



Nelson City Council

te kaunihera o whakatū

AGENDA

**Ordinary meeting of the
Nelson City Council
Governance and Policy and Planning**

**30 June 2011
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership:

His Worship the Mayor Aldo Miccio, Councillors Ian Barker, Ali Boswijk (Deputy Mayor), Gail Collingwood, Ruth Copeland, Eric Davy, Kate Fulton, Paul Matheson, Jeff Rackley, Pete Rainey, Rachel Reese, Derek Shaw and Mike Ward

30 June 2011

1110275

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Apologies

Opening Prayer

1. Conflicts of Interest

- 1.1 Updates to the Conflicts of Interest Register
- 1.2 Identify any conflicts of interest in the agenda

2. Public Forum

3. Confirmation of Minutes

1-15

3.1 9 June 2011

Document number 1105939

Recommendation

THAT the minutes of the meeting of the Nelson City Council – Community Services and Infrastructure, held on 9 June 2011, be confirmed as a true and correct record.

4. Mayor's Report

5. Strike the Rates - Annual Plan 2011/12

The recommendation for the resolution to strike the rates is still being calculated and will be distributed prior to the meeting.

GOVERNANCE ITEMS

During this part of the meeting the Mayor will be joined by the Governance Portfolio Holder.

6. Governance Status Report 16

Document number 1034743

Recommendation

THAT the Governance Status Report (1034743) be received.

7. Portfolio Holder's Report

8. Chief Executive Report – Governance 17-21

Document number 1105385

Recommendation

THAT the Chief Executive Report - Governance (1105385) be received.

8.1 Amendment to Mileage Rate

Recommendation

THAT the Expenses Policy (994891) be amended to increase the mileage rate for reimbursement from 70 cents to 74 cents per km.

9. Bishop Suter Trust 2011/12 Statement of Intent 22-55

Document number 1099622

Recommendation

THAT the Bishop Suter Trust Statement of Intent 2011/12 be approved for signing.

REPORTS FROM COMMITTEES

**10. Audit Risk and Finance Committee Minutes 56-58
17 May 2011**

Document number 1095335

Recommendation

THAT the minutes of the meeting of the Audit Risk and Finance Committee, held on 17 May 2011, be received.

11. Nelson City Council Hearings Panel **59-61**
Street Naming 23 February 2011

Document number 1051986

Recommendation

THAT the minutes of the meeting of the Hearings Panel, held on 23 February 2011, be received.

POLICY AND PLANNING ITEMS

During this part of the meeting the Mayor will be joined by the Policy and Planning Portfolio Holder.

12. Policy and Planning Status Report **62-64**

Document number 1034725

Recommendation

THAT the Policy and Planning Status Report (1034725) be received.

13. Portfolio Holder's Report

14. Chief Executive Report – Policy and Planning **65-81**

Document number 1105488

Recommendation

THAT the Chief Executive Report – Policy and Planning (1105488) be received.

14.1 Request from the Regional Transport Committee (RTC)

Recommendation

THAT Council advise the Regional Transport Committee that they have considered their request 'that the Minister of Transport permit locally gathered fuel tax ('R' Funding) by all Unitary and Regional Councils to be used to implement their respective Regional Transport Strategies' but do not support it at this time.

14.2 Residual Waste from Buller District Disposed of at York Valley

Recommendation

THAT the agreement to receive residual solid waste from Buller District Council be extended to 30 June 2012;

AND THAT staff enter into discussions with Buller District Council to develop proposals for a longer term arrangement.

14.3 High Productivity Motor Vehicle Routes

Recommendation

THAT Council endorse the Nelson Port roads (Hay St, Wildman Ave, Vickerman St, Akerston St, Carkeek St, Rogers St, Low St, Graham St, Cross Quay) to be used by high-productivity overmass motor vehicles carrying divisible loads that comply with the Land Transport Rule: Vehicle Dimension and Mass 2002, provided that individual applications are approved on a case by case basis by the Executive Manager Network Services.

14.4 Minor Improvements Budget Proposed Allocation 2011/12

Recommendation

THAT the projects in Table 1 below in this report number 1105488 be designed and/or constructed during 2011/12 unless there is a significant variation to the cost estimates or delays occur as the detailed designs progress;

AND THAT if projects are delayed or deferred then the next highest priority project will be progressed to ensure budget is spent.

14.5 Plan Change 13 – Marsden Valley Rezoning and Structure Plan Project

Recommendation

THAT the Council decision on Plan Change 13 – Marsden Valley Rezoning and Structure Plan Project to the Nelson Resource Management Plan be made operative on 18 July 2011 as per Schedule 1, Clause 20 (1) of the Resource Management Act 1991;

AND THAT the operative date for Plan Change 13 - Marsden Valley Rezoning and Structure Plan Project

be publicly notified at least five working days prior to the operative date as per Schedule 1, Clause 20 (2) of the Resource Management Act 1991.

15. Review of the Speed Limits Bylaw 2004 – Bylaw 210 82-131

Document number 1058544

Recommendation

THAT the Statement of Proposal (1068095) including the draft Speed Limits Bylaw 2011 (Bylaw 210) (1060940) be released for consultation in accordance with Section 83 of the Local Government Act 2002;

AND THAT Council hear and make decisions on submissions on the draft Bylaw at either the 22 September 2011 Council meeting (or 29 September);

AND THAT Council request the New Zealand Transport Agency to legislate a variable speed limit on Tahunanui Drive outside the Tahunanui School.

