

MINUTES OF A MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET ON THURSDAY 20 MAY 2010 COMMENCING AT 9.00AM

PRESENT:	His Worship the Mayor K Marshall (Chairperson), Councillors I Barker, A Boswijk, G Collingwood, M Cotton, D Henigan, M Holmes, A Miccio, P Rainey, R Reese (Deputy Mayor), D Shaw and G Thomas
IN ATTENDANCE:	Chief Executive (K Marshall), Manager Strategy and Administration (M Tregurtha), J O'Donnell (Youth Councillor) and Administration Adviser (A Rose)
APOLOGIES:	Apologies were received and accepted from Councillor A McAlpine

1.0 OPENING PRAYER

The opening prayer was given by Councillor Thomas.

2.0 PUBLIC FORUM

2.1 Maitai Club

Attendance: Councillor Barker declared an interest and withdrew from the table during this item.

Mr Peter Fisher, President of the Maitai Club, addressed the Council providing further information regarding the background to the lease arrangement from Club members who were involved at the meetings during the negotiation of the lease. He said he was still awaiting an affidavit from the president of the day, Mr Veto Garguilio. He said that the affidavit would state that Mr Garguilio attended meetings with Mayor Peter Malone and the then head of Council's Parks and Reserves, Mr Andrew Petheram, which confirmed that when the lease was due for renewal it would be a "rubber stamping exercise".

Mr Fisher introduced Mr Tony Delorenzo who had been a member of the Maitai Bowling Club since 1934 and a life member for 25 years. Mr Delorenzo made a passionate plea to Council to give assistance in sorting this issue out.

The meeting was then addressed by Mr Ian Tyler, the current Secretary of the Maitai Bowling Club and the Secretary when the lease was signed. He recalled that Mayor Malone and Mr Petheram gave an undertaking that the Club would have the first option on the lease when it was due for renewal. He said for the Club to go on in the future it needed to be able to have an extension to the lease or a new lease.

The meeting was then addressed by Mr Jim Greg, the Patron of the Maitai Bowling Club, who also confirmed that there had been a verbal undertaking with regard to a renewal of the lease.

Mrs Italina Sowman, the ladies bowls delegate for 21 years, addressed the Council saying that the current situation the Club was facing was

responsible for a loss in membership and she appealed to the Council for help in resolving the matter.

Next the Council was addressed by Mr Len Edwards, from the IHC, who outlined the good work the Club had done with special needs classes from local schools and IHC adults.

The Council was then addressed by Mr Wayne Woodward, a life member of the Maitai Bowling Club, who was representing as a member of the Nelson Pool and Snooker Association. He said he represented 140 members of the Club that was part of the Maitai Club and he asked Council for their help.

Finally the Council was addressed by Mr Arthur Bradbury who restated that the Committee of 1994 was assured that the lease would be renewed and it had put its trust in the integrity of Mayor Malone and Andrew Petheram and other Councillors of the day. He asked the question, would it be likely that the Club's executors would have signed a lease without any such guarantee. He said he had been disappointed at Council's decision to do nothing and the Club had accepted that the lease was for a 20 year period but he couldn't see why the Council would decline the extension of this lease. He said it was at no cost to Council and the Club was not asking for any money.

Councillor Miccio requested that the Club table all the evidence and affidavits they had to support their case. His Worship the Mayor thanked Mr Fisher and the delegation for their extensive presentation.

2.2 Objection to Proposed Traffic Island – Site 4, NCC Plan 27-0654

Mrs Jane Thomas, of 111 The Ridgeway, spoke to Council objecting to a proposed traffic island which it was planned to locate outside her property. She said she had not been happy with the consultation process to date and asked Council not to go ahead with this proposal.

In answer to a question from Councillor Barker, Mrs Thomas said that since The Ridgeway link had been opened she had not noticed any change in the amount of traffic using the road. She said the traffic runs smoothly and she could not understand why there is need to modify the road.

His Worship the Mayor thanked Mrs Thomas for raising the issue and said it would be investigated.

2.3 Conflicts which have arisen as a result of Lifestyle Block owners moving into Rural communities

Mr Chris Budgen and Mrs Budgen addressed the Council on the issue of conflicts which have arisen as a result of Lifestyle Blocks moving into Rural communities. Mr Budgen said the tendency was for newcomers in Rural communities to complain about what they find and the outcomes are often adhoc and create court battles. He said there was a need for some mediation. In particular Mr Budgen said he was concerned about

the issues surrounding the Cable Bay Rifle Range saying that he thought that pressure was coming on for it to be closed. He asked Council to put in place a mechanism to deal with or mediate Rural conflicts and he offered his services in this respect.

