

MINUTES OF THE ORDINARY MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE TRAFALGAR STREET, NELSON ON THURSDAY 11 FEBRUARY 2010 COMMENCING AT 9.00AM

- PRESENT:** G Thomas (Chairperson), His Worship the Mayor (K Marshall), Councillors A Boswijk, G Collingwood, M Holmes, A Miccio, A McAlpine, P Rainey, R Reese (Deputy Mayor) and D Shaw
- IN ATTENDANCE:** Chief Executive (K Marshall), Manager Strategic Planning and Administration (M Tregurtha), Senior Executive Technical Services (A Louverdis) and Administration Adviser (R N Palmer)
- APOLOGIES:** Apologies on behalf of Councillors I Barker and M Cotton were received and accepted.
-

1.0 OPENING PRAYER

The opening prayer was given by Councillor McAlpine.

2.0 PUBLIC FORUM

2.1 Seddon Marshall

Mr Marshall spoke to the Council on the following matters:

a) Tahunanui Holiday Park

Mr Marshall as Chairperson of the Tahunanui Holiday Park Board explained that the Park had had its best season for some time with people staying longer which had substantially increased the number of bed nights.

b) Ridgeways Joint Venture

Mr Marshall advised that the Joint Venture had recently paid another \$500,000 to the Council which brought the Council's return from the development to \$9.188M with \$4M worth of sections still to sell.

c) Performing Arts Centre

Mr Marshall tabled information relating to the debate and controversy in respect of the establishment of the Trafalgar Centre which he saw as having distinct parallels with the work being undertaken at the present time in respect of the proposed Performing Arts and Conference Centre.

Mr Marshall also tabled several photographs and a written statement in which he suggested that the new centre which he called the "The Lord Nelson" should be built near to the Trafalgar Centre extending over the Maitai River north of the footbridge.

He explained that in his opinion there were a number of advantages in relation to the suggested location including opportunities to enhance the Maitai River.

Mr Marshall was thanked for his comments and suggestions and left the meeting.

3.0 CONFIRMATION OF MINUTES – 28 JANUARY 2010

Document number 877400

Resolved

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

Holmes/McAlpine

Carried

4.0 REPORTS POLICY

4.1 Driving on Footpaths

Report number 869100, agenda pages 12-16 refer.

Councillors generally agreed that there was a need to ensure that the persons using mopeds or motorcycles on the footpath had due regard for the safety and convenience of other users and in particular avoided conflict with vehicles exiting private property or other users of the footpath at intersections.

The Council noted the comments from the Police and the suggestion that some controls needed to be put in place, but noted that there was a lack of any advice as to what those controls should be.

A number of issues were discussed including whether or not the authority could be given subject to organisations wishing to undertake the practice only being able to do so once they had satisfied the Police as to the safety practices which they required their personnel to adopt.

Concern was also expressed that perhaps the practice might not be compatible with the new residential street designs which staff were presently investigating.

A motion was proposed:

Moved Councillor Holmes, Seconded Councillor Miccio

THAT that the use of footpaths by mopeds or motorcycles for the purpose of delivering newspapers, mail, or printed material to letterbox, be authorised;

AND THAT such use be authorised in respect of all footpaths other than those within the inner city commercial or suburban commercial zones.

The motion was put and **LOST**

The meeting noted that this meant that the application from The Nelson Mail would be declined.

4.2 Use of the City of Nelson Coat of Arms

Report number 870268, agenda pages 17-19 refer.

Resolved

THAT the City of Nelson Coat of Arms be restricted to use by the Council to denote Civic Events or Functions or Corporate Procedures or Processes;

AND THAT that the Council permit Nelson Community Groups or other Nelson Non Profit Organisations to utilise the shield from the Coat of Arms as a badge to signify their association with the City of Nelson.

His Worship the Mayor/Boswijk

Carried

4.3 Submission to Environmental Risk Management Authority on Reassessment of Methyl Bromide Fumigant

Report number 858062, agenda pages 20-29 refer.

Attendance: David Jackson (Senior Policy Planner) presented the report.

Resolved

THAT the Council approve the attached submission (document number 855054) to the Environmental Risk Management Authority concerning the reassessment of methyl bromide;

AND THAT David Jackson and Councillor R Reese speak to the submission at the hearing of submissions.

Reese/Shaw

Carried

4.4 Community Spirit Awards

Report number 875987, agenda pages 30-32 refer.

Attendance: Penny Bloomberg (Manager Public Communications) presented the report.

Resolved

THAT the Community Spirit Awards be held on Tuesday 4 May 2010;

AND THAT His Worship the Mayor, Councillors A Boswijk, A McAlpine and P Rainey be appointed to the Community Spirit Awards panel;

AND THAT the Community Spirit Awards Policy be amended by deleting the word "voluntary" from the Objectives and deleting the first sentence of the eligibility criteria;

AND THAT the Community Spirit Awards Policy be further amended to include an additional three community representatives including one iwi representative, on the Awards Panel

AND THAT the Community Spirit Awards Policy be further amended to indicate that the elected representatives on the Awards Panel will appoint the additional three members from the Nelson community.

Miccio/McAlpine

Carried

5.0 REPORTS – PRIORITY

5.1 Application for Walking and Cycling Model Community Funding

Report number 877982.

The meetings attention was drawn to the late report which had been circulated at the workshop on the previous Tuesday.

Attendance: Andrew James (Transport Manager) presented the report.

Recommendation

THAT Council apply for Model Communities funding and in doing so confirm its commitment to the Model Communities Philosophy and Outcomes identified in the Evaluation Criteria (Attachment 1 to report 877982);

AND THAT should Nelson be short-listed as a Model Community, Council appoint a working party consisting of Councillors M Holmes, D Shaw and G Thomas to consider the Roding Programme Adjustments necessary for the 2010/11 Annual Plan prior to submission of a detailed proposal by 26 March;

AND THAT should Nelson become appointed a Model Community it undertake a review of the Walking and Cycling strategies to ensure complete alignment with the

***Model Communities philosophy, for adoption by Council
by March 2011.***

His Worship the Mayor/Reese

Carried

6.0 REPORTS FROM OTHER COMMITTEES

6.1 Founders Heritage Park – 3 February 2010

Document number 878610, agenda pages 33-36 refer.

The meeting noted the comments regarding the impending resignations from the Founders Heritage Park Committee and that the Chief Executive was intending to provide comments in respect of the governance issues relating to the Park in his next Chief Executive's Report.

Resolved

THAT the minutes of the meeting of the Founders Heritage Park Committee held on Wednesday 3 February 2010 be received.

Holmes/Boswijk

Carried

6.2 Audit Risk and Finance Committee – 9 December 2009

Document number 878451, agenda pages 37-39 refer.

Resolved

THAT the minutes of the meeting of the Audit Risk and Finance Committee held on Wednesday 9 December 2009 be received.

Thomas/Reese

Carried

7.0 PUBLIC EXCLUDED BUSINESS

7.1 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 Meeting 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. Nelson City Council, Public Excluded Minutes – 28 January 2010*
- ii. Maitai Club update*
- iii. Rugby World Cup Steering Group.*
- iv. Founders Heritage Park.*

Reasons:

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

To protect the privacy of natural persons.

Shaw/Miccio

Carried

7.2 Re-admittance of the public

Resolved

THAT the public be re-admitted to the meeting.

Thomas/Collingwood

Carried

The meeting closed at 10.55am.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE