

**MINUTES OF AN ORDINARY MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON THURSDAY 10 JULY 2008 COMMENCING AT 9.00AM**

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

**IN ATTENDANCE:** Chief Executive (V Altmants), Divisional Manager Planning and Consents (R Johnson) and Administration Adviser (A Rose)

**APOLOGIES:** An apology was received and sustained for Councillor D Henigan

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**1.0 OPENING PRAYER**

The opening prayer was read by the Chief Executive.

**2.0 PUBLIC EXCLUDED BUSINESS**

**2.1 Exclusion of the Public**

***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 the Community Services Committee, Public Excluded Business – 10 June 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*

***ii) Natureland***

*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/Reese

Carried

The meeting went into public excluded session at 9.06am and resumed in public session at 9.24am.

## 2.2 Re-admittance of the Public

Resolved

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

Miccio/Boswijk

Carried

## 3.0 CONFIRMATION OF MINUTES

29 May 2008

Resolved

***THAT the minutes of the ordinary meeting of the Nelson City Council, held on Thursday 29 May 2008, be confirmed as a true and correct record, subject to the following changes:***

- i) *In the list of those present at the meeting:*
- *The inclusion of Councillor M Holmes*
  - *Councillor Thomas' initial being changed to G*
- ii) *On page 2, paragraph 4.2, where it appears the location 'Greymouth' be changed to the location 'Wellington'.*

His Worship the Mayor/Holmes

Carried

Resolved

***THAT the minutes of the ordinary meeting of the Nelson City Council to hear submissions to the draft Annual Plan 2008/09, held on Thursday 22 and Tuesday 27 May 2008, be confirmed as a true and correct record.***

Shaw/Barker

Carried

Resolved

***THAT the minutes of the ordinary meeting of the Nelson City Council to consider submissions made to the draft Annual Plan 2008/09, held on Friday 6 and Monday 9 June 2008, be confirmed as a true and correct record.***

Miccio/Holmes

Carried

Resolved

***THAT the minutes of the extraordinary meeting of the Nelson City Council held to set the rates for 2008/09, held on Thursday 26 June 2008, be confirmed as a true and correct record.***

His Worship the Mayor/Rainey

Carried

**4.0 COUNCIL STATUS REPORT – JULY 2008****4.1 Neale Park Skatepark**

Councillor Thomas requested that a report to consider a proper management system for the Neale Park Skatepark be brought to the Community Services Committee.

**4.2 Requests from Annual Plan Process**

It was agreed that there would be a meeting of the Chairpersons of the Committees to discuss and prioritise the various requests that had come via the Annual Plan process.

**4.3 Lee Valley Dam**

Councillor Holmes advised that the resolution passed at the Council meeting on the 6 June 2008 was currently not 'complete' but still 'under action' awaiting a formal reply from the Tasman District Council.

Resolved

***THAT** with Councillor Holmes correction regarding the Lee Valley Dam, the Council Status Report for July 2008 be received.*

Thomas/Boswijk

Carried

**5.0 REPORTS AND RECOMMENDATIONS OF COMMITTEES****5.1 Applications Committee**

Resolved

***THAT** the minutes of a meeting of the Applications Committee held on 10 June 2008, be received.*

Barker/Reese

Carried

**5.2 Community Services Committee**

Resolved

***THAT** the minutes of a meeting of the Community Services Committee held on 10 June 2008, be received.*

Rainey/Boswijk

Carried

**5.3 Committee Meeting Outside Civic House**

His Worship the Mayor commented that the holding of the Community Services Committee and Infrastructure Committee meetings away from Civic House had proved of great benefit and he noted that there needs to be a schedule drawn up for Committee meetings to occur outside of Civic House at least once a year.

**5.4 Infrastructure Committee**

Resolved

***THAT the minutes of a meeting of the Infrastructure Committee held on 12 June 2008, be received and the following recommendation adopted:***

***Parking of Vehicle Control Bylaw 2004 No 207 – Amendments to schedules***

***THAT the following alterations be made to the schedules of Bylaw No 207 – Parking and Vehicle Control – 2004 as outlined in report number 663937;***

- (i) Schedule 4 – Special Parking Areas***
- (ii) Schedule 8 – Time Limited Parking Areas.***

Holmes/Cotton

Carried

**5.5 Environment Committee**

Resolved

***THAT the minutes of a meeting of the Environment Committee held on 19 June 2008, be received.***

Reese/Miccio

Carried

**5.6 Corporate Governance Committee**

Resolved

***THAT the minutes of a meeting of the Corporate Governance Committee held on 26 June 2008, be received.***

Thomas/Miccio

Carried

**5.7 Water Supply Bylaw – Supplementary Report**

Document No 676758, dated 30 June 2008, agenda pages 109-111 refer.