His Worship the Mayor thanked Mr and Mrs Budgen for raising these matters.

Attendance: The meeting adjourned from 10.00am to 10.10am for morning tea.

3.0 CONFIRMATION OF MINUTES

Resolved

THAT the minutes of the ordinary meeting of the Nelson City Council held on Thursday 6 May 2010 be confirmed as a true and correct record.

Reese/Boswijk

Carried

4.0 NOTICE OF MOTION

Document number 923916, agenda page 10 refers.

Councillor Boswijk said she was moving the motion which sought to revoke the resolution Council passed at its last meeting in regard to purchasing Rugby World Cup 2011 tickets through Rugby New Zealand 2011 Limited and was urging Council to purchase nine Category A tickets to each of the two Nelson Rugby World Cup 2011 matches, costing \$80 per ticket. These tickets to be used to host visiting dignitaries from Italy, the United States of America or Russia and that if there are any tickets remaining that these be distributed to randomly selected ratepayers.

Proposed Councillor Boswijk, seconded Councillor Reese

THAT the resolution of 6 May 2010 "THAT Council does not purchase any Rugby World Cup 2011 tickets through the Rugby New Zealand 2011 Limited offer which closes on 21 May 201" be revoked;

AND THAT the Council purchases nine Category A tickets to each of the two Nelson Rugby World Cup 2011 matches costing \$80 per ticket funded through the Rugby World Cup 2011 budget.

AND THAT the tickets be used to host visiting dignitaries from Italy, United States of America or Russia

AND THAT if there are any remaining tickets that these distributed to randomly selected ratepayers.

Councillor Miccio, seconded by Councillor Rainey moved an amendment to the motion increasing the number of tickets to be bought for each game to 20.

The amendment was put and lost and the meeting returned to consider the original motion and it was resolved:

THAT the resolution of 6 May 2010 "THAT Council does not purchase any Rugby World Cup 2011 tickets through the Rugby New Zealand 2011 Limited offer which closes on 21 May 201" be revoked;

AND THAT the Council purchases nine Category A tickets to each of the two Nelson Rugby World Cup 2011 matches costing \$80 per ticket funded through the Rugby World Cup 2011 budget.

AND THAT the tickets be used to host visiting dignitaries from Italy, United States of America or Russia

AND THAT if there are any remaining tickets that these distributed to randomly selected ratepayers.

Boswijk/Reese

Carried

5.0 REPORTS PERFORMANCE

5.1 Tasman Bays Heritage Trust Draft Statement of Intent and Strategic Plan 2010/11 and Half Yearly Report

Report number 919878, agenda pages 123-147 refer.

The Chairperson, Sara Chapman, and the Chief Executive, Peter Milward, from Tasman Bays Heritage Trust joined the meeting and presented the Half Yearly report and draft Statement of Intent.

Resolved

THAT the Tasman Bays Heritage Trust draft Statement of Intent for 2010/11 be approved for signing subject to a similar resolution by the Tasman District Council.

Boswijk/Rainey

Carried

5.2 Ridgeways Joint Venture – Statement of Intent 2010/11

Report number 905623, agenda pages 148-156 refer.

The Chairperson of the Ridgeways Joint Venture, Mr Seddon Marshall, joined the meeting and presented the Statement of Intent. He said that the Joint Venture had made a payment of \$500,000 to Council in December 2009. This brought the total payments from the Joint Venture to Council to a total of \$8.3 million. He said there were still 20 sections left to sell and work had been done to make these sections more saleable by creating building platforms on them.

Resolved

THAT the Ridgeways Joint Venture Statement of Intent for 2010/11 be approved for signing.

Collingwood/Cotton

Carried

5.3 Nelson Tasman Tourism Limited: Draft Statement of Intent 2010/11 and Half Yearly Report

Report number 920833, agenda pages 79-122 refer.

Resolved

THAT the Nelson Tasman Tourism draft Statement of Intent for 2010/11 be approved for signing subject to a similar resolution by the Tasman District Council.

Thomas/Reese

Carried

5.4 Chief Executive's Report

Report number 910016, agenda pages 22-78 refer.