**16. Review of the Parking and Vehicle Control Bylaw 132-140
Bylaw 207**

Document number 1080881

Please note: Attachment one of this report is enclosed separately

Recommendation

THAT the Statement of Proposal (1092716) including the revised Parking and Vehicle Control Bylaw 2004 (Bylaw 207) (1064158) be released for consultation in accordance with Section 83 of the Local Government Act 2002;

AND THAT Council hear and make decisions on submissions on the revised Bylaw at the 3 November 2011 Council meeting (or 10 November 2011).

17. Long Term Plan 2012-2022 141-147

Document number 1110403

Recommendation

THAT the following activity groups be included in the Long Term Plan 2012-2022:

- **Water supply;**
- **Waste water;**
- **Stormwater;**
- **Flood protection;**
- **Transport;**
- **Social;**
- **Parks and active recreation;**
- **Environmental management;**
- **Economic;**
- **Corporate;**

AND THAT, in principle, the existing Community Outcomes be retained in the draft Long Term Plan 2012-2022;

AND THAT, in principle, the existing Development Contributions Policy be retained in the draft Long Term Plan 2012-2022 with the financials updated to align with the Asset Management Plans;

AND THAT the Iwi Priorities in the Nelson Community Plan 2009-2019 be reviewed with Iwi as part of the development of the draft Long Term Plan 2012-2022.

18. Issues and Options Report – Protection of Significant 148-169 Natural Areas (Section 6c of RMA)

Document number 1101311

Recommendation

THAT the process of reviewing the Plan provisions relating to Section 6c of the Resource Management Act by the existing working group is supported;

AND THAT Councillors Shaw and Reese be reconfirmed as Councillor representatives on the working group;

AND THAT the Plan Change direction outlined in Section 9 and the existing assistance initiatives outlined in clause 8.3 of this report (document 1101311) are supported;

AND THAT the final draft Plan Change be reported back to Council for approval prior to consultation with affected landowners;

AND THAT Working Group members should be invited to assist with future landowners consultation on any draft Plan Change.

19. Draft Regional Land Transport Programme 2012/13 170-203 to 2014/15

Document number 1103967

Recommendation

THAT Council suggests that the Regional Transport Committee (RTC) considers the following comments when preparing the draft Regional Land Transport Programme (RLTP) 2012/13 to 2014/15 (1103349):

- 1) That the RTC prioritises the projects identified in this report (1103967) as follows:**
 - a) the State highway projects identified below:**
 - **SH6 HPMV routes study outcomes,**
 - **SH6/Hillwood Dr intersection,**
 - **SH6/Cable Bay Rd intersection**
 - **SH6 stock effluent site,**
 - **SH6/ Atawhai Dr intersections,**
 - b) the local roading projects identified in 5.9 of this report,**
 - c) the first phase of the NCC/TDC/NZTA 3 roundabouts study outcome,**
 - d) any potential outcome of the Arterial Traffic Study (i.e. Rocks Rd shared path),**
 - e) with any additional funding allocated in the following order:-**
 - **SH6/Parkers Rd traffic lights,**
 - **SH6 Teal river bridge,**
 - **SH6/Quarantine Rd intersection,**
 - **SH6 Gentle Annie passing lanes,**
 - **SH6 Whangamoia South three corners realignment**
 - **SH6 Rai saddle second curve realignment,**
 - **SH6 Whakatu drive four laning northbound,**
 - **SH6/The Glen intersection**

20. Draft Regional Public Transport Plan

204-268

Document number 1095172

Recommendation

THAT the Statement of Proposal (which is the draft Regional Public Transport Plan (1074116)) and a summary of information (1105463) be released for consultation in accordance with section 83 of the Local Government Act 2002;

AND THAT Council hear and make decisions on submissions on the draft Regional Public Transport Plan at either the 1 September 2011 Council meeting or 25 or 26 August 2011 depending on the number of submitters wanting to be heard, and make decisions at the 3 November 2011 Council meeting.

REPORTS FROM COMMITTEES

**21. Regional Transport Committee Minutes
31 March 2011**

269-272

Document number 1070953

Recommendation

THAT the minutes of the meeting of the Regional Transport Committee, held on 31 March 2011, be received.

22. Discussion of public forum items (if required)

PUBLIC EXCLUDED BUSINESS

23. Exclusion of the Public

Recommendation

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) Confirmation of Minutes – Nelson City Council
9 June 2011**

Reasons:

To protect the privacy of natural persons; and

To protect information that is subject to an obligation of confidence; and

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

To carry out commercial activities.

ii) Public Excluded Governance Status Report

Reasons:

To carry out negotiations; and

To carry out commercial activities.

iii) Appointment of Director - Bishop Suter Trust

Reasons:

To carry out negotiations; and

To protect the privacy of natural persons.

**iv) Audit Risk and Finance Committee Minutes 17
May 2011**

Reasons:

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

To maintain legal and professional privilege; and

To protect the privacy of natural persons.

v) Public Excluded Policy and Planning Status Report

Reasons:

To protect information that may disclose a trade secret or the commercial position of a person; and

To protect information that is subject to an obligation of confidence; and

To carry out commercial activities; and

To carry out negotiations.

vi) Chief Executive Report – Policy and Planning

Reasons:

To protect the privacy of natural persons; and

To protect information that may disclose a trade secrets or the commercial position of a person; and

To protect individuals from improper pressure and harassment; and

To carry out negotiations; and

To prevent improper gain or advantage.

24. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

- **Lunch will be provided at 12.30pm**
- **At the conclusion of the meeting a meeting assessment will be conducted**