The Administration Adviser, Richard Palmer, joined the meeting and presented the supplementary report.

Resolved

***THAT the draft Bylaw 217 “Water Supply” included as Attachment 2 to Document No 669722 and amended as required by this Committee, be adopted for public consultation in accordance with the provisions of the Local Government Act 2002;***

***AND THAT pages 134 to 140 inclusive in Document No 669722 be adopted as Council policy;***

**AND THAT** when the new bylaw is finalised the existing Bylaw 199/99 “Water Supply” be revoked;

**AND THAT** Clause 6.0 of the draft “Water Supply” Bylaw be amended as set out in Clause 3.1 of the Water Supply Bylaw Supplementary Report Document No 676758, dated 30 June 2008 prior to the consultation on the bylaw commencing.

Thomas/Miccio

Carried

## **6.0 JOINT NELSON CITY COUNCIL/TASMAN DISTRICT COUNCIL COMMITTEES**

### **6.1 Civil Defence Emergency Management Group**

27 June 2008

Resolved

**THAT** the minutes of a meeting of the Civil Defence Emergency Management Group held on 27 June 2008, be received.

Reese/His Worship the Mayor

Carried

Attendance: The meeting adjourned for morning tea from 10.00am until 10.24am.

## **7.0 MAYOR’S REPORT**

### **7.1 Townsville**

His Worship the Mayor gave a brief verbal report on his recent visit to Townsville, Australia.

### **7.2 Delegations Register July 2008**

The meeting then considered the updated Delegations Register circulated as a result of the various Committee workshops held to consider their Delegations.

### **7.3 Hearings Panel**

The proposal to replace the Applications Committee by a Hearings Panel as set out in page 50 of the Delegations Register was discussed and generally agreed to.

It was felt that the third paragraph on page 50 should be placed at the beginning of the section as the first paragraph, and that there were some other minor alterations to be made within the Delegations Register to clarify responsibility.

It was explained that all Councillors would be eligible to sit on all matters apart from those covered by the Resource Management Act. The Divisional Manager Planning and Consents explained that in concept there was to be a pool of Councillors. If it was an RMA matter then Councillors would need accreditation to be eligible, and the Chairs of RMA Panels would need additional accreditation. In regards to hearings under the Sale of Liquor Act the Divisional Manager Planning and Consents will draw on the pool for members of the District Liquor Licensing Agency, under powers granted to the Secretary of the Liquor Licensing Agency. It was from the pool, he

said, that he would draw the appropriate numbers of Councillors required to consider any particular matter.

His Worship the Mayor explained that this system was considered to be best practise around the country.

#### 7.4 Communications Subcommittee

Resolved

***THAT there be a Communications Subcommittee set up reporting to the Governance Committee, the Chair of the Subcommittee to be Councillor Boswijk, the members to be Councillors Holmes and Rainey, and Mr Mick Mason with His Worship the Mayor as ex-officio.***

His Worship the Mayor/Miccio

Carried

The Manager Strategy and Planning tabled a paper setting out the functions of the Communications Subcommittee. These were to be:

Functions

- i) To oversee the profile and public relations of the Nelson City Council.
- ii) To encourage public participation and understanding in the decision-making processes of Council.
- iii) Specific delegations:
  - (a) The Subcommittee is responsible for the direction of Council's public communications activities including an overview of all publications.
  - (b) Power to make recommendations on matters supporting the functions set out for the Subcommittee.

#### 7.5 Commercial Property Subcommittee

Resolved

***THAT a Commercial Property Subcommittee be set up reporting to the Governance Committee, with the Chair being Councillor Miccio and the members being Councillors Thomas and Cotton, with the Divisional Manager Planning and Consents as a support person and the Mayor as ex-officio on the Subcommittee.***

His Worship the Mayor/Holmes

Carried

It was agreed that the delegations of the Property Subcommittee would be as set out on page 17 of the Delegations Register dated July 2008.

There was some discussion about the role of the Subcommittee but it was agreed that it would be a commercially driven subcommittee and the first meeting of the Subcommittee would address the scope of its delegations.

**7.6 Audit Committee**

Resolved

***THAT an Audit Committee be set up reporting directly to Council, with the Chair being Councillor Thomas, the members being Councillors Reese, Collingwood and His Worship the Mayor, together with an independent person (to be advised).***

His Worship the Mayor/McAlpineCarried

The Chief Executive explained that the Audit Committee would be expanding its traditional role to consider all areas that put Council at risk including insurances. There was some discussion on the role of the independent person on the Committee and it was agreed that the scope of the Audit Committee will be discussed at its next meeting.

**7.7 Joint Committee Nelson City and Tasman District Councils**

Resolved

***THAT a Joint Committee of Nelson City and Tasman District Councils be set up, the Nelson City Council representatives being His Worship the Mayor, the Deputy Mayor and the Chairperson of Corporate Governance.***

Shaw/BoswijkCarried

In answer to a question from Councillor Barker, His Worship the Mayor said the question of whether the Joint Committee would have direct involvement with the development of Saxton Field would be discussed at a later date.

**7.8 Performing Arts Conference Centre Steering Group**

Resolved

***THAT a Performing Arts Conference Centre Steering Group be set up, and make written reports to the Council every time it meets, with the Chairperson being Councillor Rainey, the members being Councillor McAlpine, two Tasman District Council representatives, two Millennium Trust representatives, the Mayors of Nelson City Council and Tasman District Council being ex-officio members, and the Chief Executive of Nelson City Council being an ex-officio member.***

Holmes/BoswijkCarried**7.9 Suter Working Party**

Resolved

***THAT a Suter Working Party be set up comprising Councillors Barker and Boswijk, the Chief Executive and a Tasman District Council representative.***

His Worship the Mayor/ReeseCarried

## 7.10 Minor Alterations to the Delegations Register July 2008

- Page 17  
It was noted that there needed to be clarification as to the word 'promote' in item 5 of the functions of the Property Committee.
- Page 50  
It was agreed that the third paragraph on page 50 should now be the first paragraph.
- Throughout the document any reference to the Applications Committee was to be removed.
- Page 64  
The Compulsory Acquisition Powers section will be expanded to clarify that these powers relate to network utility operators and was a delegation better held by the Environment Committee.
- Page 86  
To be Mayor, Chair Environment Committee, Deputy Chair Environment Committee.
- Page 87  
Update Nelson Tasman Tourism Directors.
- Page 90  
The reference to the Bishop Suter Trust Board to be removed.  
The reference to Jan Fryer on the Kahurangi Employment Trust be removed and Councillor Rainey included.
- Page 91  
Councillor Collingwood to be appointed as a local judge to the Trustpower Community Awards.  
Reference to the Youth Matters Group to be removed.
- Page 93  
The Performing Arts and Conference Centre Working Party to be renamed Performing Arts Conference Centre Steering Group with the membership and reporting as previously resolved in the meeting.

Resolved

***THAT the Delegations Register dated July 2008 as circulated and as amended at the Council meeting of 10 July 2008, be adopted.***

McAlpine/Thomas

Carried



## 7.11 Economic Development Working Party

It was agreed as resolved at the Corporate Governance Committee meeting of 26 June 2008 as an interim link for liaison purposes between the Council and the Nelson Regional Economic Development Agency, that Councillors Miccio and Reese should fulfil that link in the interim until the appointment of representatives has been decided.

## 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 ordinary meeting of the Nelson City Council, Public Excluded Business – 29 May 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 Public Excluded Status Report – July 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 Corporate Governance Committee Public Excluded Business – 26 June 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) **Council Nursery**

*Reason:*

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

(v) **Performing Arts Conference Centre**

*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/Boswijk

Carried

The meeting went into public excluded session at 12.05pm and resumed in public session at 1.10pm.

**8.2 Re-admittance of the Public**

Resolved

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

Holmes/Cotton

Carried

There being no further business the meeting ended at 1.10pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

\_\_\_\_\_ CHAIRPERSON

\_\_\_\_\_ DATE