The Chief Executive presented the report.

NZTA Walking and Cycling Model Communities

The Chief Executive gave a brief report on the presentation made to the NZTA Steering Group on 18 May 2010.

His Worship the Mayor congratulated the staff who had worked on this initiative.

Rugby World Cup 2011 Update

Concern was expressed by some Councillors that Council did not seem to have the support of the event organisers Rugby World Cup 2011 Limited to develop event benefits for the region.

It was advised that the Rugby World Cup 2011 Steering Group had established a Community Working Party which community groups can liaise with and staff are currently writing a community guide which will provide contact details.

It was noted that a formal report is due the next meeting of Council that will cover aspects of the Council's involvement including a six monthly review of the Council's steering group..

Power and Telecommunication Line Undergrounding Policy

It was agreed that that staff will bring a report to Council with respect to the policy but that the extra \$322,000, being the cost if Council were to fully fund the undergrounding work for the streets scheduled to be upgraded in 2010/11, will be considered as part of the upcoming annual plan process.

Closed Circuit TV Cameras Upgrade

Resolved

THAT \$31,000 from cost code 7525 8905 and \$10,000 from 4403 4605 88 be carried forward to the 2010/11 financial year for the upgrade of the CCTV system.

Boswijk/Collingwood

Carried

Global Resource Consent for Council Events

Resolved

THAT \$15,000 from cost code 8612 3710 be used to fund a resource consent application for a range of Council events at various venues throughout the City.

His Worship the Mayor/Shaw

Carried

Update to Council Calendar Dates – Proposed Timeline for 2010/11 Community Assistance Funding Round

Resolved

THAT a hearing for the allocation of Community Assistance Funding for 2010/11 be held on Monday 9 August 2010. Following the hearing, Council will move into Committee to determine the funding allocation.

Collingwood/Thomas

Carried

Accessibility

Resolved

THAT the assessment of strategic accessibility issues be included in the review of the Social Wellbeing Policy.

Reese/Boswijk

Carried

TAFM Bill implications for Council

Resolved

THAT the Chief Executive, in consultation with the Governance Portfolio Holder, make a submission on the Local Government Act (LGA) 2002 Amendment Bill to the Environment and Local Government Select Committee, with a focus on the proposed performance measures.

His Worship the Mayor/HolmesCarried

It was agreed that before the submission was sent it would be brought back to Council for discussion.

Councillor Attendance at LGNZ Conference

Resolved

THAT His Worship the Mayor and Councillors Boswijk, Miccio and Shaw be nominated to attend the annual Local Government New Zealand Conference 2010.

Henigan/CollingwoodCarried**Councillor Involvement in Tasman Nelson Environment Awards 2010**

Resolved

THAT an approach consistent with Tasman District Council through the election period be adopted for Councillor involvement in judging the Tasman Nelson Environment Awards 2010.

Shaw/CollingwoodCarried**Marsden/Ridgeway Intersection**

The Senior Executive Infrastructure detailed the consultation that had occurred with residents of The Ridgeway and the Ridgeway Action Group (RAG) regarding the minor safety works proposed along The Ridgeway. He said there had been an extensive number of night time meetings with the RAG and most residents likely to be affected by the proposed minor safety works had not raised objections.

It was agreed that Mr Schruer would have further discussions with Mrs Thomas with a view to addressing the concerns she had expressed in the public forum.

Cable Bay Rifle Range

The Chief Executive said that it had never been Council's intention to close the Rifle Range. There was, he said, need to clarify the consents conditions and Council staff are currently doing that.

It was agreed that this information would be conveyed to Mr and Mrs Budgen.

Heart of Nelson

Resolved

THAT net savings of \$349,000 in the Heart of Nelson projects, as detailed in this Report 910016, be carried over to 2010/11.

Boswijk/Shaw

Carried

Projects Deferred after Organisational Development Prioritisation

Resolved

THAT the Neale Park Skate Park Toilet and Basin Reserve Toilet be deferred and related budgets be carried over to 2010/11.

Thomas/Shaw

Carried

Attendance: The meeting adjourned from 12.35pm to 1.14pm for Luncheon. During this time Councillor Barker left the meeting.

Customer Service Centre Cashier Transactions

There was a request for the statistics in future to include payments made to Council via the internet.

