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## Minutes of a meeting of the Nelson City Council – Community Services

Held in the Council Chamber, Civic House, Trafalgar Street, Nelson

On Tuesday 28 August 2012, commencing at 9.02am

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- Present:** Councillors A Boswijk (Deputy Mayor), G Collingwood, R Copeland, E Davy, K Fulton, P Matheson, R Reese, D Shaw and M Ward
- In Attendance:** Acting Chief Executive (N Harrison), Acting Executive Manager Community Services (R Ball), Executive Manager Support Services (H Kettlewell), Executive Manager Network Services (A Louverdis), Executive Manager Strategy and Planning (M Schruer), Executive Manager Kaihautū/ Community Relations (G Mullen), Manager Community Relations (A Ricker), Manager Strategic Response (C Ward), Manager Policy and Planning (N McDonald), Principal Adviser Roading and Transport (A James), and Administration Adviser (E-J Ryan)
- Apologies:** Were received and accepted from His Worship the Mayor (A Miccio), Councillors I Barker, J Rackley (Co-portfolio Holder) and P Rainey (Co-portfolio Holder)

### Opening Prayer

#### 1. Conflicts of Interest

There were no updates to the Conflicts of Interest register.

Councillor Matheson declared a conflict of interest in relation to item 9 of the agenda (Gambling Policy Review 2012), and said he would sit back from the table for this item. The Chairperson explained that it was likely that this item would be left to lie on the table, for reasons she would explain at the relevant point in the meeting.

#### 2. Confirmation of Minutes

##### 2.1 Adoption of the Long Term Plan 2012-2022, Community Services and Infrastructure – 19 July 2012

Document number 1338149, agenda pages 5-30 refer.

Resolved

***THAT the minutes of a meeting of the Nelson City Council – Adoption of the Long Term Plan 2012-2022, Community Services and Infrastructure, held on 19 July 2012, be confirmed as a true and correct record.***

Boswijk/Shaw

Carried

- 2.2 Consideration of submissions to the draft Long Term Plan 2012-2022 – 27, 28 and 29 June 2012

Document number 1348839, agenda pages 31-51 refer.

It was noted that, during the meeting of 29 June 2012, Councillor Reese had returned to the meeting during the lunch break.

Resolved

***THAT the minutes of a meeting of the Nelson City Council to consider submissions to the draft Long term Plan 2012-2022, held on 27, 28 and 29 June 2012, be confirmed as a true and correct record, subject to including on page 16 that Councillor Reese returned to the meeting during the lunch break.***

Boswijk/Davy

Carried

- 2.3 Hearing of submissions to the draft Long Term Plan 2012-2022 – 14, 15, 18 and 19 June 2012

Document number 1311002, agenda pages 52-98 refer.

Resolved

***THAT the minutes of a meeting of the Nelson City Council to hear submissions to the draft Long term Plan 2012-2022, held on 14, 15, 18 and 19 June 2012, be confirmed as a true and correct record.***

Boswijk/Collingwood

Carried

### 3. Mayor's Report

Councillor Boswijk noted the important clean-up work continuing throughout the city as a result of the December 2011 rainfall event, and said that such work continued to have an impact on Council's activities. She thanked Council staff for their continued work in this area.

**4. Status Report – Community Services**

Document number 1034860 v5, agenda pages 99-100 refer.

Resolved

***THAT the Status Report – Community Services (1034860 v5) be received.***

Boswijk/Copeland

Carried

**5. Portfolio Holder’s Report**

Both of the Co-portfolio Holders tendered apologies for the meeting, and accordingly, no Portfolio Holder’s Report was given.

**6. Chief Executive Report – Community Services**

Document number 1337436, agenda pages 101-168 refer.

**6.1 Greenmeadows Reserve – Proposed Lease to Stoke Tennis Club Incorporation**

Resolved

***THAT public notification of Council’s intent to lease a portion of the Greenmeadows Reserve to the Stoke Tennis Club Incorporated be undertaken, as required by the Reserves Act 1977, including release of the draft Deed of Lease;***

***AND THAT a hearing be scheduled for Tuesday 20 November 2012 for Council to hear submitters and make decisions on submissions;***

***AND THAT if no submissions are received, Council agree that Stoke Tennis Club Incorporated be granted a Lease at Greenmeadows Reserve on the terms and conditions described in the draft Deed of Lease.***

Davy/Matheson

Carried

**6.2 Buxton Square Toilets/Street Ambassador Service**

The Acting Executive Manager Community Services, Mr Ball, explained that Council had previously requested that the report relating to the Street Ambassador programme be reported back to Council.

He said that the report did not comprise a full report, but rather an update relating to the service. He added that the budget for the Street Ambassador programme currently was funded from November 2012

through to January 2013, but that additional funding had been secured to extend the programme throughout February 2013. He added that paragraph 4.8 of the report incorrectly referred to Nelson Marlborough Institute of Technology, and should instead have referred to Health Action.

Mr Ball added that staff had discussed the Buxton Toilet designs with the architects, who had indicated that it was possible to design the central storage space in a flexible manner, particularly with regards to lighting and power points, so that it could be retrofitted for another use at a later date.

Councillors discussed whether it was appropriate to design the central storage space to allow for retrofitting at a later date, and a variety of views were expressed for and against this idea. Several Councillors expressed the view that the Buxton Square toilets were not an appropriate location to incorporate a 'chill-out' space for youth, and it was open for future Councils to decide to utilise the space for other uses if they wished to do so. Other Councillors considered that encouraging a mix of activities within Buxton Square was important, and that only minimal alterations to the design were required to allow for future retrofitting of the space.

Councillor Reese, seconded by Councillor Davy moved the first paragraph of the recommendation only.

Resolved

**THAT the Buxton Square toilet concept plans be approved.**

Reese/Davy

Carried

Councillor Shaw, seconded by Councillor Fulton, moved the second paragraph of the recommendation, and this was lost on a show of hands.

### 6.3 Possible Extension of the Street Ambassador Service

Resolved

**THAT Council note the funding being applied for to enable an extension of the Street Ambassador Service into February 2013;**

**AND THAT Council not extend the Street Ambassador Service any further in 2012/13;**

**AND THAT any further extension to the Street Ambassador Service be considered as part of the 2013/14 Annual Plan process.**

Matheson/Collingwood

Carried

## 7. **Submission to the Local Government Act 2002 Amendment Bill**

Document number 1340278, agenda pages 169-176 refer.

Attendance: Councillor Copeland left the meeting at 9.50am

Manager Strategic Response, Mr Ward, presented the report.

In response to a question he explained that the Select Committee was unlikely to travel to Nelson to hear submissions.

Attendance: Councillor Fulton left the meeting at 9.53am.

In response to another question, Mr Ward explained that it was initially indicated that Local Government New Zealand and the New Zealand Society for Local Government Managers would make a joint submission, but as it eventuated, they made similar individual submissions.

Councillors discussed the submission. It was suggested that it was narrower in scope than the Local Government New Zealand submission, and it was suggested that paragraph 1.2, and the first word of paragraph 1.3 should be removed as a result.

Attendance: Councillor Fulton returned to the meeting at 10.01am.

It was agreed that it was unnecessary for any Councillor to travel to Wellington to present the submission, and that the second paragraph of the recommendation should be removed.

Attendance: Councillor Copeland returned to the meeting at 10.03am.

Resolved

***THAT the submission to the Local Government Act 2002 Amendment Bill (1326896) be confirmed, subject to the removal from the submission of paragraph 1.2, and the word 'however' at the start of paragraph 1.3.***

Reese/Boswijk

Carried

## 8. **Public Forum**

8.1 Mrs Ruby Aberhart

Document number 1356420, agenda pages 1-4 refer.

Mrs Aberhart spoke about the work of the Positive Ageing Forum. She acknowledged the work of Councillors Matheson and Collingwood in the initial set up of the Positive Ageing Forum, and also thanked staff involved in the Forum.

She said that the Positive Ageing Forum was a Nelson-Tasman initiative, which focused on consumer engagement, and that it had worked with various Ministries in Wellington on a number of projects. She explained that many Nelson-Tasman projects had later been rolled out nationally. She noted the large number of organisations involved with the Positive Ageing Forum, and emphasised the importance of thinking about the present whilst planning for the future.

Mrs Aberhart also spoke about the upcoming Money Week, which was due to start on 3 September 2012, and about the Emergency Contact Card, which had been introduced following the February 2011 Christchurch earthquake. She encouraged the use of such cards both by elderly people, and by the wider community.

Attendance: The meeting adjourned for morning tea from 10.28am to 10.51am.

## **CROSS COUNCIL ITEMS**

### **9. Gambling Policy Review 2012**

Document number 1326417, agenda pages 177-205 refer.

Attendance: Councillor Matheson declared a conflict of interest and sat back from the table for the duration of this item.

The Manager Policy and Planning, Ms McDonald, joined the meeting. She explained that the previous day a letter had been received from the solicitor who had acted for the applicants in the judicial review proceedings related to the Gambling Policy review, regarding the draft Statement of Proposal. She said that Council's legal adviser was communicating with the solicitor directly, and suggested that the matter be left to lie on the table in the meantime.

In response to a question, Ms McDonald explained that the Alcohol Reform Bill would be moving through Parliament imminently, but that advice received from the Department of Internal Affairs and Local Government New Zealand was that Council should complete the Gambling Policy Review separately from any consultation that may emerge from the Alcohol Reform Bill.

Councillors agreed to let the matter lie on the table.

### **10. Status Report - Infrastructure**

Document number 1034781 v3, agenda pages 206-208 refer.

Executive Manager Network Services, Mr Louverdis, spoke to the report.

In response to a question, Mr Louverdis explained that he was currently undertaking consultation with residents living adjacent to the four reserves contemplated as being suitable for a special camping permit. He said he would need to complete consultation prior to bringing a report

regarding a special permit back to Council. He explained that, in the meantime, Mr Stanton had been reunited with his horse, Barney. He said that Mr Stanton was currently camping at Marsden Cemetery, and that Council had offered for him to stay there until the report regarding a special permit had come back to Council.

In response to a further question, Mr Louverdis explained that from 1 September 2012 Council still had the power to issue trespass notices under the Reserves Act, but would no longer have the power to issue infringement notices under the Camping Bylaw.

Councillors acknowledged the work of Mr Louverdis and staff in progressing the issue to this point.

Resolved

***THAT the Status Report – Infrastructure (1034781 v3) be received.***

Boswijk/Davy

Carried

## REPORTS FROM COMMITTEES

### 11. Nelson Tasman Civil Defence Emergency Management Group – 27 July 2012

Document number 1346512, agenda pages 209-211 refer.

Resolved

***THAT the minutes of the Nelson Tasman Civil Defence Emergency Management Group, held on 27 July 2012, be received.***

Boswijk/Shaw

Carried

### 12. Nelson Youth Council Update

Youth Councillors Travis Mills and John Gibson gave an update regarding Youth Council activities. Mr Mills explained that Youth Councillors had recently reviewed their constitution and he explained the alterations that had been made. He added that Youth Councillors had recently participated in a workshop relating to the 'Framing our Future' Sustainability Strategy.

Mr Gibson said that Youth Councillors were continuing to work with staff on the Tahunanui Youth Park project and the Masked Parade, and that Youth Council had recently been awarded the 2012 TrustPower Nelson Tasman Community Award in the Arts and Culture section.

Councillors congratulated the Youth Council on being presented this award.

Resolved

***THAT Council acknowledge Nelson Youth Council's success in being awarded the 2012 Trustpower Nelson Tasman Community Award in the Arts and Culture Category.***

Reese/Boswijk

Carried

**13. Nelson Youth Council – 20 July 2012**

Document number 1339354, agenda pages 212-225 refer.

Resolved

***THAT the minutes of the Nelson Youth Council, held on 20 July 2012, be received.***

Boswijk/Collingwood

Carried

Resolved

***THAT the Nelson Youth Council Constitution, amended as shown in document 1339364 by the Nelson Youth Council on 20 July 2012, be adopted***

Boswijk/Collingwood

Carried

**14. Nelson Youth Council – 25 June 2012**

Document number 1317412, agenda pages 226-231 refer.

Resolved

***THAT the minutes of the Nelson Youth Council, held on 25 June 2012, be received.***

Boswijk/Shaw

Carried

**15. Public Forum Discussion**

Councillors agreed that it would be desirable to receive some formal feedback from the Council representatives on the various forums.

**16. Exclusion of the Public**

Recommendation

***THAT the public be excluded from the following parts of the proceedings of this meeting.***



*The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:*

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	<p>Public Excluded Minutes – Adoption of the Long Term Plan 2012-2022, Community Services and Infrastructure – 19 July 2012</p> <p>These minutes confirmed the public excluded minutes of the Community Services meeting of 5 June 2012 and the Infrastructure meeting of 7 June 2012, and also contain information regarding:</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p>
	<p>Negotiations relating to a potential naming-rights sponsor for Saxton Field facilities</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(h) To carry out commercial activities</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	<p>Issues arising as a result of the review of the Boulder Bank Culvert Agreement</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	<p>Negotiations with Airlie Street residents relating to remedial works</p>		<ul style="list-style-type: none"> <li>• Section (7)(2)(a) To protect the privacy of natural persons</li> <li>• Section 7(2)(g) To maintain legal professional privilege</li> </ul>

			<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	An information update regarding legal issues regarding the Nelson Wastewater Treatment Plant		<ul style="list-style-type: none"> <li>Section 7(2)(g) To maintain legal professional privilege</li> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
2	Public Excluded Status Report – Community Services  This report contains information regarding:	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary:
	Negotiations relating to a potential naming-rights sponsor for Saxton Field facilities		<ul style="list-style-type: none"> <li>Section 7(2)(h) To carry out commercial activities</li> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
3	Proposed purchase of Land  This report contains information regarding options relating to the proposed purchase of land for road reserve	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
4	Public Excluded Status Report – Infrastructure  This report contains information regarding:	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary:
	Review of the Boulder Bank Culvert Agreement		<ul style="list-style-type: none"> <li>Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position</li> </ul>

			<ul style="list-style-type: none"> <li>of a person</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	Negotiations with Airlie Street residents relating to remedial works		<ul style="list-style-type: none"> <li>• Section (7)(2)(a) To protect the privacy of natural persons</li> <li>• Section 7(2)(g) To maintain legal professional privilege</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>

Boswijk/Davy

Carried

The meeting went into public excluded session at 11.49am and resumed in public session at 12.02pm.

#### **17. Re-admittance of the Public**

Resolved

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

Boswijk/Collingwood

Carried

There being no further business the meeting ended at 12.02pm.

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date