand for the Italian Market. It was advised that the 20 minute documentary will be screened in Italy up to and during the Rugby World Cup 2011 games.

Attendance: Councillor P Rainey rejoined the meeting.

In answer to a question regarding tourism businesses requiring mentoring, Paul Davis said there are an estimated 900 tourism businesses in the region. Nelson Tasman Tourism will talk with any of them but do not have the resources to mentor. They do however pass businesses on to other agencies for mentoring.

It was pointed out that an income and expenses statement would be useful as part of the six-monthly report. It would also be useful to include statistics from the Motueka I site.

## 7.0 REPORTS PRIORITY

### 7.1 Nelson Performing Arts and Conference Centre Process and Site Evaluation

Report No 910121, agenda pages 21-29 refer.

The Chief Executive presented the report and drew attention to the upcoming Council Workshop on 18 May to review the sites in more detail.

It was noted that the timing of completing Step 10 by March 2011 was to allow for the inclusion of PACC into next years draft annual plan for formal consultation with the public. A further step (11) would be added to the process to make it clear that any final decision on whether to proceed or not with a PACC would not be taken until after consultation through the draft annual plan.

Councillor Holmes commented that there was a weakness with the matrix approach as the requirements for a conference centre are different to a theatre. There was a suggestion to use three matrices, to cover a conference centre only, performing arts centre only or a combined conference and performing arts centre.

The Chief Executive clarified that the reason there was one matrix for a combined centre was due to a council resolution to move ahead with a combined centre.

Councillor Rainey raised that it was important to not just be governed by the matrix in terms of the decision making, that it was important to be able to make a bold decision.

The recommendation in the report was proposed by His Worship the Mayor and seconded by Councillor Reese.

An amendment was proposed by Councillor Barker and seconded by Councillor Holmes to include three separate matrices, one for an integrated Performing Arts and Conference Centre, a Performing Arts Centre alone and a Conference Centre alone.

The amendment was put and Councillor Barker called for a division.

Councillor Barker	Yes
Councillor Boswijk	No
Councillor Collingwood	Yes
Councillor Cotton	Yes
Councillor Henigan	Absent
Councillor Holmes	Yes

Councillor Miccio	Yes
Councillor McAlpine	Absent
Councillor Rainey	No
Councillor Reese	No
Councillor Shaw	No
Councillor Thomas	Yes
His Worship the Mayor	No

The Chairperson declared that the amendment was carried 6 votes to 5.

The amendment became the substantive motion.

A further amendment was proposed by His Worship the Mayor and seconded by Councillor Reese to include Wakatu Square in the list of Council owned sites.

This amendment was put and carried and became the substantive motion and resolved.

***THAT the process as detailed in Attachment 1 of report 910121, subject to the addition of Step 11 noting that any decision will be part of the next Annual Plan, be approved by Council as the way forward for the Performing Arts and Conference Centre;***

***AND THAT the following Council owned sites be considered as its short list and evaluated further with the aim of selecting a Council preferred site;***

- *Millers Acre*
- *Nelson Public Libraries (Elma Turner)*
- *Halifax Street Croquet Green*
- *Rutherford Park*
- *Trafalgar Park number 2*
- *Wakatu Square*

***AND THAT Council agree on three matrices (to evaluate an integrated Performing Arts and Conference Centre, a Performing Arts Centre alone and a Conference Centre alone) and relative weightings as detailed in report 910121 to be applied to the recommended Council owned short-listed sites;***

***AND THAT all Councillors complete the analysis using the matrix for the Council owned sites in preparation for the 18 May 2010 Council workshop with the aim of selecting***

*a preferred Council owned site to go out in the consultation process.*

His Worship the Mayor/Reese

Carried

Attendance: His Worship the Mayor left the meeting.

## **7.2 Rugby World Cup 2011 Ticket Purchasing Opportunity**

Report No 918056, agenda pages 17-20 refer.

The Chief Executive Keith Marshall spoke to the report. He advised that he had spoken with Scott Tobin at Audit NZ who thought it would be acceptable for a small number of tickets to be purchased for the purposes of official attendance/VIP's but that to purchase 300 tickets, as had been offered by Rugby New Zealand 2011 Limited, would not be considered an appropriate use of public funds.

A discussion then ensued on three options. One was to purchase the entire allocation and then on-sell tickets to the people of Nelson. The Divisional Manager Community Services advised however that the Terms and Conditions of the ticket option being offered by Rugby New Zealand 2011 Limited do not allow for tickets to be on-sold in this manner.

A second option was to purchase a small number of tickets to allow for official duties to be carried out by the Mayor and Mayoress and for other VIP's. This would be in the vicinity of 10-15 tickets.

A final option was to not purchase any tickets at all. By purchasing the 300 tickets it removes them from the public pool and raised issues of how the tickets would be allocated.

The Chief Executive then offered his strong advice, and that of the Office of the Auditor General and Audit NZ, was that the purchase of the whole allocation of 300 tickets would not be considered an appropriate use of public funds, but that the advice received from Audit NZ is that 10-15 tickets would be justifiable for official duties.

Councillor Boswijk advised that \$4000 had been budgeted for the purchase of tickets. The Divisional Manager Community Services clarified that a decision today will override that \$4000 budget, and that money will not be used to purchase any additional tickets.

Also raised was the issue of Rugby New Zealand 2011 Limited providing the offer in the first place and whether they had received advice from Audit NZ about this. There was also interest in what other Councils around the country were doing.

Mark Holmes exercised his right of reply as the mover of the recommendation. He explained that the tickets cannot be used for promotional purposes nor can they be advertised for sale. By purchasing them the Council would be removing them from the pool for the public.

***THAT Council does not purchase any Rugby World Cup 2011 tickets through the Rugby New Zealand 2011 Limited offer which closes on 21 May 2010.***

Holmes/Shaw

Carried

Attendance: the meeting adjourned for lunch at 12.45pm and Councillors Collingwood, Barker, Cotton and Miccio left the meeting. His Worship the Mayor rejoined the meeting.

## **8.0 REPORTS POLICY**

### **8.1 Draft Rutherford and Trafalgar Parks Reserves Management Plan**

Report No 906664, agenda pages 30-63 refer

Community Policy and Planning Adviser Chris Ward and Manager Community Policy and Planning Nicky McDonald joined the meeting to present the report. Chris Ward explained that the draft Plan had taken account of Councillor views from a Council Workshop in March, with the draft Plan now placing emphasis on the parks as open urban space rather than green space, accommodating existing leaseholders and increasing activities across the parks.

Attendance: Councillors Barker and Cotton rejoined the meeting.

It was agreed that the draft Plan should:

- Give consideration to expanding the Park area in order to improve management outcomes
- Have regard to supporting recreational activities in the surrounding water and coastal environment
- Be amended to remove the reference to 'commuter' parking in 4.1.4
- Be amended to remove the reference to public in 4.1.5
- Be amended to change the title of Flooding to Inundation in 4.1.10. Consideration of managed retreat should take place
- Include policy for the parks to be smoke free
- Be amended to clarify the wording in the commercial policies for Rutherford park – these appear to be more restrictive than intended
- Be amended to include the border between Trafalgar Park and State Highway 6 as a potential area for commercial development.

It was raised whether there could be another name for the Kinzett Terrace part of the park. Chris Ward explained that this was actually part of Trafalgar Park but had been separated from the main park when State

Highway 6 was constructed. Kinzett Terrace is named after Matt Kinzett, who was the Rugby Coach who brought the Seddon Cup back from the west coast in 1959.

Another issue raised was how to balance comments received from a Council workshop to achieve the collective view. It was agreed that a summary document from a workshop for large, complex pieces of work would be beneficial.

Attendance: Councillors Barker and Cotton left the meeting.

Resolved

***THAT the draft Rutherford and Trafalgar Parks Reserves Management Plan be released for public consultation in accordance with Section 41 (6) of the Reserves Act 1977, subject to amendments being made as agreed at this meeting;***

***AND THAT Councillors Rainey, Shaw and His Worship the Mayor be appointed to hear public submissions and make recommendations to Council on changes to the draft.***

Boswijk/Reese

Carried

## 7.1 Draft Arts Policy

Report No 907378, agenda pages 65-66 refer

The Council thanked Nicky McDonald for her work on this Policy.

Resolved

***THAT the draft Arts Policy be released for a one month public submission;***

***AND THAT Councillors Boswijk, Rainey and McAlpine be appointed to hear public submissions and make recommendations to Council on changes to the draft.***

Boswijk/Holmes

Carried

## 9.0 PUBLIC EXCLUDED BUSINESS

### 9.1 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.*

Boswijk/Reese

Carried

The meeting resumed in Public Session at 2.53pm

## 9.2 Re-admittance of the Public

Resolved

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

His Worship the Mayor/Holmes

Carried

## 10.0 REPORTS FROM COMMITTEES

### 10.1 Nelson Regional Sewerage Business Unit – 12 March 2010

Report No 894993, agenda pages 67-73 refer

Resolved

**THAT the minutes of the meeting of the Nelson Regional Sewerage Business Unit, held on Friday 12 March 2010 be received.**

Holmes/Thomas

Carried

### 10.2 Founders Heritage Park Committee – 17 March 2010

Report No 896323, agenda pages 74-76 refer

Resolved

**THAT the minutes of the meeting of the Founders Heritage Park Committee, held on Wednesday 17 March 2010 be received.**

Holmes/His Worship the Mayor

Carried

### 10.3 Nelson Youth Council – 30 March 2010

Report No 907208, agenda pages 77-80 refer

Resolved

**THAT the minutes of the meeting of Nelson Youth Council, held on Tuesday 30 March 2010 be received.**

His Worship the Mayor/Rainey

Carried

**10.4 Rugby World Cup 2011 Steering Group – 14 April 2010**

Report No 916833, agenda pages 81-83 refer

Correction to the Minutes: Add in the word "consider" before "taking up".

Resolved

***THAT the minutes of the meeting of the Rugby World Cup 2011 Steering Group, held on Wednesday 14 April 2010 be received.***

Boswijk/Rainey

Carried

There being no further business the meeting ended at 3.00pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

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