Relationships with Tasman District Council

There was some discussion regarding the reporting back from the Funding Forum and the Saxton Field Working Party. In answer to a question it was explained that neither group has any delegated authority and any decisions have to come back to both Councils as recommendations.

There was also discussion about how to engage Tasman District Council with the Performing Arts and Conference Centre project. The Chief Executive advised that Tasman District Council had been invited to the last three discussions Council had had on this matter but had chosen not to come. It was agreed that when a site had been selected an attempt would be made to engage Tasman District Council via the Regional Funding Forum.

Parking and Vehicle Control Bylaw 2004, No 207

Resolved

THAT the following alterations to the Schedules of Bylaw No 207, Parking and Vehicle Control (2004) be approved:

Schedule 4: Special Parking Areas (Bus Stop relocation – Waimea Road)

Schedule 9: No Stopping (Quebec Road)

New Leases for Approval

Resolved

THAT the new leases for Tasman Regional Sports Trust of Sportshouse; and for Nelson Hockey for the Hockey Softball Pavilion, subject to the terms described within this report, number 910016, be approved.

Shaw/Holmes

Carried

Attendance: Councillor Barker returned to the meeting at 1.42pm.

Half-day Debrief

His Worship the Mayor foreshadowed that as it got closer to election day the Council would have a half-day debrief on what this Council had done in its term of office.

Status Report**Multiuse Building on Tahunanui Reserve for Surf Lifesaving**

Youth Councillor, Johny O'Donnell, reminded Council that the Youth Council had requested to be consulted during the preparation of the staff report to ensure the proposed concept was complimentary to the Youth Park.

Trafalgar Park Update

The view was expressed that Council should consider bringing the construction of the cycletrack forward at Saxton Field and not to reinstate it during the upgrade of Trafalgar Park.

Supplementary Reports

Resolved

THAT the status reports attached to this report 910016 be received;

AND THAT the Schedule of Documents Sealed from 11 March to 23 April 2010 be received.

Henigan/Boswijk

Carried

6.0 REPORTS FROM COMMITTEES

6.1 Audit, Risk and Finance Committee – 21 April 2010

Document number 916735, agenda pages 157-158 refer.

Resolved

THAT the minutes of the meeting of the Audit, Risk and Finance Committee, held on Wednesday 21 April 2010 be received.

Collingwood/Thomas

Carried

6.2 Founders Heritage Park Committee – 28 April 2010

Document number 919523, agenda pages 159-162 refer.

Resolved

THAT the minutes of the meeting of the Founders Heritage Park Committee, held on Wednesday 28 April 2010 be received.

Holmes/Boswijk

Carried

7.0 MAYOR'S REPORT

His Worship the Mayor reported on his attendance at the Metro Sector Managers meeting held in Manakau on 4 May 2010. He drew Councillors attention to the Zone and Sector Key Issues Report dated April 2010 and the report on Central Government / Local Government Social Sector Reform – Where to from Here, by Roger Blakely, Chief Executive Porirua City Council, on behalf of the Chief Executives' Forum.

Youth Council

Johny O'Donnell said that for the forthcoming Local Government Elections the Youth Council has planned to run a campaign with local schools co-ordinating "kids voting" and to campaign with the Electoral Commission to encourage young people to enrol and vote. He said there would also

be a forum organised by the Youth Council for young people to meet the candidates standing for election.

8.0 GENERAL BUSINESS

8.1 Maitai Club

Attendance: Councillor Barker declared an interest and withdrew from the table during this item.

Council discussed the presentation made by the Maitai Club and the Bowling Club and the Pool and Snooker Club earlier in the meeting. There was some sympathy for the clubs' current plight even though it was noted that the current circumstance only arose from the financial losses incurred by the Maitai Club.

There was limited support for an extension or renewal of the existing lease. Councillor Thomas suggested that one option that might be considered is that the Club be released from its lease and given a licence to occupy and Council in return explore giving the Club some relief from their financial issues and set up a management structure and compensate them for the building. It was felt that some form of detailed due diligence was needed.

After much discussion it was agreed that the Chief Executive would offer the Maitai Club the help of the Council's legal adviser to look at the legal issues facing the Club.

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.

His Worship the Mayor/Holmes

Carried

The meeting went in to public excluded session at 2.55pm and resumed in public session at 2.58pm.

9.2 Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Barker/Boswijk

Carried

There being no further business the meeting ended at 2.58pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE