

MINUTES OF A MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON THURSDAY 11 MARCH 2010 COMMENCING AT 9AM

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

IN ATTENDANCE: Chief Executive (K Marshall), Divisional Manager Strategic Planning and Administration (M Tregurtha) and Administration Advisor (A Rose)

1.0 OPENING PRAYER

The Opening Prayer was given by Councillor Thomas.

2.0 VISITING OVERSEAS STUDENTS

The Chairperson welcomed a group of overseas Local Government students from the Nelson Marlborough Institute of Technology who he said had come to observe the meeting and later meet with His Worship the Mayor and Councillors for morning tea. The students introduced themselves explaining that they were from the countries in Indo China.

3.0 PUBLIC FORUM

3.1 Libraries Aotearoa People's Network Kaharoa Public Access Computers

Mr Glen Baker, a resident and local business man, addressed the Council regarding the effect that the libraries APNK (Aotearoa People's Network Kaharoa) public access computers is having on local businesses. Mr Baker said that the word is out on the backpacker's network that internet is free at the libraries throughout New Zealand. In Nelson this was having the effect that locals were being disadvantaged and businesses within the City were losing customers. He also said that there was noise pollution created in the library as tourists used Skype to chat on their laptops. Mr Baker said he had no problem if local library members get the service free but it should not be free to tourists as this did not happen in the rest of the world. Mr Baker spoke to the material he had circulated which had accompanied the agenda and urged Council to look at this issue so that local businesses were not disadvantaged.

The Chairperson thanked Mr Baker for his presentation.

3.2 Globe Theatre Proposal

Mr Daniel Hall addressed the Council regarding a proposal to build a replica of the Globe Theatre on an area of Rutherford Park near the Maitai. He referred to some information that had been circulated to Councillors.

Although the Council congratulated Mr Hall on his enthusiasm, there were mixed views as to the appropriateness of building such a structure in Nelson both for aesthetic reasons and the uses to which it could be put.

The Chairperson thanked Mr Hall for his presentation.

4.0 CONFIRMATION OF MINUTES – 25 February 2010

Resolved

THAT the minutes of the ordinary meeting of the Nelson City Council held on Thursday 25 February 2010 be confirmed as a true and correct record.

His Worship the Mayor/Shaw

Carried

4.1 Mayor's Report

His Worship said he had no report for the public part of the meeting but there was one that had been circulated for consideration within the public excluded part of the meeting.

5.0 NOTICE OF MOTION – COUNCILLOR R REESE

Document number 846857.

It was explained that in accordance with standing order 11.3.1 Councillor Reese had given notice of her intention to move this motion at this meeting.

Proposed Councillor Reese, seconded His Worship the Mayor

THAT in the build up to the General Election, the Chief Executive be authorised to allocate sites to political parties in Montgomery Square, between 8.00am and 12.30pm on Saturdays, in accordance with the following guidelines:

- (i) *One site will be allocated, upon request, to each political party registered with the Electoral Commission that has a candidate standing in the Nelson electorate.*
- (ii) *Each site will comprise two adjoining car parks.*
- (iii) *The sites will not be located immediately adjacent to the Nelson Market lease boundary.*
- (iv) *The sites will only be made available for use for three months prior to Election Day. The permitted use of the sites shall end immediately after the last Saturday prior to Election Day.*
- (v) *Parking charges will be waived.*

- (vi) *It will not be Council's responsibility to reserve the sites. Each party will be responsible for being on site early enough on Friday night/Saturday morning to reserve their allocated site.*
- (vii) *Each party will be responsible for health and safety issues whilst occupying their site.*

Councillor Collingwood said that Council should reflect MMP in any change to the existing resolution passed on 6 March 2008. Councillor Collingwood then moved an amendment, moving the motion without sub paragraph (v)

The motion **lapsed** for want of a seconder.

There was a view expressed that the political sites located near the Nelson Market would not add much value to the experience of market goers and other tourists to the region.

Councillor Shaw said he would support the motion with an addition to Clause (i) to include:

"Political parties registered with the electoral commission that included candidates standing in, or an MP representing or residing in the Nelson electorate or area or region."

Councillor Shaw moved and Councillor Boswijk seconded the motion with this amendment. The amendment was put and carried and became the substantive motion and it was resolved

THAT the Chief Executive be authorised to allocate sites to political parties in Montgomery Square, between 8.00am and 12.30pm on Saturdays, in accordance with the following guidelines:

- i) A site will be allocated, upon request, to each political party registered with the Electoral Commission that has a candidate standing in, or an MP representing or residing in the Nelson electorate, or area or Region.***
- ii) The site allocated will comprise two adjoining car parks.***
- iii) The sites will not be located immediately adjacent to the Nelson Market lease boundary, but generally in the south-eastern sector of the Square.***
- iv) Parking charges for the use of the site to be waived.***
- v) It will not be Council's responsibility to reserve the sites. Each Party will be responsible for being on site early enough on Friday night/Saturday morning to reserve its allocated site.***

- vi) *Each Party will be responsible for health and safety issues whilst occupying its site.*

Shaw/Boswijk

Carried

6.0 REPORTS POLITICAL

6.1 Appointment of Electoral Officer

Report number 889946, agenda pages 13-14 refer.

The Electoral Officer, Richard Palmer, presented the report.

Resolved

THAT Warwick Lampp of electionnz.com be appointed Electoral Officer for the 2010 local body elections.

Reese/Boswijk

Carried

7.0 FAREWELL TO RICHARD PALMER

His Worship the Mayor took the opportunity to pay tribute to Richard Palmer, Administration Adviser and Electoral Officer, who was leaving the Council after 12 years. His Worship thanked Mr Palmer for the work he had done for Council and wished him every success for the future.

Attendance: The meeting adjourned for morning tea 10.30am to 10.55am during which time Councillor Cotton left the meeting.

8.0 REPORTS FROM COMMITTEES

8.1 Audit Risk and Finance Committee – 24 February 2010

Document number 887755, agenda pages 15-18 refer.

Resolved

THAT the minutes of a meeting of the Audit Risk and Finance Committee held on Wednesday 14 February 2010 be received.

Thomas/His Worship the Mayor

Carried

8.2 Joint Shareholders Committee – 1 March 2010

Document number 890522, agenda pages 19-26 refer.

It was noted that the procedures adopted by the two Councils in respect of this joint committee provide that all recommendations are subject to the rider that if they are not adopted by both Councils they are referred back to the Committee.

Resolved

THAT the minutes of the meeting of the Joint Shareholders Committee held on Monday 8 March 2010 be received.

Reese/Thomas

Carried

The meeting turned its attention to the recommendations from the Joint Shareholders Committee and considered them one by one.

8.3 Name of Committee

Resolved

THAT the Joint Committee established to oversee the Council Controlled Organisations jointly owned by Nelson City Council and Tasman District Council be known as the Joint Shareholder Committee.

Holmes/His Worship the Mayor

Carried

8.4 Nelson Regional Sewerage Business Unit Plan for 2010/2011

Resolved

THAT the Nelson Regional Sewerage Business Unit Plan for 2010/2011 be adopted.

Boswijk/McAlpine

Carried

Resolved

THAT for this financial year the excess surplus above what was budgeted for from the Nelson Regional Sewerage Business Unit be returned to the two Council shareholders in equal proportions.

Boswijk/McAlpine

Carried

Resolved

THAT it be agreed as between the two Councils that until such time that a new Memorandum of Understanding between the Nelson City Council and the Tasman District Council in respect with the operation of Nelson Regional Sewerage Business Unit is completed the current Memorandum of Understanding, dated 18 May 2000 (as attached to report 886314), shall continue in force and effect for up to 12 months.

Holmes/Boswijk

Carried

8.5 Joint Venture Tourism Funding

It was explained that the resolution regarding the Joint Venture Tourism funding opportunity had been passed as part of the draft Annual Plan consideration at the meeting earlier in the week.

8.6 Nelson Youth Council - 8 February 2010

Document number 880537, agenda pages 27-33 refer.

Resolved

THAT the minutes of a meeting of the Nelson Youth Council held on Monday 8 February 2010 be received and the following recommendation be adopted:

- ***That the Nelson Youth Council Constitution as attached to the agenda (Document number 825385) be adopted subject to the date being amended to 2010.***

Boswijk/McAlpine

Carried

9.0 DISCUSSION ON THE PUBLIC FORUM ISSUES

9.1 Libraries Aotearoa People's Network Kaharoa Public Access Computers

The Libraries Manager, Ian Littleworth, joined the meeting and described the free internet service that was offered at the Nelson Public Libraries. He said that there was a contractual obligation to provide this service for free and if Council attempted to charge for it the Council would be in breach of the contract they had with the National Library.

In answer to a question Mr Littleworth said that the Government funding for this service is likely to cease June 2011. In answer to another question Mr Littleworth said that people could phone in and book to use this facility but it was not an option that the library encouraged. Mr Littleworth also explained that libraries were changing their role from being a quiet place for reading books to being a community space.

The meeting agreed that there was little that Council could do at this stage but they would expect a report from Mr Littleworth on the matter in due course.

9.2 Globe Theatre Proposal

It was felt that this proposal should be included in the discussion on the future of Trafalgar and Rutherford Parks. It was suggested the staff make contact with Mr Hall. The Divisional Manager Community Services said Mr Hall will receive a copy of the document that is to be consulted on. Generally there was little support from Council for the proposal at this stage.

9.3 Poker Run

Councillor Barker expressed real concern about an item that had been broadcast on talkback radio earlier in the day concerning a visit to Nelson at the weekend by various motorcycle gangs.

Proposed Councillor Barker, seconded Councillor Collingwood

THAT the Nelson Police be advised that the Nelson City Council has grave concerns regarding publicly made threats to burn Nelson Hotels and Nelson Motels and shoot people off motorbikes;

AND THAT the Nelson City Council will support the Police in taking all measures necessary to protect Nelson citizens and their property.

The Chairperson directed that the matter lie on the table while the Mayor made enquiries with the Police.

10.0 PUBLIC EXCLUDED BUSINESS

10.1 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) Nelson City Council, Public Excluded Minutes – 25 February 2010*
- ii) Proposed Exchange of Land*
- iii) Funding Application*
- iv) Joint Shareholders Committee, Public Excluded Minutes -1 March 2010*
- v) Mayor's Report*

Reasons:

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

To protect the privacy of natural persons

Holmes/Boswijk

Carried

The meeting went into public excluded session at 11.50am and resumed in public session at 2.30pm. During the period the meeting was in the public excluded session a lunch adjournment was taken from 12.38pm to 1.15pm during which time Councillors Holmes and Shaw left the meeting.

10.2 Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Rainey/His Worship the Mayor

Carried

The meeting then considered Councillor Barker's resolution that had been left to lie on the table and it was resolved

THAT the Nelson Police be advised that the Nelson City Council has grave concerns regarding publicly made threats to burn Nelson Hotels and Nelson Motels and shoot people off motorbikes;

AND THAT the Nelson City Council will support the Police in taking all measures necessary to protect Nelson citizens and their property.

Barker/Collingwood

Carried

There being no further business the meeting ended at 2.30pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON

_____ DATE