



**Nelson City Council**

*te kaunihera o whakatū*

# **AGENDA**

**Ordinary meeting of the  
Nelson City Council**

**Final Meeting 2010-2013 Triennium**

**Thursday 19 September 2013  
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

**19 September 2013**

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## **Opening Prayer**

## **Apologies**

### **1. Interests**

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

### **2. Confirmation of Order of Business**

### **3. Confirmation of Minutes**

- 3.1 Council – Community Services – 6 August 2013 **12-19**

Document number 1571990

Recommendation

***THAT the minutes of the meeting of the Nelson City Council – Community Services, held on 6 August 2013, be confirmed as a true and correct record.***

- 3.2 Council - Infrastructure – 8 August 2013 **20-29**

Document number 1573684

Recommendation

***THAT the minutes of the meeting of the Nelson City Council - Infrastructure, held on 8 August 2013, be confirmed as a true and correct record.***

- 3.3 Council – to Deliberate on Submissions to the Gambling Policy Review – 8 August 2013 **30-33**

Document number 1572907

Recommendation

**THAT the minutes of the meeting of the Nelson City Council – to Deliberate on Submissions to the Gambling Policy Review, held on 8 August 2013, be confirmed as a true and correct record.**

3.4 Council – Governance – 27 August 2013 **34-43**

Document number 1585638

Recommendation

**THAT the minutes of the meeting of the Nelson City Council - Governance, held on 27 August 2013, be confirmed as a true and correct record.**

3.5 Council – Policy and Planning – 29 August 2013 **44-63**

Document number 1587883

Recommendation

**THAT the minutes of the meeting of the Nelson City Council – Policy and Planning, held on 29 August 2013, be confirmed as a true and correct record.**

3.6 Council – Applications for Community Assistance Funding – 9 and 10 September 2013 **64-75**

Document number 1592850

Recommendation

**THAT the minutes of the meeting of the Nelson City Council - Applications for Community Assistance Funding, held on 9 and 10 September 2013, be confirmed as a true and correct record.**

3.7 Council – Extraordinary Meeting – 10 September 2013 **76-77**

Document number 1593516

Recommendation

**THAT the minutes of the meeting of the Nelson City Council – Extraordinary Meeting, held 10 September 2013, be confirmed as a true and correct record.**

3.8 Council – to Deliberate on Submissions to the Camping Bylaw Revocation – 12 September 2013

Note: These minutes will be circulated as a late item in accordance with sections 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Orders 3.7.5 and 2.12.4, following the meeting to deliberate on submissions to the Camping Bylaw Revocation, on 12 September 2013.

3.9 Council – to Deliberate on Submissions to the Potential Sale of Land for Commercial Development – 16 September 2013

Note: These minutes will be circulated as a late item in accordance with sections 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Orders 3.7.5 and 2.12.4, following the meeting to deliberate on submissions regarding the Potential Sale of Land for Commercial Development, on 16 September 2013.

#### **4. Mayor's Report**

#### **5. Status Reports**

5.1 Status Report – Community Services **78-79**

Document number 1034860 v13

Recommendation

***THAT the Status Report – Community Services (1034860 v13) be received.***

5.2 Status Report – Infrastructure **80-83**

Document number 1034781 v11

Recommendation

***THAT the Status Report – Infrastructure (1034781 v11) be received.***

5.3 Status Report – Governance **84-85**

Document number 1034743 v12

Recommendation

***THAT the Status Report – Governance (1034860 v12) be received.***

5.4 Status Report – Policy and Planning

86-89

Document number 1034725 v12

Recommendation

***THAT the Status Report – Policy and Planning (1034725 v12) be received.***

**6. Draft Annual Report 2012/13**

Note: This report will be circulated as a late item in accordance with sections 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Orders 3.7.5 and 2.12.4.

**7. Nelson Biodiversity Strategy Review 2013**

Note: This report will be circulated as a late item in accordance with sections 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Orders 3.7.5 and 2.12.4.

**8. Decision on Camping Bylaw Revocation**

Note: This report will be circulated as a late item in accordance with sections 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Orders 3.7.5 and 2.12.4, following the meeting to deliberate on submissions to the Camping Bylaw Revocation, on 12 September 2013.

**9. Decision on Proposed Sale of Land for Commercial Development**

Note: This report will be circulated as a late item in accordance with sections 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Orders 3.7.5 and 2.12.4, following the meeting to deliberate on submissions regarding the Potential Sale of Land for Commercial Development, on 16 September 2013.

**REPORTS FROM COMMITTEES**

**10. Nelson Regional Sewerage Business Unit – 5 July 2013**

90-99

Document number 1550277

Recommendation

***THAT the minutes of the meeting of the Nelson Regional Sewerage Business Unit, held on 5 July 2013, be received.***

**11. Nelson Youth Council – 10 July 2013 100-103**

Document number 1551522

Recommendation

***THAT the minutes of the meeting of the Nelson Youth Council, held on 10 July 2013, be received.***

**12. Joint Shareholders Committee – 13 September 2013**

Note: These minutes will be circulated as a late item in accordance with sections 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Orders 3.7.5 and 2.12.4, following the meeting of the Joint Shareholders Committee on 13 September 2013.

**13. Nelson Tasman Civil Defence Emergency Management Group – 13 September 2013**

Note: These minutes will be circulated as a late item in accordance with sections 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Orders 3.7.5 and 2.12.4, following the meeting of the Joint Shareholders Committee on 13 September 2013.

**14. Valedictory Speeches**

Councillors not standing in the elections or retiring from Council may wish to take the opportunity of delivering a farewell speech to the Council.

**PUBLIC EXCLUDED BUSINESS**

**15. 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><b>Public Excluded Minutes – Nelson City Council Community Services – 6 August 2013</b></p> <p>These minutes confirm the public excluded minutes of the Community Services meeting of 25 June 2013, 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>Potential Sale of Land for Commercial Development</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
2	<p><b>Public Excluded Minutes – Nelson City Council Infrastructure – 8 August 2013</b></p> <p>These minutes confirm the public excluded minutes of the Infrastructure meeting of 27 June 2013, 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>Reports regarding two potential strategic land purchases</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	<p>Proposed Road Stopping – 202 The Ridgeway</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	<p>Brook Waimarama Sanctuary Fence and Conservation Centre</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> <li>• Section 7(2)(e) To avoid prejudice</li> </ul>

			to measures that prevent or mitigate loss to the public <ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
3	<b>Public Excluded Minutes – Nelson City Council Governance – 27 August 2013</b>	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:
	These minutes contain information regarding:		
	Potential Sale of Land for Commercial Development – Wakatu Square		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	The proposed transfer of assets, and negotiation of a lease and contract with the Theatre Royal and Nelson School of Music.		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Directors Rotations and Fees 2013/14		<ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> <li>Section 7(2)(h) To carry out commercial activities</li> </ul>
	Renaming of Community Spirit Awards		<ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> </ul>
Chief Executive’s Remuneration Review 2013/14	<ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> </ul>		
4	<b>Public Excluded Minutes – Nelson City Council Policy and Planning – 29 August 2013</b>	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:
	These minutes confirm the public excluded minutes of the Policy and Planning meeting of 29 August 2013, and also contain information regarding:		



	Chief Executive's Remuneration Review 2013/14		<ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> </ul>
	Strategic Land Purchase		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Natureland Sale		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Code of Conduct Matter – Report Back from Investigating Committee		<ul style="list-style-type: none"> <li>Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> </ul>
5	<b>Public Excluded Minutes – Extraordinary meeting – 10 September 2013</b>  These minutes contain information relating to:	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:
	Natureland Sale – Review of Business Plan		
6	<b>Public Excluded Status Report – Community Services – 19 September 2013</b>  This report contains information relating to:	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:
	Natureland - Options		
7	<b>Public Excluded Status Report – Infrastructure – 19 September 2013</b>  This report contains information relating to:	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	The withholding of the information is necessary:

		7	
	Southern Arterial Corridor Land Purchase		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Strategic Land Purchase – Anchor Building and Land		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Strategic Land Purchase – 252 Haven Road and 254-256 Wakefield Quay		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Proposed Road Stopping – 202 The Ridgeway		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Brook Waimarama Sanctuary Fence and Conservation Centre		<ul style="list-style-type: none"> <li>Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
<b>8</b>	<p><b>Public Excluded Status Report – Governance – 19 September 2013</b></p> <p>This report contains information relating to:</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>
	Nelson School of Music and Theatre Royal: Arrangements to Promote Future Viability		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Potential Exit from Ridgeway’s Joint Venture		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Theatre Royal Trust Deed		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
<b>9</b>	<p><b>Public excluded Status Report – Policy and Planning – 19 September 2013</b></p> <p>This report contains information relating to:</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>

	The classifications of certain heritage precincts, including references to specific addresses.		<ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> </ul>
	An amended Drainage Ownership Policy		<ul style="list-style-type: none"> <li>Section 7(2)(g) To maintain legal professional privilege</li> </ul>
<b>10</b>	<b>Theatre Royal – Release of Due Diligence Report</b>	<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> <ul style="list-style-type: none"> <li>Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> </ul>
<b>11</b>	<p><b>Public Excluded Minutes – Joint Shareholders Committee – 13 September 2013</b></p> <p>These minutes will be circulated as a late item in accordance with sections 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Orders 3.7.5 and 2.12.4</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> <ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> </ul>

## 16. Re-admittance of the public

Recommendation

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

### Note:

- Lunch will be provided in Ruma Ana.**

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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 6 August 2013, commencing at 10.42am**

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Present: Councillor A Boswijk (Chairperson), I Barker, G Collingwood, E Davy, K Fulton, J Rackley, P Rainey, R Reese, D Shaw, M Ward

In Attendance: Chief Executive (C Hadley), Executive Manager Support Services/Acting Executive Manager Community Services (H Kettlewell), Acting Chief Financial Officer (T Hughes), Executive Manager Strategy and Planning (M Schruer), Executive Manager Regulatory (R Johnson), Executive Manager Network Services (A Louverdis), Manager Administration (P Langley), Manager Policy and Planning (N McDonald), Manager Community Relations (A Ricker), Principal Adviser Community (J Hawes), Principal Adviser Transport and Roading (R Palmer), Policy Adviser (P Harrington), and Administration Adviser (L Canton)

Apologies: His Worship the Mayor A Miccio, Councillors R Copeland and P Matheson

### Opening Prayer

Councillor Davy gave the opening prayer.

#### 1. Apologies

Resolved

***THAT apologies be received and accepted from His Worship the Mayor, and Councillors Copeland and Matheson.***

Boswijk/Collingwood

Carried

#### 2. Interests

Councillor Boswijk declared a conflict of interest with the agenda item relating to the Local Alcohol Policy.

Resolved

***THAT Councillor Rainey chair the part of the meeting dealing with the Local Alcohol Policy matter.***

Boswijk/Collingwood

Carried

### **3. Confirmation of Order of Business**

#### **3.1 Late Item – Proposed Sale of Land for Commercial Development**

Recommendation

***THAT the public excluded item regarding Proposed Sale of Land for Commercial Development be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable Council to consider a time-bound commercial development opportunity.***

Boswijk/Reese

Carried

### **4. Confirmation of Minutes – 25 June 2013**

Document number 1543053, agenda pages 6-15 refer.

Resolved

***THAT the minutes of a meeting of the Nelson City Council – Community Services, held on 25 June 2013, be confirmed as a true and correct record.***

Boswijk/Davy

Carried

### **5. Status Report – Community Services**

Document number 1034860 v12, agenda pages 16 refer.

Resolved

***THAT the Status Report – Community Service (1034860 v12) be received.***

Boswijk/Reese

Carried

### **6. Portfolio Holder's Report**

As this was the last Community Services meeting for this term of Council, Councillor Rainey acknowledged and thanked officers for their work and

support during the term, and thanked Community Services Co-Portfolio Holder, Councillor Jeff Rackley.

Attendance: Councillor Boswijk handed the Chair to Councillor Rainey at 10.45am and left the room for the discussion of the next item.

## **7. Statement of Proposal for the Draft Nelson City Council Local Alcohol Policy**

Document number 1551361, agenda pages 17-73 refer.

Manager Policy and Planning, Nicky McDonald, and Principal Adviser Community, Jenny Hawes, joined the meeting.

Ms Hawes presented the report, and gave a PowerPoint presentation (1569184) outlining key policy elements which she said had been formulated on the basis of informal pre-consultation with health and enforcement agencies and the community.

Ms Hawes advised a correction to paragraph 3.2.4 of the Draft Local Alcohol Policy (1537399), noting that hours for taverns/bars/pubs/nightclubs in areas other than the Nelson Central Business District should read 'Monday to Sunday'.

Councillors discussed the proposed difference in closing times between restaurants/cafes and taverns/bars/pubs/nightclubs. A number of views were expressed, including that a later closing time for restaurants/cafes would promote safer drinking behaviour. An alternative view was expressed that most restaurants/cafes closed at around midnight in any case, indicating there was little demand for later closing time.

In response to a question, Ms Hawes advised that a closing time of 1.00am for Clubs was in line with Tasman District Council's proposed policy.

The meeting considered the inclusion of a one-way door policy. In response to questions, Ms Hawes explained that, because the evidence on the effectiveness of one way door policies was inconclusive, it was recommended that a review of this be built into the policy.

During the discussion, views were expressed that the one way door policy was pragmatic and would result in patrons leaving at staggered times, thereby minimising harm resulting from people congregating on the streets. Opposing views were expressed that staggered departures would not reduce problems on the streets as other factors such as transport delays caused people to congregate.

There was agreement that it was important for Council to have a Local Alcohol Policy and the proposal represented a pragmatic approach taking into account feedback from informal pre-consultation.

Councillor Reese, seconded by Councillor Davy moved:

*THAT the Statement of Proposal for the Draft Nelson City Council Local Alcohol Policy report (1551361) and its attachments (1537399, 1520802, 1551661, 1541717) be received;*

*AND THAT the Statement of Proposal with the amendments as noted this meeting be approved and advertised for consultation in accordance with section 83 of the Local Government Act 2002;*

*AND THAT the consultation period runs from 8 August 2013 to 16 September 2013.*

Councillor Fulton, seconded by Councillor Ward moved an amendment:

*THAT restaurants and cafes have the same maximum trading hours as in 3.2.3 and 3.2.4 of the Statement of Proposal (1537399).*

There was a discussion about the proposed amendment, with a view expressed that it would provide simplicity. An opposing view was expressed that after midnight, patrons should be on licensed premises with managers experienced in looking after people consuming alcohol, rather than dispersed throughout the city in restaurants and cafes.

The amendment was put and lost. A division was called.

<b>Councillor</b>	
Councillor Barker	No
Councillor Boswijk	Conflict
Councillor Collingwood	No
Councillor Copeland	Apology
Councillor Davy	No
Councillor Fulton	Aye
Councillor Matheson	Apology
Councillor Rackley	No
Councillor Rainey	Aye
Councillor Reese	No
Councillor Shaw	No

Councillor Ward	Aye
His Worship the Mayor	Apology

The meeting turned to consider the original motion.

There was general agreement that it was important to approve the Statement of Proposal for consultation in order to seek the views of the wider community.

Resolved

***THAT the Statement of Proposal for the Draft Nelson City Council Local Alcohol Policy report (1551361) and its attachments (1537399, 1520802, 1551661, 1541717) be received;***

***AND THAT the Statement of Proposal with the amendments as noted this meeting be approved and advertised for consultation in accordance with section 83 of the Local Government Act 2002;***

***AND THAT the consultation period runs from 8 August 2013 to 16 September 2013.***

Reese/Davy

Carried

## REPORTS FROM COMMITTEES

### 8. Youth Council Update

Dana Fulton and Kassianna Barret-Hemi of the Nelson Youth Council provided an update about Youth Council activities.

### 9. Nelson Youth Council – 7 June 2013

Document number 1527860, agenda pages 74-78 refer.

Resolved

***THAT the minutes of the meeting of the Nelson Youth Council, held on 7 June 2013, be received.***

Rainey/Fulton

Carried

Attendance: Councillor Boswijk returned to the meeting and resumed the Chair at 11.58am. The meeting adjourned for lunch from 12.00pm to 1.03pm.



## 10. Exclusion of the Public

Resolved

***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><b>Public Excluded Minutes – Nelson City Council Community Services – 25 June 2013</b></p> <p>These minutes confirm the public excluded minutes of the Community Services meeting of 25 June 2013, 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>
	Natureland - Options		<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>
2	<p><b>Public Excluded Status Report – Community Services – 6 August 2013</b></p> <p>This report contains information relating to:</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>
	Natureland - Options		<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	<p><b>Potential Sale of Land for Commercial Development</b></p> <p>This report contains information relating to the potential sale of land for commercial development.</p>	<p>Section 49(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>	<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>
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Boswijk/Collingwood

Carried

The meeting went into public excluded session at 1.03pm and resumed in public session at 3.01pm.

### 11. Re-admittance of the Public

Resolved

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

Boswijk/Rainey

Carried

There being no further business the meeting ended at 3.01pm.

Confirmed as a correct record of proceedings:

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

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**Minutes of a meeting of the Nelson City Council - Infrastructure**  
**Held in the Council Chamber, Civic House, Trafalgar Street, Nelson**  
**On Thursday 8 August 2013, commencing at 9.02am**

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Present: His Worship the Mayor (A Miccio), Councillors I Barker, A Boswijk, G Collingwood (Co-Portfolio Holder), E Davy (Co-Portfolio Holder), K Fulton, J Rackley, P Rainey, R Reese, D Shaw and M Ward

In Attendance: Chief Executive (C Hadley), Executive Manager Network Services (A Louverdis), Executive Manager Regulatory (R Johnson), Executive Manager Kaihautū/Community Relations (G Mullen), Acting Chief Financial Officer (T Hughes), Manager Strategic Response (C Ward), Manager Policy and Planning (N McDonald), Manager Administration (P Langley), Principal Adviser City Development (D Jackson), and Administration Adviser (E-J Ruthven)

Apologies: Councillor P Matheson, and Councillor R Reese for lateness.

### **Opening Prayer**

Councillor Davy gave the opening prayer.

#### **1. Apologies**

Resolved

***THAT apologies be received and accepted from Councillor Matheson, and from Councillor Reese for lateness.***

His Worship the Mayor/Collingwood

Carried

#### **2. Interests**

There were no updates to the Interests Register. His Worship the Mayor requested councillors to identify relevant conflicts of interests with agenda items as they arose over the course of the meeting.

### 3. Confirmation of Order of Business

His Worship the Mayor noted that there were two further public forum presentations additional to the one specified on the agenda face.

### 4. Public Forum

#### 4.1 202 The Ridgeway Road Stopping

Simon Palmer gave a Power Point presentation (1572685), which he spoke to. He spoke about the background to The Ridgeway extension, and the effects this had had on his property. He noted that he would like to purchase sufficient road frontage in order to construct a garage, and set out a proposal he asked Council to consider meeting.

#### 4.2 White Line Marking on Shared Use Paths around Nelson

Peter Kortegast expressed his gratitude for the use of white line markings on shared use paths around Nelson. He said that the shared use paths were used extensively, and that the white lines were very effective, especially when visibility was limited.

#### 4.3 Rocks Road Shared Path

Ken Beckett spoke about the Terms of Reference for the Rocks Road Shared Pathway. He suggested that it would be impossible to carry out works beyond the sea wall, and invited Council to consider cancelling the proposed project on the basis of the engineers' assessments provided by The Waterfront Association.

In response to a question, Mr Beckett explained that he saw no risk in Council accepting a report provided by a community interest group at face value, as he felt that this was an individual situation, and that Council should take account of the information available.

In response to a further question, Mr Beckett said that he was not a member of, and did not represent, The Waterfront Association.

### 5. Confirmation of Minutes – 27 June 2013

Document number 1545261, agenda pages 9-17 refer.

Resolved

***THAT the minutes of a meeting of the Nelson City Council - Infrastructure, held on 27 June 2013, be confirmed as a true and correct record.***

Collingwood/Davy

Carried

## 6. Mayor's Report

His Worship the Mayor noted that this week marked the anniversaries of the Hiroshima and Nagasaki bombings, and invited Council to re-affirm its nuclear-free position.

Resolved

***THAT Council affirms its policy of maintaining Nelson City as a zone free of nuclear, chemical and biological weapons;***

***AND THAT the establishment or use of nuclear power, nuclear propulsion or the disposal of nuclear waste be prohibited within the Nelson City area.***

Davy/Fulton

Carried

## 7. Status Report - Infrastructure

Document number 1034781 v10, agenda pages 18-19 refer.

Resolved

***THAT the Status Report - Infrastructure (1034781 v10) be received.***

Davy/Shaw

Carried

## 8. Portfolio Holder's Report

Councillor Collingwood noted that this was the last Infrastructure meeting for the Council term. She thanked the Executive Manager Network Services and his staff, and emphasised the impact that the Network Services division had on the functioning of Nelson City. She also acknowledged the cross-over of Infrastructure work with Strategy and Planning officers, and thanked staff in this division as well.

Co-Portfolio Holder Councillor Davy endorsed Councillor Collingwood's comments, and thanked Mr Louverdis for always promptly answering questions.

Resolved

***THAT the Portfolio Holder's Report be received.***

Collingwood/Davy

Carried

**9. Council Owned Earthquake Prone Buildings – Initial Earthquake Assessments Update and Prioritisation for Detailed Assessments**

Document number 1468015, agenda pages 20-28 refer.

Resolved

***THAT the report Council Owned Earthquake Prone Buildings - Initial Earthquake Assessment Update and Prioritisation for Detailed Assessments and its attachments (1554639, 1554644, and 1554648) be received;***

***AND THAT the priority list as detailed in the body of this report (1468015) be approved as the basis to commence detailed assessments for the current 2013/14 financial year proceeding into the 2014/15 financial year;***

***AND THAT a further report be brought back to Council once all detailed assessments and costs of strengthening works for all Council owned buildings have been completed, with the emphasis on a global approach on how to proceed with all Council building assets going forward;***

***AND THAT Council reaffirm its request to officers not to submit initial or detailed assessments (other than those submitted already) to the Building Consent Authority.***

Collingwood/Davy

Carried

**10. Maitai Pipeline Duplication Final Stage**

Document number 1552755, agenda pages 29-32 refer.

Councillors endorsed the project and noted their appreciation of Fulton Hogan's work on the project to date.

Resolved

***THAT the report Maitai Pipeline Duplication Final Stage (1552755) and its attachment (1333425) be received;***

***AND THAT the tender for the Maitai Pipeline Duplication Final Stage for \$3,290,189 from Fulton Hogan Limited be approved.***

Rainey/Davy

Carried

**11. Maitai Walkway: Physical Works Tender**

Document number 1558968, agenda pages 33-36 refer.

Resolved

**THAT the report Maitai Walkway (1558968) and its attachment (1561964) be received;**

**AND THAT the tender for the Maitai Walkway for \$2,788,861 from Fulton Hogan Limited be approved.**

Rainey/His Worship the Mayor

Carried

**12. Heart of Nelson Strategy – The Way Forward**

Document number 1564305, agenda pages 37-53 refer.

Principal Adviser City Development, David Jackson, joined the meeting and presented the report.

In response to a question, Mr Jackson confirmed that stakeholder engagement would be broad, and include both tenants and building owners.

There was a brief discussion regarding the lanes and linkages report referred to in the report. In response to a question, Mr Jackson explained that the lanes and linkages report had not been formally adopted by Council, and it would be up to future Councils to identify whether there were aspects of the report they wished to pursue.

Resolved

**THAT the report Heart of Nelson Strategy – The Way Forward (1564305) and its attachment (1564349) be received;**

**AND THAT the Chief Executive commence engagement with City Centre stakeholders regarding future priorities for implementation;**

**AND THAT the results of the stakeholder engagement and recommendations are reported back to the incoming Council at the earliest opportunity.**

Davy/Boswijk

Carried



**13. Proposed Road Stopping – 68 Renwick Place**

Document number 1551364, agenda pages 54-57 refer.

Resolved

***THAT the report Proposed Road Stopping – 68 Renwick Place (1551364) and its attachment (1542747) be received;***

***AND THAT the Chief Executive be delegated the authority to proceed with the road stopping of 27m<sup>2</sup> of unformed legal road (part of Locking Street road reserve) adjoining the southern boundary of 68 Renwick Place (LOT 1 D P 2941), and to sell that land to the adjoining owners as an amalgamated title, subject to the outcome of the public consultation required under the Local Government Act 1974, and the owners of 68 Renwick Place pay:***

- ***an initial administration fee of \$600 plus GST;***
- ***the value of the land as assessed by a registered valuer;***
- ***all costs associated with the road stopping which may include valuation costs, legal costs, survey costs, Land Information New Zealand costs, public notification costs, hearing costs and/or consultants, Environment Court hearing costs and administration costs in excess of the \$600 deposit referred to above.***

His Worship the Mayor/Rackley

Carried

**REPORTS FROM COMMITTEES**

**14. Nelson Regional Sewerage Business Unit – 15 March 2013**

Document number 1481176, agenda pages 58-68 refer.

Resolved

***THAT the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 15 March 2013, be received.***

His Worship the Mayor/Collingwood

Carried

**15. Nelson Regional Sewerage Business Unit – Extraordinary Meeting – 6 May 2013**

Document number 1504320, agenda pages 69-70 refer.

Resolved

***THAT the minutes of an extraordinary meeting of the Nelson Regional Sewerage Business Unit, held on 6 May 2013, be received.***

Shaw/Boswijk

Carried

**16. Regional Transport Committee – 20 June 2013**

Document number 1539621, agenda pages 71-74 refer.

Resolved

***THAT the unconfirmed minutes of a meeting of the Regional transport Committee, held on 20 June 2013, be received.***

Barker/Davy

Carried

**17. Exclusion of the Public**

**17.1 Public Excluded Item relating to the Brook Waimarama Sanctuary Fence and Conservation Centre**

His Worship the Mayor said that five members of the public would remain in the public excluded part of the meeting for the item relating to the Brook Waimarama Sanctuary Fence and Conservation Centre, and that a resolution allowing them to do so was required.

Resolved

***THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Dr David Butler (Chair, Brook Waimarama Sanctuary Trust), Craig Wilson (Trustee, Brook Waimarama Sanctuary Trust), David Kerr (Business Development Advisor, Brook Waimarama Sanctuary Trust), Hudson Dodd (General Manager, Brook Waimarama Sanctuary Trust), and David Miller, who has provided advice to Council regarding the Brook Waimarama Sanctuary Trust remain after the public has been excluded, for the item on the Public Excluded agenda relating to the Brook Waimarama Sanctuary Fence and Conservation Centre, as they have knowledge that will assist the Council;***

**AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that the above-named people possess relates to:**

- **Dr David Butler, Craig Wilson, David Kerr and Hudson Dodd - knowledge of the plans relating to the Brook Waimarama Sanctuary Trust Fence and Conservation Centre Project;**
- **David Miller – knowledge of advice provided to Council relating to the Brook Waimarama Sanctuary Trust.**

Ward/Boswijk

Carried

Resolved

**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><b>Public Excluded Minutes - Nelson City Council Infrastructure – 27 June 2013</b></p> <p>These minutes contain information regarding:</p> <p>Brook Waimarama Sanctuary Fence and Conservation Centre</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> <ul style="list-style-type: none"> <li>• Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> <li>• Section 7(2)(e) To avoid prejudice to measures that prevent or mitigate loss to the public</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>

Council - Infrastructure  
8 August 2013

2	<p><b>Public Excluded Status Report – Infrastructure – 8 August 2013</b></p> <p>This report contains information relating to:</p> <p>Southern Arterial Corridor Land Purchase</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> <ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
3	<p><b>Brook Waimarama Sanctuary Fence and Conservation Centre</b></p> <p>This report contains information relating to the Brook Waimarama Sanctuary Business Case and Feasibility Study, and the request to relocate the Brook Conservation Centre into the grounds of the Brook Valley Holiday Park.</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> <ul style="list-style-type: none"> <li>Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> <li>Section 7(2)(e) To avoid prejudice to measures that prevent or mitigate loss to the public</li> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
4	<p><b>Two reports regarding Strategic Land Purchases</b></p> <p>These reports contain information regarding potential property purchases</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> <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>
5	<p><b>Proposed Road Stopping – 202 The Ridgeway</b></p> <p>This report contains information regarding the possible sale of part of the road reserve.</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> <ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
6	<p><b>Public Excluded Minutes – Nelson Regional Sewerage Business Unit – 15</b></p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>Section 7(2)(h)</li> </ul>

	<p><b>March 2013</b></p> <p>These minutes confirmed the public excluded minutes of the meeting of 14 December 2013 and also contain information relating to re-testing of the regional pipeline and consideration of liquidated damages</p>	<p>be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>To carry out commercial activities</p>
7	<p><b>Public Excluded Minutes – Nelson Regional Sewerage Business Unit – 6 May 2013</b></p> <p>These minutes contain information regarding the tender of an operation and maintenance contract.</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> <ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>

His Worship the Mayor/Fulton

Carried

The meeting went into public excluded session at 9.49am and resumed in public session at 2.03pm.

## 18. Re-admittance of the Public

Resolved

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

His Worship the Mayor/Davy

Carried

There being no further business the meeting ended at 2.03pm.

Confirmed as a correct record of proceedings:

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

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**Minutes of a meeting of the Council – to deliberate on submissions to the Gambling Policy Review**

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

**On Thursday 8 August 2013, commencing at 2.05pm**

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Present: His Worship the Mayor (A Miccio), Councillors I Barker, A Boswijk (Deputy Mayor), G Collingwood, E Davy, K Fulton, J Rackley, R Reese, D Shaw, and M Ward

In Attendance: Chief Executive (C Hadley), Manager Policy and Planning (N McDonald), Principal Adviser Community (J Hawes), Manager Administration (P Langley), Manager Community Relations (A Ricker), Executive Manager Regulatory (R Johnson), and Administration Adviser (L Canton)

Apologies: Councillors R Copeland, P Matheson, and P Rainey

**1. Apologies**

Resolved

***THAT apologies be received and accepted from Councillors Copeland, Matheson and Rainey.***

His Worship the Mayor/Boswijk

Carried

**2. Interests**

Manager Policy and Planning, Nicky McDonald, and Principal Adviser Community, Jenny Hawes, joined the meeting.

It was noted that various Councillors were involved with Trusts that received funds from gambling trusts. In response to a question, Ms McDonald explained advice received from Council's Senior Legal Adviser on potential conflicts of interest. She said his advice was that being on a Trust that might in the future, or had in the past received funds from a gambling trust was not necessarily a conflict of interest, so long as any benefit to the Councillor was not more than that to the average person in the community benefitting from such funds.

The Chief Executive added that, if a Councillor's source of income was derived from an application made to a gambling trust, then they had a pecuniary interest that constituted an interest.

It was noted that a submitter had raised concerns about His Worship the Mayor's position as landlord to a gaming machine venue. His Worship the Mayor advised that he had sold the building in question in February 2013.

Attendance: Councillor Rackley declared an interest and left the meeting at 1.10pm.

### 3. Confirmation of Minutes – 23 July 2013

Document number 1560494, agenda pages 4-8 refer.

Resolved

***THAT the minutes of the meeting of the Nelson City Council – to hear submissions to the Gambling Policy Review, held on 23 July 2013, be confirmed as a true and correct record.***

Davy/Boswijk

Carried

### 4. Submissions to the Gambling Policy Review 2012/13

Document number 1550733, agenda pages 9-34 refer.

Principal Adviser Community, Jenny Hawes, summarised the proposal and noted that it considered three key changes to the current policy.

#### 4.1 'Sinking Lid' Policy

Councillors acknowledged that submissions ranged from support for a 'sinking lid' and support for retaining a cap on the number of gaming machines (pokies) in Nelson. They emphasised the effect of gambling harms in the community but also noted that a heavy reliance on funding from gambling trusts for community organisations meant that a sinking lid would result in less funding going into communities. It was also noted that a reduction in gaming machines may also have economic and social impacts on the hospitality industry and its employees.

The meeting discussed the possibility of retaining a cap, but reducing it from 285 to 257, which was the current number of gaming machines operating in the area. It was noted that the current cap was not being met, and that this indicated a lack of demand.

There was general agreement that, after considering submissions and the impacts on the community, Councillors believed a reduced cap was a responsible approach in the best interests of the community, and in line with Council's objective to promote harm minimisation for gambling activities.

Resolved

***THAT Council retains the existing policy of a cap on the total number of gaming machines (pokies) in operation in the city;***

***AND THAT Council reduces the cap from 285 to 257, noting that 257 is the number of machines that are currently operating in Nelson.***

Davy/Collingwood

Carried

4.2 Merged Club Venues

Councillors discussed whether it was necessary to reduce the maximum number of gaming machines permitted in merged Club venues.

Resolved

***THAT Council retains the existing policy of a maximum allowable number of 30 gaming machines per merged club venue.***

His Worship the Mayor/Barker

Carried

4.3 Separation of Class 4 venue and TAB venue policies

Councillors discussed whether to have separate policies for class 4 gambling (pokie) venues and New Zealand Racing Board (TAB) venues. It was noted that some submissions did not object to separate policies, but a view was expressed that a split policy would only be relevant to TAB venues, and that there were currently none in Nelson.

Resolved

***THAT Council retains the existing combined policy for Class 4 gambling (pokie) venues and New Zealand Racing Board (TAB) venues.***

His Worship the Mayor/Boswijk

Carried

The meeting briefly discussed the proposed policy's restrictions on location of class 4 venues in relation to automatic teller machines (ATMs). It was noted that this made it more difficult to establish venues for gambling machines.

Resolved

***THAT the report Submissions on the Gambling Policy Review 2012/13 (1550733) and its attachments (1326758, 1550341 and 1561953) be received;***



**AND THAT the Council consider and deliberate on all submissions received on the Statement of Proposal – Gambling Policy Review;**

**AND THAT the Council make decisions and give reasons for those decisions on all submissions received on the Statement of Proposal – Gambling Policy Review;**

**AND THAT the Gambling Policy be amended to reflect the Council's decisions on submissions made at this meeting, and be reported back to Council for adoption.**

His Worship the Mayor/Boswijk

Carried

There being no further business the meeting ended at 2.55pm.

Confirmed as a correct record of proceedings:

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

Council – to deliberate on submissions to the  
Gambling Policy Review 2013  
8 August 2013

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**Minutes of a meeting of the Nelson City Council - Governance**  
**Held in the Council Chamber, Civic House, Trafalgar Street, Nelson**  
**On Tuesday 27 August 2013, commencing at 9.29am**

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Present: His Worship the Mayor A Miccio (Chairperson), Councillors A Boswijk, I Barker, G Collingwood, R Copeland, E Davy, K Fulton, P Matheson, R Reese, D Shaw, and M Ward

In Attendance: Chief Executive (C Hadley), Executive Manager Support Services/Acting Executive Manager Community Services (H Kettlewell), Executive Manager Strategy and Planning (M Schruer), Executive Manager Network Services (A Louverdis), Executive Manager Regulatory (R Johnson), Acting Chief Financial Officer (T Hughes), Manager Community Relations (A Ricker), Manager Administration (P Langley), Administration Adviser (L Laird)

Apologies: Councillor J Rackley, and P Rainey, and Councillor E Davy for lateness

### **Opening Prayer**

Councillor Copeland gave the opening prayer.

### **1. Apologies**

Resolved

***THAT apologies be received and accepted from Councillors J Rackley and P Rainey, and Councillor E Davy for lateness.***

His Worship the Mayor/Boswijk

Carried

### **2. Interests**

There were no updates to the Interests Register and no interests with items on the agenda were noted.

### **3. Confirmation of Order of Business**

His Worship the Mayor confirmed that there were two public excluded late items for the meeting to consider.

Document number 1583566

Resolved

***THAT the public excluded item regarding Renaming of Community Spirit Awards be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable preparations for the 2014 round of awards to take place in a timely manner and to enable the decision to be implemented in a timely manner.***

Collingwood/Copeland

Carried

Resolved

***THAT the public excluded item regarding Potential Sale of Commercial land – Wakatu Square be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable the decision to be implemented in a timely manner.***

Copeland/Fulton

Carried

#### **4. Public Forum**

There were no public forums.

#### **5. Confirmation of Minutes – 16 July 2013**

Document number 1554869, agenda pages 8-18 refer.

It was noted that on page 5 of the minutes, the fifth paragraph read 'Some Councillors were in agreement that because only the outcome of the investigation was noted on the agenda, it was appropriate to be in public session.

Resolved

***THAT the minutes of a meeting of the Nelson City Council - Governance, held on 16 July 2013, be confirmed as a true and correct record, subject to changes made at the meeting.***

Shaw/Boswijk

Carried

It was noted that further advice regarding establishing the membership of a District Licensing Committee would be circulated to councillors.

**6. Mayor's Report**

There was no Mayor's Report.

**7. Status Report - Governance**

Document number 1034743 v11, agenda pages 19 refer.

Resolved

***THAT the Status Report – Governance (1034743 v11) be received.***

His Worship the Mayor/Shaw

Carried

**8. Portfolio Holder's Report**

Councillor Copeland presented the Portfolio Holders report.

***THAT the Portfolio Holder's Report – Governance be received.***

Ward/Shaw

Carried

**9. Credits for Excess Water Arising from Leaks (Commercial Customers)**

Document number 1543633, agenda pages 20-38 refer.

The Principal Adviser Utilities, Phil Ruffell, joined the meeting.

There was a discussion about water losses unaccounted for prior to reaching households. Mr Ruffell confirmed that the amount of water unaccounted for was between 30-40%. He said it was hard to estimate how much this was worth in financial terms but was effectively the cost of treating the water and that this loss was taking place in a number of areas in the city. He also said it was very expensive to fix leaks in pipelines and fittings as often the work required roads and other established landscapes to be disturbed.

Mr Ruffell said the treatment plant had been fitted with various water meters that recorded the flow of water from the plant and comparing this with the metered amount delivered to customers assisted in monitoring water losses.

Attendance: Councillor Davy joined the meeting at 9.55am.

Mr Ruffell said ageing pipelines and fittings would require renewal in the coming years. He explained that this may reduce water losses as those that leak would be replaced.

There was general agreement from the Council that there were many reasons other than leaks that contributed to water losses.

It was confirmed that commercial customers were able to apply for credits for water losses where there was a case of genuine financial hardship.

Resolved

***THAT the report Credits For Excess Water Arising From Leaks (Commercial Customers) (1543633) and its attachments (993846, 1544799, 1544806 and 1549920) be received;***

***AND THAT the criteria for credits for excess water arising from leaks remain un-changed.***

Collingwood/His Worship the Mayor

Carried

## **10. 2013/14 Insurance Renewal**

Document number 1561284, agenda pages 39-45 refer.

In response to a question, the Chief Executive said she was confident with the analysis used by the Local Authority Protection Programme to arrive at the contributions increase.

Resolved

***THAT the report 2013/14 Insurance Renewal (1561284) and its attachments (1539615 and 1308992) be received;***

***AND THAT changes to the property insurance schedule cover for the 2013/14 financial year be noted by Council.***

His Worship the Mayor/Collingwood

Carried

## **11. Landowner Approval for Land Transfer at Nelson Airport**

Document number 1569062, agenda pages 46-51 refer.

Resolved

***THAT the report Landowner Approval for the Transfer of Land at Nelson Airport (1569062) and its attachment (1568958) be received;***

***AND THAT landowner approval be given for the transfer of land between Nelson Airport and Nelson Golf Club.***

Davy/Ward

Carried

**12. Emissions Trading Scheme – Carbon Credit Strategy for Landfill**

Document number 1538230, agenda pages 52-55 refer.

The Engineering Adviser, Joahn Thiart, joined the meeting. In response to a question he said that the report did not look at actual emissions reduction but sought the approval to purchase units.

Resolved

***THAT the report Emissions Trading Scheme – Carbon Credit Strategy for Landfill (1538230) be received;***

***AND THAT Council purchase outright Emission Reduction Units to meet the estimated 2013 calendar year obligations at an approximate cost of \$3,348;***

***AND THAT Council purchase outright New Zealand Units to meet 50% of the estimated 2014 calendar year obligations at an approximate cost of \$21,500.***

Matheson/Collingwood

Carried

**13. 2012/13 Capital Programme – Carry Forwards into 2013/14**

Document number 1576175, agenda pages 56-58 refer.

In response to questions, the Chief Executive said she was confident that the capital expenditure programme was at a point that it was now deliverable.

It was noted that the criteria used in the review of the carry forwards budget would be circulated to councillors.

Resolved

***THAT the report 2012/13 Capital Programme – Carry Forwards into 2013/14 be received;***

***AND THAT \$742,044 of unspent capital budget from 2012/13 be carried forward for use in 2013/14.***

Ward/Matheson

Carried

**14. Schedule of Documents Sealed**

Document number 1504258, agenda pages 59-61 refer.

Resolved

***THAT the Schedule of Documents Sealed (1504258) be received.***

Collingwood/Shaw

Carried

## REPORTS FROM COMMITTEES

### 15. Audit, Risk and Finance Committee – 23 July 2013

Document number 1560966, agenda pages 62-65 refer.

Resolved

***THAT the minutes of the meeting of the Audit, Risk and Finance Committee, held on 23 July 2013, be received.***

Barker/Copeland

Carried

Resolved

***THAT a message of congratulations be sent to the royal family on the announcement of the birth of a son to the Duke and Duchess of Cambridge.***

Collingwood/His Worship the Mayor

Carried

It was noted that this motion was unanimously passed.

### 16. Remuneration Review Committee – 19 August 2013

Document number 1576395, agenda pages 66-68 refer.

Resolved

***THAT the unconfirmed minutes of the meeting of the Remuneration Review Committee, held on 19 August 2013, be received.***

Boswijk/Ward

Carried

Attendance: the meeting adjourned for morning tea from 10.25am to 10.45am

### 17. Exclusion of the Public

Resolved

***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	<b>Potential Sale of Land for Commercial Development - Wakatu Square</b>	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)(h) To carry out commercial activities</li> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
2	<b>Public Excluded Status Report – Governance – 27 August 2013</b>  This report contains information relating to:	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:
	Nelson City Council Tasman District Council Engineering Services Agreement.		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Governance Options for, and commercially sensitive information regarding, the Nelson Regional Sewerage Business Unit		<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>
	The proposed transfer of assets, and negotiation of a lease and contract with		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>



	the Theatre Royal and Nelson School of Music.		
	Potential Exit from Ridgeway's Joint Venture		<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>
	Theatre Royal Trust Deed		<ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	The Statement of Intent and Half Yearly report provided by Nelson Tasman Tourism to Council		<ul style="list-style-type: none"> <li>• Section 7(2)(h) To carry out commercial activities</li> </ul>
<b>3</b>	<p><b>Directors' Rotations and Fees 2013/2014</b></p> <p>This report contains information relating to directors rotations and fees for 2013/14 for Nelmac, The Nelson Regional Economic Development Agency, The Bishop Suter Trust, Nelson Airport Limited and Port Nelson Limited; and includes a recommendation to release the resolutions to the public after the individuals and organisations concerned have been advised.</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> <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons</li> <li>• Section 7(2)(h) To carry out commercial activities</li> </ul>
<b>4</b>	<p><b>Renaming Community Spirit Awards</b></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> <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons</li> </ul>
<b>5</b>	<p><b>Remuneration Review Committee Public Excluded Minutes – 19 August 2013</b></p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(a)</li> </ul>

These minutes contain information relating to the Chief Executive's Performance Review 2012/13 and the Chief Executive's Remuneration Review for 2013/14.	be likely to result in disclosure of information for which good reason exists under section 7	To protect the privacy of natural persons
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His Worship the Mayor/Collingwood

Carried

The meeting went into public excluded session at 10.46am and resumed in public session at 12.05pm.

**18. Re-admittance of the Public**

Resolved

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

His Worship the Mayor/Fulton

Carried

There being no further business the meeting ended at 12.05pm.

Confirmed as a correct record of proceedings:

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

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## Minutes of a meeting of the Nelson City Council – Policy and Planning

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

On Thursday 29 August 2013, commencing at 9.03am

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Present: His Worship the Mayor (A Miccio), Councillors I Barker, A Boswijk (Deputy Mayor), G Collingwood, R Copeland, E Davy, K Fulton (Co-Portfolio Holder), P Matheson, J Rackley, R Reese, D Shaw (Co-Portfolio Holder) and M Ward

In Attendance: Chief Executive (C Hadley), Executive Manager Strategy and Planning (M Schruer), Executive Manager Network Services (A Louverdis), Executive Manager Kaihautū/Community Relations, (G Mullen) Acting Chief Financial Officer (T Hughes), Executive Manager Regulatory (R Johnson), Manager Community Relations (A Ricker), Manager Policy and Planning (N McDonald), Manager Strategic Response (C Ward), Manager Monitoring and Research (M Workman), Manager Administration (P Langley), and Administration Adviser (E-J Ruthven)

Apology: Councillor P Rainey

### Opening Prayer

Councillor Davy gave the opening prayer.

#### 1. Apologies

Resolved

***THAT the apology from Councillor P Rainey be received and accepted.***

His Worship the Mayor/Copeland

Carried

#### 2. Interests

There were no updates to the Interests Register.

Councillor Matheson noted an interest with the item Gambling Policy Review 2012/13; and Councillor Copeland noted an interest with the item Trafalgar Centre – Way Forward.

His Worship the Mayor reminded councillors to declare any other interests with agenda items as they arose over the course of the meeting.

### **3. Public Forum**

#### **3.1 Brook Valley Community Group**

Mr Christopher St Johanser spoke about the newly formed Brook Valley Community Group, and explained its aims of protecting the security and safety of amenities and infrastructure in The Brook area; and providing a point of contact for residents and Council and other agencies to consult with or respond to local concerns or initiatives.

Mr St Johanser also spoke about the Group's intention to utilise Betsy Eyre Park for a 'Shaky Day' market event. He said that the event was intended to include stalls, workshops and displays from all agencies likely to respond to a larger seismic event; would address specific earthquake-related risks in The Brook Area; and would be aimed at ensuring that residents were prepared for the immediate aftermath of a large earthquake. He suggested that Council assistance with similar events across the city would be useful.

In response to a question, he said that the Group had not yet confirmed a date for the 'Shaky Day' market.

#### **3.2 Brook Area Walking and Cycling Improvements**

Ms Caro Donovan spoke on behalf of the Brook Valley Community Group about the Brook Area Walking and Cycling Improvements. She noted the Group's concerns regarding consultation undertaken for The Brook Area Walking and Cycling Improvements. She also explained the Group's concerns regarding pressures on car-parking in The Brook area, the use of Betsy Eyre Park as a car park for mountain bikers, and mountain bikers using The Brook roads at speed.

In response to a question, Ms Donovan suggested that car-parking for mountain bikers wishing to access Codgers Mountain Bike Park should be provided in the Maitai Valley, to relieve parking pressures in The Brook.

#### **3.3 Proposed Alteration to Fault Hazard Overlay**

Mr Stephen Gray tabled documents (1584834 and 1586590), which he spoke to. He explained his concerns that the revised overlay took in a greater proportion of his property than previously, and suggested that it would have detrimental effects with regards to insurance and the valuation of his property. He also considered notification of the public meetings regarding the proposed fault hazard notification to have been inadequate.

Mr Gray also spoke about the relative risks of large earthquakes occurring in Nelson, and asked Council to consider deferring receipt of

the report and placing fault hazard overlay information on property files until the end of the consultation period on 1 October.

#### 3.4 Proposed Alteration to Fault Hazard Overlay

Ms Jan Smith also spoke about the revised fault hazard overlay, and reiterated the points expressed by Mr Gray. She added her concerns that the peer review of the assessment had been carried out in December 2010, and questioned why Council had made public information relating to the fault hazard overlay, but not with regards to other hazards, such as liquefaction and tsunami risks.

#### 3.5 Legal Highs

Mr Robbie Siataga/Kavanagh spoke on behalf of the Nelson Tasman Pasifika Trust, and noted concerns about the accessibility and use of legal highs by Nelson youth. He said that the Psychoactive Substances Act gave local authorities the opportunity to draft a local approved product policy that could control the location of premises selling such substances, and urged Council to develop such a policy.

In response to questions, he explained that he was concerned about the lack of community involvement in the Ministry of Health process of approving sellers of legal highs. He added that he had not yet presented to the District Health Board or Tasman District Council on this issue.

### 4. Confirmation of Order of Business

His Worship the Mayor noted that there was one public, and two public excluded, late items that had been circulated after the agenda was distributed, and procedural resolutions were required to be passed.

He added that an updated version of the report Trafalgar Centre – Way Forward had also been circulated, but that no procedural resolution was required with regards to this item.

#### 4.1 Plan Change 17 – Enner Glynn and Upper Brook Valley Rezoning and Structure Plan

Document number 1567138, late item papers refers.

Resolved

***THAT the item regarding Plan Change 17 – Enner Glynn and Upper Brook Valley Rezoning and Structure Plan be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable Plan Change 17 to be publicly notified in an efficient and timely manner.***

His Worship the Mayor/Fulton

Carried

- 4.2 Public Excluded – Code of Conduct Complaint – Report Back from Investigating Committee

Late item papers refers.

Resolved

***THAT the public excluded item regarding Code of Conduct Complaint – Report Back from Investigating Committee be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable the complaint to be resolved in a timely manner.***

His Worship the Mayor/Rackley

Carried

- 4.3 Public excluded – Chief Executive’s Remuneration Review 2013/14

Late item papers 2 refers.

Resolved

***THAT the public excluded item regarding Chief Executive’s Remuneration Review 2013/14 be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable the decision to be made before the end of the triennium.***

His Worship the Mayor/Reese

Carried

- 4.4 Order of Agenda Items

His Worship the Mayor noted that the order of agenda items would be altered, to allow Council’s external legal adviser, Julian Ironside to answer questions in relation to the following items: Earthquake Fault Lines (item 8), Trafalgar Centre: Way Forward (item 18), Plan Change 14 – Residential Subdivision, Land Development Manual and Comprehensive Housing (item 15), and Plan Change 17 – Enner Glynn and Upper Brook Valley Rezoning and Structure Plan (late item).

## **5. Confirmation of Minutes**

- 5.1 Council – Policy and Planning – 18 July 2013

Document number 1556869, agenda pages 12-40 refer.

Resolved

***THAT the minutes of a meeting of the Nelson City Council – Policy and Planning, held on 18 July 2013, be confirmed as a true and correct record.***

Davy/Boswijk

Carried

- 5.2 Council – Deliberation on Submissions to the Speed Limits Bylaw Amendment 2013 – 6 August 2013

Document number 1571532, agenda pages 41-44 refer.

Resolved

***THAT the minutes of a meeting of the Nelson City Council – to Deliberate on Submissions to the Speed Limits Bylaw Amendment 2013, held on 6 August 2013, be confirmed as a true and correct record.***

Collingwood/Davy

Carried

## **6. Mayor's Report**

There was no Mayor's Report.

## **7. Status Report – Policy and Planning**

Document number 1034725 v11, agenda pages 45-46 refer.

In response to a question regarding item 1, the Chief Executive explained that Nelson City Council and Tasman District Council (TDC) were endeavouring to establish similar Local Alcohol Policies, and noted the reasons for the faster timeframe of TDC's consultation process.

Resolved

***THAT the Status Report – Policy and Planning (1034725 v11) be received.***

His Worship the Mayor/Shaw

Carried

## **8. Portfolio Holder's Report**

Councillor Fulton acknowledged the work of all Councillors during the triennium, and paying special tribute to Councillors Boswijk, Collingwood and Rackley on their final Policy and Planning meeting.

Councillor Ward spoke about a presentation on demographics change made at the recent Local Government Conference.



Councillors Fulton and Ward also thanked the Executive Manager Strategy and Planning, Michael Schruer, and wished him well in his new role at the Ministry of Foreign Affairs and Trade.

## 9. Earthquake Fault Lines

Document number 1565594, agenda pages 47-48 refer.

Manager Monitoring and Research, Martin Workman, presented the report, and said that Council's external legal adviser, Julian Ironside, was present to answer questions.

In response to a question, Mr Ironside explained that Council was treating the information as a provisionally final report, pending any further geotechnical information that came to light during the consultation period. He added that, once Council held such information, it was obliged to deal with it, and deferring receipt of the report until after 1 October would not alter this.

In response to questions, Mr Workman explained the peer review process. He added that, since December 2010, extensive work had been undertaken to ensure that the proposed fault overlay hazard maps accurately recorded the information and were as specific as possible to affected properties, including further assessment of whether specific properties should remain within the overlay.

In response to a further question, Mr Workman noted that previous advice from valuers was that property values were not affected by being captured within a fault hazard overlay, but that this may no longer be the case following the Christchurch earthquakes.

Councillor Matheson, seconded by His Worship the Mayor, moved the recommendation in the staff report.

Following discussion, Councillor Collingwood, seconded by Councillor Fulton moved an amendment

*THAT the report Earthquake Fault Lines (1565594) and its attachments (1567575 and 1201892) be received, and considered further when consultation has been completed.*

The amendment was passed and became the substantive motion.

Resolved

***THAT the report Earthquake Fault Lines (1565594) and its attachments (1567575 and 1201892) be received, and considered further when consultation has been completed.***

Matheson/His Worship the Mayor

Carried

Attendance: The meeting adjourned for morning tea from 10.32am to 10.56am.

## **10. Trafalgar Centre – Way Forward Updated**

Document number 1585543, separately circulated paper refers.

Attendance: Councillor Copeland declared an interest and left the table for the duration of this item.

The Executive Manager Network Services, Alec Louverdis, presented the updated report, and noted the need to seek additional information from consultants about the safety of Trafalgar Centre users with regards to both earthquake and liquefaction hazard risks.

In response to a question, Mr Louverdis explained that undertaking work to upgrade the toilet and kitchen facilities at the Trafalgar Centre would not be a good spend at the present time, as these parts of the building were considered earthquake prone and may need to be significantly altered. There was agreement that any further decisions regarding future Trafalgar Centre upgrades were best left to the incoming Council.

In response to further questions, the Chief Executive explained that Council had met all appropriate timeframes in seeking initial and detailed earthquake assessments. She said that these assessments had not been forwarded to the Building Consent Authority, based on a previous Council resolution, but that the recommendation in the updated report was to rescind this resolution, and to forward all initial and detailed assessments to the Building Consent Authority.

Resolved

**THAT the report Trafalgar Centre – Way Forward Updated (1585543) and the report Trafalgar Centre – Way Forward (1495463) with its attachment (1566223) be received;**

**AND THAT Council commission an independent peer review of all reports, including consideration of safety matters;**

**AND THAT Council note that officers will be providing all information received to the Building Unit;**

**AND THAT Council accepts that no work (including work to any amenities – toilets and kitchen) is possible on the Centre this current financial year;**

**AND THAT all work on the Northern upgrade be placed on hold indefinitely until a future direction for the Centre is formulated;**

***AND THAT Council does not classify the Centre as a special post disaster building (IL4) for use following an earthquake, but accepts that the building could be used for other events such as flooding (where this occurs elsewhere in the region) or pandemic outbreak;***

***AND THAT this further work be funded from provision made in the 2013/14 Annual Plan in the amount of \$3 million.***

Collingwood/Davy

Carried

Resolved

***THAT Council take note that all initial and detailed assessments undertaken by Council to date and in the future will be submitted to the Building Unit for processing as soon as they are received.***

Collingwood/Davy

Carried

**11. Plan Change 14 – Residential Subdivision, land Development Manual and Comprehensive Housing**

Document number 1556131, agenda pages 213-222 refer.

It was noted that the report to Council represented the final step in the Plan Change process.

Resolved

***THAT the report Plan Change 14 Residential Subdivision, Land Development Manual and Comprehensive Housing (1556131) and its attachments (1559211 and 1560075) be received;***

***AND THAT policy "RE3.5 Streetscape" and rules "REr.25 Front Yards" and "REr.31 Fences" be publicly notified as operative on 9 September 2013, pursuant to Clause 20(1) of the First Schedule of the Resource Management Act 1991.***

His Worship the Mayor/Boswijk

Carried

**12. Plan Change 17 – Enner Glynn and Upper Brook valley Rezoning and Structure Plan**

Document number 1567138, late item 1 refers.

Resolved

***THAT the report Plan Change 17 – Enner Glynn and Upper Brook Valley Rezoning and Structure Plan (1567138) and its attachments (1582122 and 1582109) be received;***

***AND THAT the provisions within Plan Change 17 – Enner Glynn and Upper Brook Valley Rezoning and Structure Plan be publicly notified as being operative on 9 September 2013, pursuant to Clause 20(1) of the First Schedule of the Resource Management Act 1991.***

Collingwood/Shaw

Carried

### **13. Gambling Policy Review 2012/13**

Document number 1571959, agenda pages 49-56 refer.

Attendance: Councillor Matheson declared an interest, and left the room for the duration of this item.

Manager Policy and Planning, Nicky McDonald, and Principal Adviser Community, Jenny Hawes, joined the meeting and presented the report.

Councillor Davy, seconded by Councillor Boswijk, moved the recommendation in the staff report.

In response to a question, Ms Hawes advised that, as at 21 August 2013, there were 273 gaming machines within the Nelson City area with territorial consent to operate, with 242 machines actually operating, and that she was not aware of any outstanding consent applications for gaming machines.

Councillors discussed the optimal number for the specified cap in the Policy. In response to a question, Ms Hawes explained that the officer recommendation was based on 285 gaming machines, as the Statement of Proposal had not contemplated a reduction in the current cap, aside from the potential introduction of a 'sinking lid' policy. She added that a number of submitters had been against the introduction of such a policy.

Following discussion, the mover and seconder agreed to alter the third clause of the motion to read

***AND THAT Council establishes the cap at 273 (the number of gaming machines operating in Nelson City on 21 August 2013).***

Councillor Fulton, seconded by Councillor Copeland, moved an amendment to the third clause:

*AND THAT Council establishes a 'sinking lid' policy with regards to the number of gaming machines operating in Nelson City Council.*

In response to a question, the Chief Executive advised that Council had previously deliberated on the submissions received, and had formed the view that a capped policy should be retained. She added that the published agenda had indicated Council's view that a capped policy was appropriate, and that, if Council was now minded to re-visit the concept of a 'sinking lid' policy, it would be prudent to leave the matter to lie on the table, and to re-deliberate on the submissions at another time.

Following discussion, and with majority consent, the mover withdrew the amendment to the third clause.

Councillors returned to debate the substantive motion.

Resolved

***THAT the motion under debate be put.***

Rackley/Boswijk

Carried

Resolved

***THAT the report Gambling Policy Review 2012/13 (1571959) and its attachment (1573324) be received;***

***AND THAT Council revoke the resolution of 8 August 2013 to reduce the cap on gaming machines from 285 to 257;***

***AND THAT Council establishes the cap at 273 (the number of gaming machines with territorial authority consent to operate in the Nelson City Council area on 21 August 2013);***

***AND THAT Council adopts the Gambling Policy 2013.***

Davy/Boswijk

Carried

#### **14. Stormwater, Trade Waste and Water Supply Bylaws**

Document number 1550983, agenda pages 57-79 refer.

The Principal Adviser Utilities, Phil Ruffell, presented the report. He explained that, following advice from resource management planning officers, the third clause in the officer recommendation should be altered to read

*AND THAT reference in the Nelson Resource Management Plan to the Stormwater Bylaw 2006 be reassessed as part of the research for proposed Plan Change 28 Land Development Manual updates scheduled for 2013/14*

In response to a question, Principal Adviser Resource Management Act Planning, Matt Heale, advised that proposed Plan Change 28 related to a review of the Land Development Manual, and that it was appropriate to consider the future of the reference to the Stormwater Bylaw through this process.

Following discussion, Councillor Collingwood, seconded by Councillor Shaw, moved the recommendation with a minor amendment to the third clause.

Resolved

***THAT the report Stormwater, Tradewaste and Water Supply Bylaws (1550983) and its attachments (721951, 1544517 and 1563971) be received;***

***AND THAT in accordance with section 156 of the Local Government Act 2002 Council revokes the Nelson City Council Bylaw No 212 Stormwater Bylaw 2006;***

***AND THAT reference in the Nelson Resource Management Plan to the Stormwater Bylaw 2006 be reassessed as part of the Nelson Resource Management Plan review process.***

***AND THAT in accordance with section 156 of the Local Government Act 2002 Council revokes the Nelson City Council Bylaw No 214 Trade Waste. Such revocation to come into effect upon the adoption of the proposed Nelson City Council Wastewater Bylaw;***

***AND THAT in accordance with section 155 of the Local Government Act 2002 Council determines that making a bylaw is the most appropriate way of addressing the issues of disposal of waterborne wastes from residential and trade premises and the regulation of the disposal of stormwater to the wastewater network;***

***AND THAT in accordance with section 156 of the Local Government Act 2002 Council commences the process to make a Wastewater Bylaw. Such Bylaw to come into effect prior to the completion***

**of the revocation of the existing Nelson City Council Bylaw No 214 Trade Waste;**

**AND THAT in accordance with section 158 of the Local Government Act 2002 Council commences the process to review the Nelson City Council Bylaw No 217 Water Supply 2008.**

Collingwood/Shaw

Carried

**15. Exclusion of the Public**

Resolved

**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><b>Chief Executive's Remuneration Review 2013/14</b></p> <p>This report contains information regarding the Chief Executive's remuneration for 2013/14.</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> <ul style="list-style-type: none"> <li>• Section 7(2)(a) To protect the privacy of natural persons</li> </ul>

His Worship the Mayor/Rackley

Carried

The meeting went into public excluded session at 12.25pm and resumed in public session at 12.43pm.

**16. Re-admittance of the Public**

Resolved

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

His Worship the Mayor/Davy

Carried

Attendance: The meeting adjourned for lunch, from 12.43pm to 1.18pm.

**17. Murals Along The Maitai Project**

Document number 1566318, agenda pages 80-100 refer.

During discussion, it was noted that mural designs should be sensitive to the specific sites, particularly with regards to the two walls of Millers Acre, given the sculptures and carving included in that building design.

Resolved

***THAT the report Murals along the Maitai Project (1566318) and its attachment (1513541) be received;***

***AND THAT Council approve the project and grant permission as land owner for this work to proceed;***

***AND THAT officers report progress back to Councillors via the Chief Executive's newsletter.***

Davy/Boswijk

Carried

**18. Adoption of Amended Speed Limits Bylaw (210)**

Document number 1535187, agenda pages 101-141 refer.

Resolved

***THAT the report Adoption of Amended Speed Limits Bylaw (210) (1535187) and its attachments (1565968, 1571045 and 1563829) be received;***

***AND THAT Council adopts the amended Speed Limits Bylaw (210);***

***AND THAT the amended Speed Limits Bylaw (210) comes into effect on 30 September 2013.***

Davy/Rackley

Carried

**19. The Brook Area Walking and Cycling Improvements**

Document number 1561385, agenda pages 142-161 refer.

Principal Adviser Transport and Roading, Rhys Palmer, presented the report, and provided a power point presentation giving examples of signage that would assist with creating a cycle-friendly route (1589243).



In response to a question, Mr Palmer explained that a separate project was currently underway to address parking issues at the Codgers Mountain Bike park trailhead, and that this project would specifically address the issue of Betsy Eyre park being used as a parking space. He added that bollards had recently been installed in the park, to limit the amount of space used for parking.

In response to a further question, Mr Palmer said that the revised proposal resulted in no loss of car parks, and was relatively cost-neutral vis-a-vis the original proposal.

Councillors noted the importance of the second round of consultation being reported back, but questioned whether the Chief Executive's newsletter was the most appropriate mechanism for doing so. A suggestion was also made that the second round of consultation clearly highlight the change in proposal from the first round of consultation.

Resolved

***THAT the report The Brook Area Walking and Cycling Improvements (1561385) and its attachments (1483637, 1576195, 1563202) be received;***

***AND THAT Council notes the three main areas of concern raised in the engagement, namely:***

- ***Loss of parking outside the Brook Street Store and on Manuka Street***
- ***Potential for conflicts with pedestrians on the shared paths***
- ***Operation of the Manuka Street/Tasman Street intersection***

***have been addressed in the revised proposals shown in 1563202;***

***AND THAT a second round of engagement with the Brook area community be undertaken during September 2013 with the results reported back to Councillors.***

Davy/Ward

Carried

## **20. Plan Change 16 – Inner City Noise Notification**

Document number 1526862, agenda pages 162-212 refer.

Attendance: Councillors Boswijk and Copeland declared an interest and left the table for the duration of this item.

Councillor Collingwood noted that she was the Council representative for The New Hub, and Councillor Shaw noted that he resided in the inner city zone. Both councillors noted that their interest in this matter was no greater than the interest of the public at large.

Councillor Matheson, seconded by Councillor Rackley, moved the recommendation in the staff report.

Following discussion, Councillor Reese, seconded by Councillor Fulton, moved an amendment to remove the final clause of the motion.

The amendment was carried and became the substantive motion.

Resolved

***THAT the report Plan Change 16 – Inner City Noise Notification (1526862) and its attachments (1520514 and 1243377) be received;***

***AND THAT draft Plan Change 16 – Inner City Noise (plan amendments 1520514 and Section 32 report 1243377) be notified under the First Schedule of the Resource Management Act 1991;***

***AND THAT it be confirmed that the proposed Plan Change 16 has been prepared in accordance with the statutory procedures set down in the First Schedule to the Resource Management Act 1991;***

***AND THAT the Chief Executive be delegated authority to approve minor technical wording amendments, or correction of errors, to the draft Plan Change documents to improve readability and/or consistency prior to public notification.***

Matheson/Rackley

Carried

## REPORTS FROM COMMITTEE

### 21. Framing our Future Committee – 6 August 2013

Document number 1571317, agenda pages 223-225 refer.

Resolved

***THAT the unconfirmed minutes of a meeting of the Framing Our Future Committee, held on 6 August 2013, be received.***

Shaw/Ward

Carried

Resolved

***THAT the draft Nelson 2060 Implementation Plan for 2013/14 (1551208) be adopted;***

***AND THAT Council's Sustainability Policy 2008, and Sustainability Action Plan 2008-2011 be replaced by the Nelson 2060 Strategy and Council's Nelson 2060 Implementation Plan 2013/14.***

Shaw/Ward

Carried

**22. Audit, Risk and Finance Committee – 20 August 2013**

Document number 1580057, agenda pages 226-230 refer.

Resolved

***THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Committee, held on 20 August 2013, be received.***

Barker/Copeland

Carried

**23. Exclusion of the Public**

His Worship the Mayor explained that Mr Ken Beckett would be in attendance for part of the public excluded item Code of Conduct Matter – Report Back from Investigating Committee and accordingly a procedural recommendation was required to be passed.

Resolved

***THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Mr Ken Beckett remain after the public has been excluded, for part of the item Code of Conduct Matter – Report Back from Investigating Committee, as he has knowledge that will assist the Council;***

***AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Mr Ken Beckett possesses relates to his position as support person for a Councillor in relation to a Code of Conduct matter.***

His Worship the Mayor/Davy

Carried

Resolved

***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><b>Public Excluded Policy and Planning Minutes – 18 July 2013</b></p> <p>These minutes confirm the public excluded minutes of Council 4 June 2013 and 18 June 2013 and include 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>The proposed transfer of assets, and negotiation of a lease and contract with the Theatre Royal and Nelson School of Music.</p>		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	<p>Potential Debtor Issue</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> </ul>
	<p>Chief Executive's Proposed Performance Agreement 2013/14</p>		<ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> </ul>
	<p>An amended Drainage Ownership Policy</p>		<ul style="list-style-type: none"> <li>Section 7(2)(g) To maintain legal professional privilege</li> </ul>
	<p>A contract dispute relating to the Nelson Wastewater Treatment Plant</p>		<ul style="list-style-type: none"> <li>Section 7(2)(g) To maintain legal professional privilege</li> </ul>

			<ul style="list-style-type: none"> <li>Section 7(2)(h) To carry out commercial activities</li> </ul>
	A proposed course of action for a Council-owned building.		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
<b>2</b>	<p><b>Public Excluded Status Report – Policy and Planning</b></p> <p>This report contains 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>	
	The classifications of certain heritage precincts, including references to specific addresses.		<ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> </ul>
	A proposal for a lease on Council land		<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>
	An amended Drainage Ownership Policy		<ul style="list-style-type: none"> <li>Section 7(2)(g) To maintain legal professional privilege</li> </ul>
	A proposed course of action for a Council-owned building.		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
<b>3</b>	<p><b>Strategic Land Purchase</b></p> <p>This report contains strategic information relating to potential strategic property purchases.</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> <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>
<b>4</b>	<p><b>Natureland Sale</b></p> <p>This report contains information regarding operational and capital expenditure arrangements in relation</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</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>

	to the potential sale of Natureland.	under section 7	
<b>5</b>	<p><b>Code of Conduct Matter – Report Back from Investigating Committee</b></p> <p>This report contains information regarding a Code of Conduct complaint.</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> <ul style="list-style-type: none"> <li>Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> </ul>
<b>6</b>	<p><b>Chief Executive’s Remuneration Review 2013/14</b></p> <p>This report contains information regarding the Chief executive’s remuneration for 2013/14.</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> <ul style="list-style-type: none"> <li>Section 7(2)(a) To protect the privacy of natural persons</li> </ul>

Mayor/Boswijk

Carried

The meeting went into public excluded session at 2.16pm and resumed in public session at 5.09pm.

## 24. Re-admittance of the Public

Resolved

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

His Worship the Mayor/Copeland

Carried

There being no further business the meeting ended at 5.09pm.

Confirmed as a correct record of proceedings:

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

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**Minutes of a meeting of the Nelson City Council – to Hear  
Applications for Community Assistance Funding**

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

**On Monday 9 September 2013, commencing at 9.04am**

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Present: His Worship the Mayor (A Miccio), Councillors I Barker, A Boswijk, G Collingwood, R Copeland, E Davy, K Fulton, J Rackley, P Rainey, R Reese, D Shaw and M Ward

In Attendance: Chief Executive (C Hadley), Executive Manager Network Services (A Louverdis), Executive Manager Support Services (H Kettlewell), Team Leader Social Development (M Parfitt), Social Development Advisers (R Large and M Curnow), and Administration Advisers (L Laird and E-J Ruthven)

Apology: Councillor P Matheson

**1. Apologies**

Resolved

***THAT apologies be received and accepted from  
Councillor Matheson.***

His Worship the Mayor/Boswijk

Carried

**2. Interests**

Councillor Rainey declared an interest with the Youth and Community Trust; Councillor Barker declared an interest with Age Concern; Councillor Copeland declared an interest with Nelson Roller Sport Club; and Councillor Shaw declared an interest with the Nelson Environment Centre.

**3. Confirmation of Order of Business**

The Council was informed of changes to the hearings schedule and to changes in the table of one-off grants (agenda pages 21-28). It was noted that the Victory Community Centre had a contract until 2014/15, and that the Arts Council Nelson had a contract for \$40,000 until the end of the 2013/24 financial year.



#### **4. Hearing of Community Contract Applications**

##### **4.1 Age Concern Nelson Incorporated**

Sue Tilby and Susan Arrowsmith spoke on behalf of the application from Age Concern. Ms Tilby said the organisation worked to promote an inclusive society and increase the participation of the older community by reducing social isolation.

Ms Tilby explained how the Taxi Mobility Scheme contributed to these goals and spoke in support of the scheme.

##### **4.2 Bhutanese Society of Nelson**

Chandra Dahal spoke to the Council about the Bhutanese community in Nelson. He said the community of about 35 families felt isolated and sought support to better integrate into Nelson.

Mr Dahal asked the Council to consider funding a Bhutanese festival and to encourage the wider community to participate. Mr Dahal also spoke about the air charge to Fresh FM. He said this funding had nearly run out and asked the Council to continue supporting their community.

##### **4.3 Community Art Works**

Faye Wulff presented the submission and spoke about the work of the organisation to support people through art. She spoke about the recent award they received for their programme with Corrections, delivering an arts programme to prison inmates to increase engagement, with the hope of reducing recidivism.

In response to a question, she said the support from central government was minimal.

##### **4.4 International Student Ministries NZ Inc**

Jonathan Thorpe noted the key points of the application, and said that the International Student Ministries helped to provide international students with essential needs whilst studying in New Zealand.

He said the organisation arranged for weekly events with students to keep them engaged, and the funding for the part time coordinator would assist this work.

Attendance: the meeting adjourned from 9.35am to 9.45am.

##### **4.5 Safeguarding Children Initiative**

Annette Milligan and Willow Duffy spoke about the initiative and said the work had resulted in a number of 'rescues' of neglected children in Nelson. The submitters confirmed that the organisation worked collaboratively with Child Youth and Family, and noted that they ran

education seminars for organisations that worked with children, regarding the signs and indicators of neglected children.

In response to a question, the submitters said they accepted a koha from seminar participants, and had recently been unsuccessful in securing funding from JR McKenzie.

#### 4.6 Ministry of Inspiration

Caroline Hoar gave a PowerPoint presentation (1591888) that illustrated the goals and outcomes of the Ministry of Inspiration, and illustrated how their programmes were consistent with Council policy.

#### 4.7 Nayland College

Kathryn Sclater and a representative group of tutors spoke to the application and tabled additional information (1594001). Ms Sclater emphasised the community benefits of the Adult Education Programme and gave examples of the types of courses available.

The submitter said central government had withdrawn from funding adult community education, resulting in the programme relying on user-pays.

Attendance: The meeting adjourned for morning tea from 10.22am to 10.43am.

#### 4.8 Nelson Growables Trust

Jo Reilly spoke about the role of the Nelson Growables Trust and the community benefits of education on growing fresh produce. Ms Reilly said the Growables Fair was a focus for the Trust. She added that the ethos of the Trust was consistent with the Nelson 2060 Strategy.

In response to a question, the submitter said she had previously received event funding however had been informed that the Growables Fair fitted better with Community Assistance.

#### 4.9 Nelson Railway Society

Jim Maguire spoke to the application from the Nelson Railway Society Committee. He said the Society was comprised of volunteers and relied on funding for its operation.

#### 4.10 Loaves and Fishes

Mary Sullivan gave a Power Point presentation of the highlights of the application from Loaves and Fishes (1591577).

Ms Sullivan clarified that the application sought \$8,000 in salary support for the part time co-ordinator. She then outlined the role and responsibilities of the co-ordinator.

#### 4.11 Nelson Roller Sports Club

Attendance: Councillor Copeland sat back from the table for the duration of this submission.

Josie Rose spoke to the application from the Nelson Roller Sport Club. She gave a PowerPoint presentation (1591507) and tabled additional information (1592996), and spoke about the benefits of roller skating for participants.

Ms Rose spoke about the need for improvements to the facilities. She said that any funding from the Council would assist with operational expenses and purchasing new equipment, and that this would allow the Club to divert excess funds to facility improvements.

#### 4.12 Nelson Symphony Orchestra Inc

Pamela Seymour spoke to the application and said the Nelson Symphony Orchestra sought funding support to arrange for a concert master from Auckland to assist performances. She said a concert master would lift the standard of the Orchestra's performances and provide for extra tuition before public performances.

#### 4.13 Nelson Tasman Youth Workers Collective

Deanne Kilpatrick spoke on behalf of the Collective and outlined the services they provided to the community. She said the Collective participated in Youth Week to promote positive portrayals of young people and that the application sought funding to assist with the employment of a co-ordinator.

She added that since the 'Community House' building had closed they had had to seek alternate premises, resulting in increased rent costs.

#### 4.14 Port Nelson Mission to Seafarers

Merryl Hodgson and Nigel Whinney spoke to the application and tabled additional information (1594012). The submitters said that they required funding to keep the Mission to Seafarers service open. Ms Hodgson explained that any funding from the Council would provide for a part-time co-ordinator and explained the role of that co-ordinator.

In response to questions, the submitters said they had applied to Tasman District Council without success. They also noted that the service should remain independent to the Port, although the Port contributed a large proportion of their operating costs.

The submitters said fishing companies had been approached for support but they were outside the security area, and therefore outside the mission's area.

#### 4.15 Nelson Environment Centre

Attendance: Councillor Shaw sat back from the meeting for the duration of this submission.

Karen Driver and Sarah Langi spoke about the Nelson Environment Centre and their services. The submitters spoke about the current education programmes the Centre ran in schools and asked for funding to expand this programme into further schools through the employment of a co-ordinator.

The submitters added that the education programmes were consistent with both the national school curriculum and the Nelson 2060 Strategy.

Attendance: the meeting adjourned from 11.42am to 12.02pm.

#### 4.16 Prisoners Aid and Rehabilitation Trust

Sally Smith spoke to the application and tabled additional information (1593966) that provided an outline of the course offered by the Trust. She said the course was for male offenders aged 20-45 years old, that it aimed to equip them with skills to make better choices, and included basic skills like numeracy and literacy.

In response to a question, the submitter said that no other organisation was providing this service.

#### 4.17 Workstar

Kirsty Glen spoke to the application and said that Workstar sought funding to run a pre-employment course. She added that there had been an increased demand for the service.

In response to a question, the submitter said Workstar worked with people that had any type of disability, and that half of the people that attended the course found work.

#### 4.18 Youth and Community Trust

Steve Wilson and Jay Blazek spoke to the application from the Youth and Community Trust. Mr Wilson spoke about the role of the Trust and said that there was no other provider in Nelson of this service.

In response to a question, the submitter said central government focused on 16-17 year olds whilst the Trust focussed on 15, and 18-19 year olds. In response to a further question, the submitter said the Trust received funding from Council for emergency housing.

Attendance: The meeting adjourned for lunch from 12.00pm to 1.00pm, and during this time Councillor Reese left the meeting.

#### 4.19 Q Youth Incorporated

Clare Fairbrother emphasised the work of Q-Youth incorporated, including providing a safe space for young people and community education programmes. She highlighted the community outcomes and Nelson 2060 goals that the application would contribute to.

Ms Fairbrother introduced a Q-Youth mentor and board member, who spoke about his experiences with Q-Youth Incorporated.

In response to a question, the submitters explained that Q-Youth Incorporated maintained a strong identity and a focus on the delivery of core activities, despite fluidity in the group's membership and a recent turnover in coordinators.

#### 4.20 St Barnabas Anglican Church

Jonathan Wasley spoke to the application and tabled information (1592828 and 1592824), accompanied by youth workers and students involved in the afternoon drop-in sessions run from St Barnabas Church.

The youth workers spoke about the success of the drop-in sessions, and their plans to enhance their services. The students involved in the drop-in sessions spoke about their experiences, the confidence they had gained, and the sense of ownership that participants felt towards the sessions.

In response to a question, Mr Wasley explained that the group had not found any other sources of funding for wages. It was clarified that the Anglican Diocese was supporting the costs of Mr Wasley's wages, and that the application was to fund additional social workers to assist with the programmes being run.

#### 4.21 Victory Community Health Centre

Gareth Cashin spoke to the application, noting that its focus was on collaborating with other agencies, the local business community and other community stakeholders to expand the 'Keep Victory Safe' programme. He clarified that previous funding that the Centre had received from Council was tagged for particular projects.

In response to questions, Mr Cashin explained how the Centre collaborated with other agencies, and gave examples of how the 'Keep Victory Safe' programme operated.

#### 4.22 YMCA

Sally Wood, accompanied by Board members of the YMCA, gave a Power Point presentation (1591924) and spoke to the application. The submitters acknowledged that there had been accountability issues in relation to last year's contract, but emphasised the depth of current staff skills.

Ms Wood spoke about the range of education and after school care services offered and gave examples of some of the youth events run over the past year. She also gave examples of collaboration with other community groups and the outcomes that had been achieved as a result.

In response to questions, the submitters agreed that the YMCA was in a position to work as an 'umbrella' organisation for other community groups focused on working with youth. In particular, the representatives considered that they would be able to take a leadership role with regards to management and administration roles, whilst noting the importance of other community groups retaining their identities.

## 5. Consideration of Applications

Document number 1575045, agenda pages 4-28 refer.

His Worship the Mayor explained that it was necessary to allocate between 10% and 20% of total funding available to one-off grants, with the remainder allocated towards funding community contract applications. Councillors discussed the appropriate split, and a variety of views were expressed.

Following discussion, there was general agreement that the meeting should be adjourned to the following day, to allow councillors further time to reflect.

Resolved

***THAT the report Community Assistance Funding 2013/14 (1575045) and its attachments (1485919 and 1576109) be received.***

Fulton/Boswijk

Carried

Resolved

***THAT the meeting be adjourned until Tuesday 10 September, immediately following the Extraordinary Council meeting.***

His Worship the Mayor/Boswijk

Carried

Attendance: The meeting adjourned at 2.05pm, and reconvened on Tuesday 10 September, at 10.00am.

## 6. Apologies – Tuesday 10 September 2013

Resolved

***THAT apologies be received and accepted from Councillors Matheson and Reese; from Councillor Collingwood for lateness; and from Councillors Barker, Boswijk and Copeland for early departure.***

His Worship the Mayor/Boswijk

Carried

## 7. Consideration of Applications

Document number 1575045, agenda pages 4-28 refer.

His Worship the Mayor explained that the applications far exceeded the funding available for distribution.

In response to a question, Team Leader Social Development, Marg Parfitt, explained the weighted assessment criteria utilised in coming to the officer recommendations in relation to each application.

Councillors discussed the applications, and noted their priorities for allocating funding.

Attendance: The meeting adjourned for morning tea from 10.15am to 10.42am, during which time Councillors Barker, Boswijk and Copeland departed the meeting, and Councillor Collingwood returned to the meeting.

### 7.1 Funding Split – Community Contracts and One-Off Grants

Following discussion, Council agreed the percentage of funding to award as one-off grants.

Resolved

***THAT 10% of the total funds available for Community Assistance be allocated to one-off grants.***

His Worship the Mayor/Fulton

Carried

### 7.2 Consideration of Applications for Community Contracts

Councillors discussed the applications for community contracts. In response to a question, it was noted that the previous community contract funding for House 44 had been terminated and returned to the Community Assistance pool. Ms Parfitt explained that there would be additional funding for community contracts through to 2015 as a result.

In relation to the application from Nelson Roller Sports Club Inc, it was noted that the Club had not proved its charitable status, and did not fit

the Policy criteria. In agreeing to provide a level of funding to the Club, councillors noted that it should be a simple process for the Club to regularise its charitable status, that the Club had not requested funding from Council previously, and that it was a sports area that was often overlooked.

Resolved

***THAT the following Community Contracts for the financial year 2013/14 be confirmed:***

<b>Organisation</b>	<b>Allocated</b>	<b>Years Allocated</b>
Age Concern Nelson Incorporated	\$6000	4
Nelson Environment Centre	\$0	0
Nayland College	\$6000	2
Safeguarding Children Initiative	\$0	0
Youth and Community Trust	\$5000	4
Workstar	\$3000	4
Community Art Works	\$10000	2
Loaves and Fishes	\$5000	1
Nelson Growables Trust	\$0	0
St Barnabas Anglican Church	\$18000	2
Bhutanese Society of Nelson New Zealand Incorporated	\$2300	3
Victory Community Health Centre	\$6000	1
Alzheimer Society Nelson Inc	\$0	0
YMCA	\$6000	4
Prisoners Aid and Rehabilitation Trust	\$0	0
Nelson Tasman Youth Workers Collective	\$0	0
Nelson Railway Society	\$1400	2
Q-Youth Incorporated	\$5000	2
International Student Ministries New Zealand Inc	\$0	0
Port Nelson Mission of Seafarers	\$5000	4
Ministry of Inspiration	\$0	0
Nelson Symphony Orchestra	\$0	0
Royal New Zealand Foundation of the Blind	\$0	0
Townacre 456 Nelson – Application withdrawn		
Nelson Roller Sports Club Inc	\$4000	4
Stoke Bowling Club – Application withdrawn		

His Worship the Mayor/Davy

Carried



### 7.3 Consideration of Applications for One-Off Grants

Councillors discussed the applications for one-off grants.

With regards to the application from Dramatix Theatre Development Trust, it was noted that the Events Fund may be an appropriate source of funding for the Trust's annual event. It was also noted that there was central government funding for World War 1 centenary events available.

In response to a question, Ms Parfitt explained that applications for one-off grants could not be utilised for on-going costs, such as wage costs. She said that applicants would clearly be directed to apply for a community contract for such costs in future years.

A view was also expressed that the Nelson 2060 document was comparatively weaker in cultural and heritage areas, and that this may have influenced the weighting used to assess community assistance applications. A suggestion was made that the Nelson 2060 document be reviewed with culture and heritage values in mind.

Resolved

***THAT the following One-Off Grants for the financial year 2012/13 be confirmed:***

<b>Organisation</b>	<b>Amount allocated</b>
Neighbourhood Support Nelson Inc	\$2500
Big Brothers Big Sisters of Nelson	\$2500
Victory Community Association	\$2000
Dramatix Theatre Development Trust	\$0
Te Ataarangi ki te Taihū o te Waka-a-Maui Inc	\$2500
Nelson Railway Society	\$2000
Nelson Tasman Cycle Trails Trust	\$2500
Hearing Association Nelson Inc	\$1000
Nelson Multicultural Council	\$2500
Alzheimers Society Nelson Inc	\$1500
The Nelson Ark	\$0
Nelson Community Toy Library	\$1500
The Colonel Noel Percy Adams Trust (Melrose) Society Inc	\$0
Tautoko Services	\$0
Nelson Community Potters	\$0
Friends of The Hira School	\$1500
St Barnabas Anglican Church	\$0
Christians Against Poverty	\$0
Heart Foundation	\$0
Nelson Bays Community Law	\$0
Nelson Samba Collective	\$0

Council to hear applications for Community Assistance Funding – 9-10 September 2013.

Enner Glynn Playcentre	\$0
Arts Council Nelson (on behalf of Live Poets)	\$0
City of Nelson Highland Pipe Band Inc	\$1200
International Student Ministries New Zealand Inc	\$0
Search and Rescue Nelson	\$2500
People First Nelson	\$0
The Order of St John	\$1536
Bhutanese Society of Nelson New Zealand Incorporated	\$2500
Kopuwai Te Kohanga Reo Whakatu	\$0
YMCA Nelson	\$0
Nelson Tasman Region Hospice Trust	\$2500
Tahunanui Community Centre	\$1200
New Zealand Zomilnnkuan (Nelson) Inc	\$0
Nelson Orienteering Club	\$0
Schiehallion Scottish Country Dancers	\$0
Nelson Returned and Services Association Inc	\$2500
FC Nelson	\$0
Stoke Melody Makers	\$0
English Language Partners nelson-Marlborough Inc	\$0
SVS-Living Safe (formerly Stopping Violence Services Nelson)	\$0
Volunteer Nelson	\$0
Presbyterian Support Upper South Island	\$0
Parent to Parent Nelson	\$0
Epilepsy New Zealand Nelson/Marlborough Branch	
Post Natal Depression Support Network Nelson Inc	\$0
Nelson Community Christian Night Shelter Trust	\$0
Richmond Group Riding for the Disabled Inc	\$0

His Worship the Mayor/Davy

Carried

There being no further business the meeting ended at 11.38am.

Confirmed as a correct record of proceedings:

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

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**Minutes of an extraordinary meeting of the Nelson City Council**  
**Held in the Council Chamber, Civic House, Trafalgar Street, Nelson**  
**On Tuesday 10 September 2013, commencing at 9.03am**

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Present: His Worship the Mayor (A Miccio), Councillors I Barker, A Boswijk, G Collingwood, R Copeland, E Davy, K Fulton, J Rackley, P Rainey, D Shaw, and M Ward

In Attendance: Chief Executive (C Hadley), Executive Manager Support Services/Acting Executive Manager Community Services (H Kettlewell), Executive Manager Regulatory (R Johnson), Executive Manager Network Services (A Louverdis), Executive Manager Kaihautū/Community Relations (G Mullen), Manager Administration (P Langley), Fundraising Adviser (E Owens), and Administration Adviser (E-J Ruthven)

Apologies: Councillors P Matheson and R Reese

**1. Apologies**

Resolved

***THAT* apologies be received and accepted from Councillors Matheson and Reese.**

His Worship the Mayor/Davy

Carried

**2. Interests**

There were no updates to the Interests Register, and no conflicts of interest with any agenda items were noted.

**3. Confirmation of Order of Business**

There was no change to the order of business.

**4. Exclusion of the Public**

Resolved

***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><b>Natureland Sale – Review of Business Plan</b></p> <p>This report contains information regarding the review of a business plan in relation to the potential sale of Natureland.</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> <ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>

His Worship the Mayor/Davy

Carried

The meeting went into public excluded session at 9.03am and resumed in public session at 9.56am.

## 5. Re-admittance of the Public

Resolved

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

His Worship the Mayor/Rackley

Carried

There being no further business the meeting ended at 9.56am.

Confirmed as a correct record of proceedings:

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

## COMMUNITY SERVICES STATUS REPORT – 19 September 2013

No	Meeting Date	Document Number	Report Title/Item Title	Officer	Resolution or Action	Status
1	20/05/2013	1527230 (Public Excluded)	Cricket World Cup	Chris Blythe	<p><u>THAT</u> Council affirm its commitment to Cricket World Cup 2015.</p> <p><u>THAT</u> Council authorises the release from Public Excluded of resolutions arising from this report.</p>	<p><b>11/09/2013</b> The CWC 2015 contract with NCC is now effective.</p>
2	20/05/2013	1525033	Saxton Oval	Chris Blythe	<p><u>THAT</u> Council allocates up to \$30,000 for an awning, scorers box and upgrades to the umpires room at Saxton Oval to meet requirements for One Day International matches;</p> <p><u>AND THAT</u> this funding is available only when other external funding is not secured, or granted in full.</p>	<p><b>11/09/2013</b> The exact scope of the work required to meet ODI requirements has been agreed with NZ Cricket and CWC 2015 to ensure requirements meet both the one day international match in Jan 2014 and the CW 2015 matches. Work is underway to deliver the upgrades for an ICC inspection late Nov 2013.</p>

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## INFRASTRUCTURE STATUS REPORT – 19 September 2013

No	Meeting Date	Document Number	Report Title/Item Title	Officer	Resolution or Action	Status
1	11/10/2012	1363000	The Cliffs – Battery Observation Post	Alec Louverdis	<p><u>THAT</u> Council give approval for staff to initiate resource consent proceedings to either remove or stabilise the Battery Observation Post from Council Road Reserve in the vicinity of No. 36 the Cliffs as a matter of urgency;</p> <p><u>AND THAT</u> should the New Zealand Transport Agency deem that removal of the Battery Observation Post is the only option, that staff proceed with the removal of the structure;</p> <p><u>AND THAT</u> all costs incurred in this matter be funded from provision set aside for the 2011 December Rainfall Event Recovery budget in the current financial year.</p>	<p><b>19/09/2013</b> Work scheduled to take place between October 2013 and January 2014. The Observation Post remains stable.</p>
2	21/02/2013	1414571	High-Productivity Motor Vehicle Routes	Rhys Palmer/ Paul Harrington	<p><u>AND THAT</u> approval be granted on the following routes for the use of High-Productivity Motor Vehicles, subject to satisfactory public engagement with residents along the route:</p> <ul style="list-style-type: none"> <li>• Bolt Road (Golf Haven Way to Parkers Road)</li> <li>• Saxton Road (Main Road Stoke to Nayland Road);</li> </ul> <p><u>AND THAT</u> approval be granted on the following route for the use of High-Productivity Motor Vehicles, subject to satisfactory structural assessments:</p>	<p><b>19/09/2013</b> Public engagement with residents carried out March to April 2013 and the Regional Transport Committee informed.</p> <p>Awaiting staff investigation on structural assessments before approving additional routes.</p>



No	Meeting Date	Document Number	Report Title/Item Title	Officer	Resolution or Action	Status
					<ul style="list-style-type: none"> <li>Main Road Stoke (910 Main Road Stoke (Alliance) to Saxton Road);</li> <li>Pascoe Street (Quarantine Road to Orion Street)</li> </ul> <p><u>AND THAT</u> approval be granted on the following route for the use of High-Productivity Motor Vehicles, subject to satisfactory public engagement with residents along the route and a satisfactory structural assessment:</p> <ul style="list-style-type: none"> <li>Parkers Road (Bolt Road to State Highway 6);</li> </ul>	
3	8/08/2013	1564305	Heart of Nelson Strategy – The Way Forward	David Jackson	<p><u>AND THAT</u> the Chief Executive commence engagement with City Centre stakeholders regarding future priorities for implementation;</p> <p><u>AND THAT</u> the results of the stakeholder engagement and recommendations are reported back to the incoming Council at the earliest opportunity.</p>	<b>19/09/2013</b> A report will come in the new Council term.
4	8/08/2013	1551364	Proposed Road Stopping – 68 Renwick Place	Jennie Kaye-Wood	<p><u>AND THAT</u> the Chief Executive be delegated the authority to proceed with the road stopping of 27m<sup>2</sup> of unformed legal road (part of Locking Street road reserve) adjoining the southern boundary of 68 Renwick Place (LOT 1 D P 2941), and to sell that land to the adjoining owners as an amalgamated title, subject to the outcome of the public consultation required under the Local Government Act 1974, and the owners of 68 Renwick Place pay:</p>	<b>19/09/2013</b> Applicant has paid deposit for road stopping and valuation process is underway.

No	Meeting Date	Document Number	Report Title/Item Title	Officer	Resolution or Action	Status
					<ul style="list-style-type: none"> <li>▪ an initial administration fee of \$600 plus GST;</li> <li>▪ the value of the land as assessed by a registered valuer;</li> <li>▪ all costs associated with the road stopping which may include valuation costs, legal costs, survey costs, Land Information New Zealand costs, public notification costs, hearing costs and/or consultants, Environment Court hearing costs and administration costs in excess of the \$600 deposit referred to above.</li> </ul>	

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## GOVERNANCE STATUS REPORT –19 September 2013

No	Meeting Date	Document Number	Report Title/Item Title	Officer	Resolution or Action	Status
1	13/10/2011	1172883	Policy on Directors Rotation	Hugh Kettlewell	<p><u>AND THAT</u> a policy on Directors' rotation be written for consideration by the Joint Shareholders Committee;</p> <p><u>AND THAT</u> the Joint Shareholder's Committee, in amending the Director's policy, include an upper limit on the number of terms that a director may serve.</p>	<p><b>19/09/2013</b> A recommendation to approve this policy is included on the agenda for the Joint Shareholders Committee on 13/9/13.</p>
2	16/07/2013	1496320	Establishing a District Licensing Committee	Mandy Bishop	<p><u>AND THAT</u> the Chief Executive advertise for expressions of interest from suitably qualified persons and report back to a future Council meeting a list of persons available to be the chairperson and list members of the Nelson City Council District Licensing Committee for the Council's consideration and approval;</p> <p><u>AND THAT</u> the Delegation Register is amended as part of the required post-election review to reflect this decision.</p>	<p><b>19/09/2013</b> A list of persons seeking appointment to the DLC will be provided to the new Council for approval.</p>

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## POLICY AND PLANNING STATUS REPORT – 19 September 2013

No	Meeting Date	Document Number	Report Title/Item Title	Officer	Resolution or Action	Status
1	19/02/2013	1439024	Local Alcohol Policy	Jenny Hawes	<p><u>THAT</u> a draft Local Alcohol Policy be developed on the basis of the significant benefits, including:</p> <ul style="list-style-type: none"> <li>• communities having a greater say on local alcohol licensing policy</li> <li>• guidance and greater certainty for all those involved in the liquor licensing process</li> <li>• a fit for purpose policy on the sale and supply of alcohol</li> </ul> <p><u>AND THAT</u> the scope of the draft Local Alcohol Policy should cover all of the matters permitted under s77 of the Sale and Supply of Alcohol Act 2012;</p> <p><u>AND THAT</u> Nelson City Council indicates a desire to work with other Councils on the development of local alcohol policy(ies) and the Mayor be requested to seek agreement from the Mayors of Tasman District Council and Marlborough District Council to work collaboratively to develop local alcohol policy(ies) for the Top of the South Councils.</p>	<p><b>19/09/2013</b> At its meeting on 6 August 2013, Council considered and approved a draft Local Alcohol Policy for public consultation. Consultation opened on 8 August and closes on 16 September 2013. Submissions will be heard and deliberated on as soon as possible after the local body election.</p> <p>TDC's consultation has closed. MDC is running to a slower timetable.</p>
2	18/07/2013	1540806	Saxton Creek Flood Protection	Phil Ruffell	<p><u>AND THAT</u> the proposals for future channel upgrading works by Nelson City Council be developed in conjunction with Tasman District Council with appropriate funding requirements identified in the Draft Annual Plan 2014/15;</p> <p><u>AND THAT</u> wherever possible, future upgrade works take into consideration any relevant issues raised as part of the Plan Change 18 process.</p>	<p><b>19/09/2013</b> Engineering consultant has been engaged to prepare stream upgrade plan for discussion with affected land owners. Plan expected by 15 October 2013.</p> <p>Meeting held with TDC 6</p>

No	Meeting Date	Document Number	Report Title/Item Title	Officer	Resolution or Action	Status
						August 2013. Negotiations stalled with landowner for gravel removal resource consent.
3	18/07/2013	1319150	Lewis Stanton – Follow Up Report	Alec Louverdis	<u>AND THAT</u> Council meet with Mr Stanton’s lawyers to clearly communicate the outcomes of all resolutions regarding freedom camping; <u>AND THAT</u> the Chief Executive be requested to meet with staff and relevant central government officials to consider if any other options can be identified to deal with the situation.	<b>19/09/2013</b> Options continue to be explored.
4	29/08/2013	1565592	Earthquake Fault Lines	Martin Workman /Matt Heale	<u>THAT</u> the report Earthquake Fault Lines (1565594) and its attachments (1567575 and 1201892) be received, and considered further when consultation has been completed.	<b>19/09/2013</b> Consultation is on-going.
5	29/08/2013	1585543	Trafalgar Centre – Way Forward Updated	Alec Louverdis	<u>AND THAT</u> Council commission an independent peer review of all reports, including consideration of safety matters.	<b>19/09/2013</b> Officers are in the process of commissioning the peer review.
6	29/08/2013	1550983	Stormwater, Trade Waste and Water Supply Bylaws	Phil Ruffell	<u>AND THAT</u> in accordance with section 156 of the Local Government Act 2002 Council revokes the Nelson City Council Bylaw No 212 Stormwater Bylaw 2006; <u>AND THAT</u> reference in the Nelson Resource Management Plan to the Stormwater Bylaw 2006 be reassessed as part of the Nelson Resource Management Plan review process;	<b>19/09/2013</b> Work will be assessed as part of 2013/14 work programme.

No	Meeting Date	Document Number	Report Title/Item Title	Officer	Resolution or Action	Status
					<p><u>AND THAT</u> in accordance with section 156 of the Local Government Act 2002 Council commences the process to make a Wastewater Bylaw. Such Bylaw to come into effect prior to the completion of the revocation of the existing Nelson City Council Bylaw No 214 Trade Waste.</p> <p><u>AND THAT</u> in accordance with section 158 of the Local Government Act 2002 Council commences the process to review the Nelson City Council Bylaw No 217 Water Supply 2008.</p>	
7	29/08/2013	1561385	The Brook Area Walking and Cycling Improvements	Rhys Palmer	<p><u>AND THAT</u> a second round of engagement with the Brook area community be undertaken during September 2013 with the results reported back to Councillors.</p>	<p><b>19/09/2013</b> The letters of consultation were sent out week commencing 9 September to residents of Brook Valley. It is also on the Council's website and appeared in the last issue of Live Nelson.</p>





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## Minutes of a meeting of the Nelson Regional Sewerage Business Unit

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

On Friday 5 July 2013, commencing at 1.04pm

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Present: D Hiser (Chair), Nelson City Councillors P Matheson and D Shaw, Tasman District Councillor G Glover, Tasman District Council Representative M Higgins, P Wilson (Customer Representative), M Hippolite (Iwi Representative)

In Attendance: Nelson City Council Engineering Adviser (J Thiart), Nelson City Council Administration Adviser (E-J Ruthven)

### 1. Interests

There were no updates to the Interests Register, and no conflicts of interest with any agenda items were declared.

### 2. Confirmation of Order of Business

There was no change to the order of business.

### 3. Confirmation of Minutes

#### 3.1 15 March 2013

Document number 1481176, agenda pages 7-17 refer.

It was noted that, in the first paragraph of page 4 of the minutes, the word 'entirely' should be substituted by the word 'entirety'.

Resolved

***THAT the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 15 March 2013, be confirmed as a true and correct record, with the amendment as noted.***

Higgins/Hiser

Carried

Attendance: Councillor Glover joined the meeting at 1.10pm.

There was a brief discussion regarding the Bell Island Environmental Development Plan suggestion that the Joint Committee consider establishing a wildlife corridor through the area of Bell Island ear-marked for future pond development.

A suggestion was made that a wildlife corridor could be put in place until such time that the land was needed for pond development. The majority view was that this issue had been well canvassed at the previous meeting at which a decision not to establish a wildlife corridor had been taken, and that any potential change to the decision should follow the notice of motion process.

3.2 6 May 2013

Document number 1504320, agenda pages 18-19 refer.

Resolved

***THAT the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 6 May 2013, be confirmed as a true and correct record.***

Higgins/Shaw

Carried

**4. Status Report – 5 July 2013**

Document number 950967 v20, agenda pages 20-22 refer.

Resolved

***THAT the Status Report (950967 v20) be received.***

Hiser/Shaw

Carried

**5. Checklist**

There was a discussion regarding the proposed Board Workshop in August. Mr Thiart explained that the new contractor would attend the workshop to explain the process of benchmarking, and to discuss the plant's performance and management, and the development of a model to determine the capacity of the plant. He added that the workshop would also facilitate a process of reviewing the Strategic Plan. Ms Hiser asked that the contractor be requested to provide specific suggestions on the specific recommendations for implementing benchmarking within the NRSBU, rather than a broad and theoretical presentation.

There was general agreement that it would be useful for an external facilitator to encourage a critical review of the Strategic Plan, and that customers should also be invited to take part in the workshop.

There was a discussion regarding potential dates for the workshop. It was agreed that the workshop should take place on Tuesday 30 July,

starting at 11.00am, and that Friday 9 August should be held as an alternate date.

## **6. Chairperson's Verbal Report**

Ms Hiser explained that she had met with the Chief Executives of both Councils, and had attended the Joint Shareholder Committee meeting on 5 April 2013 to present the Unit's Annual Report and Business Plan. She added that she had presented to each Council the Joint Committee's decision to award the Operations and Maintenance Contract to Nelmac.

## **7. Staff Report – 5 July 2013**

Document number 1409653, agenda pages 23-37 refer.

Mr Thiart spoke to the report.

### **7.1 Contributor Flow Meters**

Mr Thiart said that Alliance was currently installing its new flow meter, and that Nelson Pine Industries was expecting to do likewise by the end of August 2013.

### **7.2 Awarding of Operation and Maintenance Contract**

Mr Thiart noted the new contract with Nelmac would be operative from 1 October 2013.

A suggestion was made that senior representatives from Nelmac be invited to an upcoming meeting to meet Joint Committee members.

### **7.3 Disposal of Trade Waste Agreement**

Mr Thiart explained Alliance's request to decrease its contracted loads. He said that both Councils were considering taking up the additional load to increase capacity to 100%.

### **7.4 Orphanage Creek Pipeline Reinstatement**

Mr Thiart described the damage that occurred to the Orphanage Creek Pipeline during the April 21 rainfall event. He said that repair work was underway, and would cost approximately \$95,000. He added that fish passage was being accounted for during repair work, and that the large number and variety of fish found to be in the stream during the course of repair work had surprised Council officers.

### **7.5 Audit 30 June 2012 Management Report**

Mr Thiart noted that Mike Drummond, Corporate Services Manager Tasman District Council, was continuing to develop a Treasury Policy.

## 7.6 Customer Contingency Plan Review

Mr Thiart noted that customers were no longer requested to stop pumping during storm events, because the network now coped with large wet weather flows.

## 7.7 Health and Safety

Mr Thiart explained that Nelson City Council was responsible for the health and safety aspects of Business Unit projects.

## 7.8 Operations and Maintenance Contract

Mr Thiart described the damage to the Airport pump station. He said a new pump had been ordered at a cost of approximately \$192,000. He explained the remedial works using parts of the old Saxton pump pending the new pump's arrival, and noted that the Saxton pump would be held as a spare for any future pump failure.

In response to a question, Mr Thiart explained that the pump's life expectancy was 20 years, and the failed pump was approximately 21 years old. He added that an investigation was considering whether the pump's maintenance schedule had been adhered to. The Committee discussed likely maintenance requirements going forward, and Mr Thiart noted that the relevant section of the Operations and Maintenance Manuals could be reviewed by the new contractor.

In response to a further question, Mr Thiart explained that Nelson City Council Executive Manager Network Services, Alec Louverdis, had delegated authority to authorise expenditure for the new pump.

## 7.9 Biosolids Contract

Mr Thiart explained that the biosolids capacity was running at approximately 53%, and explained the use of the primary clarifier to receive as much sludge as possible prior to entering the ponds. The Committee discussed the importance of the long-term budgetary implications of removing sludge to Rabbit Island, also noting that this was an environmentally sensitive way of dealing with sludge.

It was noted that Tasman District Council was currently undertaking a Parks and Reserves Review, and the Committee noted the importance of feeding into the Rabbit Island Management Plan that was likely to arise from this review.

In response to a question, Mr Thiart explained that there was capacity to divert sludge to other forestry blocks, but that the transport costs to do so were expensive. The Committee expressed a desire to consider at the workshop a cost/benefit analysis of diverting sludge to Rabbit Island, rather than to landfill, and to consider options for the sludge currently in the ponds. The Committee also expressed a desire to consider the

possibility of diverting sludge to other nearby forestry blocks in the future.

#### 7.10 Level of Service

The Committee discussed the pump station overflow that occurred during the April 21 rainfall event. Mr Thiart explained that this had occurred as a result of a power outage, following which only one of two pumps re-started in emergency mode.

There was also a discussion regarding BOD levels, and Mr Thiart explained the preferred use of CBOD measures to give accurate readings. However, he noted that current CBOD readings were still tracking at a higher level than total BOD readings from 2009; and suggested that the Committee would need to be mindful of pond capacity in the coming years.

#### 7.11 Performance

Mr Thiart explained that, with the new pipe and pump station upgrades completed, the plant was now using less energy.

#### 7.12 General

In response to a question, Mr Thiart explained that fencing around the waahi tapu sites on Bell Island had been examined and found to be in good condition.

Resolved

***THAT the Staff Report – 5 July (1409653) be received.***

Hiser/Glover

Carried

### 8. Treatment Plant: A-Train

Document number 1540942, agenda page 38 refers.

Mr Thiart explained that removal of the A-Train roof had uncovered damage in the form of rust and distortion, caused by a storm some years ago.

It was noted that the figure in the recommendation should be \$804,000.

Resolved

***THAT the Executive Manager Network Services be authorised to approve a variation to the sludge tank upgrade and renewal work to a value not exceeding \$80,000 bringing the total cost of the work to \$804,000.***

Higgins/Shaw

Carried

Attendance: The meeting adjourned for afternoon tea from 2.43pm to 2.58pm

**9. Nelson Regional Sewerage Business Unit:  
Customer Survey.2012/13**

Document number 1540469, agenda pages 39-42 refer.

The Joint Committee noted the Customer Survey results. Mr Thiant suggested that he arrange to meet customers in between the quarterly Joint Committee meetings, in order to better understand the customers' needs, and there was general agreement with this initiative.

There was a brief discussion regarding consideration of the risks of any customers leaving the scheme.

Resolved

***THAT the Nelson Regional Sewerage Business Unit: Customer Survey 2012/13 (1540469) be received, noting officer suggestions for improvement.***

Shaw/Glover

Carried

**10. Construction Index**

Document number 1540460, agenda pages 43-46 refer.

Mr Thiant explained that the Construction Index was based on figures provided by Statistics New Zealand. He said that the index would be used to adjust the valuation for the coming year.

Surprise was expressed at the level of decrease in the Pipeline Index, however it was confirmed that the March Index was required to be used and, short of a corrective publication by Statistics New Zealand, the figures identified should be used.

Resolved

***THAT the Nelson Regional Sewerage Business Unit Construction Index for the 2012/13 valuation be set as follows:***

- ***Pipeline:*** -6.26%
- ***Electrical:*** 2.25%
- ***Mechanical:*** -1.66%
- ***Civil:*** 1.19%
- ***Structural:*** -2.85%;

***AND THAT no peer review of the valuation be required following the use of the NRSBU Construction Index.***

Higgins/Matheson

Carried

**11. Finance report**

Document number 1419497 v11, agenda pages 47-48 refer.

Resolved

***THAT the Nelson Regional Sewerage Business Unit: Financial report (1419497 v11) be received.***

Glover/Shaw

Carried

**12. Exclusion of the Public**

Resolved

***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><b>Nelson Regional Sewerage Business Unit – Public Excluded Minutes – 15 March 2013</b></p> <p>These minutes confirmed the public excluded minutes of the Nelson Regional Sewerage Business Unit meeting of 14 December 2012, and otherwise contain information</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>

Nelson Regional Sewerage Business Unit  
5 July 2013



	regarding:		
	Re-testing of the regional pipeline and consideration of liquidated damages.		Section 7(2)(b) <ul style="list-style-type: none"> <li>To protect information that may disclose a trade secret or the commercial position of a person</li> </ul>
<b>2</b>	<b>Nelson Regional Sewerage Business Unit – Public Excluded Extraordinary Minutes – 6 May 2013</b>  These minutes contain 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:
	The tender of an operation and maintenance contract.		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>

Matheson/Glover

Carried

The meeting went into public excluded session at 3.12pm and resumed in public session at 3.15pm.

### 13. Confirmation of Public Excluded Minutes

In public excluded session, the meeting confirmed the public excluded minutes of the meetings of 15 March 2013 and 6 May 2013.

Resolved

***THAT the minutes of the part of a meeting of the Nelson Regional Sewerage Business Unit, held with the public excluded on 15 March 2013, be confirmed as a true and correct record.***

Glover/Hiser

Carried

Resolved

***THAT the minutes of the part of a meeting of the Nelson Regional Sewerage Business Unit, held with the public excluded on 6 May 2013, be confirmed as a true and correct record.***

Glover/Shaw

Carried

Nelson Regional Sewerage Business Unit  
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**14. Re-admittance of the Public**

Resolved

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

Glover/Shaw

Carried

There being no further business the meeting ended at 3.15pm.

Confirmed as a correct record of proceedings:

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

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## Minutes of a meeting of the Nelson Youth Council

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

On Wednesday 10 July 2013, commencing at 1.02pm

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Present: Fraser Malpas (Chairperson), John Gibson, Chloe Rumsey, Kaimana Gallop, Moorea Smithline, Petra Higgins, Alex Doggett, Carla Lindley, Lucy Upton, Chelcie-Mei Phillips, Harry Tod-Smith, Joseph Cotton, Charlie Norton, Blake Hornblow, Kassianna Barrett-Hemi, and Teone McGregor

In Attendance: Councillors K Fulton and P Rainey, Rachael Large (Social Wellbeing Adviser), and Shailey McLean (Administration Adviser)

Apologies: Cambria Doyle, Dana Fulton, Samantha Stephens, and Michaela Blackman (Festival Co-ordinator)

### 1. Apologies

The apologies were noted.

### 2. Confirmation of Minutes

7 June 2013

Document number 1527860, agenda pages 4-8 refer.

Resolved

***THAT the minutes of a meeting of the Nelson Youth Council, held on 7 June 2013, be confirmed as a true and correct record.***

Gibson/Tod-Smith

Carried

### 3. Sonic and Masked Parade

Rachael Large said that Michaela Blackman, Festival Coordinator, would bring a list of jobs for this event back to Youth Council.

### 4. Youth Volunteer Awards

Jacqui Irwin, Volunteer Nelson Coordinator, joined the meeting. She asked for feedback on the awards and suggestions for future events.

Youth Councillors said that the event had improved on previous years and that the Council Chamber had worked well as the venue. Suggestions were made that an inspirational speaker could be beneficial and additional seating was needed. The group supported the earlier starting time, as well as continued youth input in the running of the event.

There was a discussion on the future of the event and suggestions were made that youth volunteers could be recognised in Live Nelson, newspapers and through the Mayor's Bouquet. Some support was also shown for youth to be recognised in front of their peers, potentially through school.

There was a discussion on the age range for award eligibility, with some support for lowering the maximum age.

## **5. Local Body Election 2013**

Rachael Large spoke about electoral roll requirements, on request from Marie Elliott, Registrar of Electors, and advised that she had forms available to handout to those who were eligible. She said that Generation Zero had requested a discussion about Youth Council involvement in encouraging voting, as there were historically low numbers of youth voting in Nelson.

There was some support for voting education in senior schools, with several Youth Councillors agreeing to discuss ideas with other Year 13 students.

Ms Large said that elections were on 12 October, and suggested that any initiatives take place closer to then. A suggestion was made that candidates could be invited to present to schools.

Councillor Rainey said that approximately 50% of eligible voters voted and that a focus could be on a simple message to increase this rate. Councillor Fulton suggested that youth may want to organise a meet the candidates to ask questions about the upcoming local body election.

There was a discussion on the thought that a number of youth were planning to leave Nelson for further education, so may not be interested in voting.

## **6. Amendment to Speed Limits Bylaw**

Moorea Smithline, Alex Doggett, Charlie Norton and Kassiana Barrett-Hemi confirmed that they were available to speak to the Youth Council submission on the Amendment to the Speed Limits Bylaw at the hearing on 16 July.

## **7. Constitution Conversation Submission**

Carla Lindley summarised the process to date for the Youth Council submission to the Constitution Conversation.

Resolved

***THAT the Youth Council submission to the Constitution Conversation (1547576) be received.***

Doggett/Phillips

Carried

## **8. Youth Council Facebook Page**

Due to Samantha Stephens' absence this item was not discussed.

## **9. Top of the South Forum**

Teone McGregor, Kaimana Gallop, Carla Lindley, Kassianna Barrett-Hemi, John Gibson, Chloe Rumsey, Harry Tod-Smith, Chelcie Phillips, Joseph Cotton, Blake Hornblow, Alex Doggett and Petra Higgins indicated they were interested in attending the Top of the South Forum.

## **10. Nelson 2060 Feedback and Adoption**

Kaimana Gallop spoke about the outcome of the Youth Council submission to Nelson 2060. She summarised an email received with suggested changes relating to the submission.

## **11. Trustpower Community Awards**

Kassianna Barrett-Hemi spoke about the Trustpower Community Awards night on 29 July at 5.30pm at Seifrieds Vineyard. Fraser Malpas, Carla Lindley, Alex Doggett, Blake Hornblow, Kaimana Gallop, Chelcie-Mei Phillips and Lucy Upton indicated they would like to attend. Rachael Large advised that only two others could attend, so agreed to select names randomly at a later time.

## **12. Council Meeting**

### **12.1 Community Services meeting - 25 June 2013**

Chelcie-Mei Phillips and Charlie Norton summarised the recent Council Community Services meeting.

### **12.2 Infrastructure meeting - 27 June 2013**

John Gibson and Joseph Cotton summarised the recent Council Infrastructure meeting. There was a discussion about the sugary carbonated drinks report which would be presented to Council on 16 July. Councillors Rainey and Fulton provided further details on the background and purpose of the report.

The idea was raised that it may not be the role of local government to create policy in this area. It was also added that these types of beverages were the only ones being targeted as they had no nutritional value whatsoever.

The majority of the Youth Council were in support of the recommendation to develop a policy on sugary carbonated drinks, and it was agreed that Mr Gibson and Mr Cotton present this view when they attended the 16 July meeting.

### **13. Trading in Public Places Bylaw**

David Jackson, Principal Adviser City Development, joined the meeting and presented city images (1546432) and tabled a survey (1535962).

Mr Jackson spoke about the current streetscape of Nelson and asked Youth Council to think about how strict Council should be in terms of trading in public places and to consider the type of city they wanted.

Mr Jackson added that the review was not due until next year, but that he was interested in feedback from the Youth Council. It was agreed that this topic would be included on the agenda for the next meeting.

### **14. General Business**

Councillor Fulton spoke about the creative community process for the Buxton Toilet improvements, and tabled an invitation to the planning day on 24 August (1552499).

Councillor Rainey and Lucy Upton spoke about a conference at NMIT occurring on 11 July where they would be presenting on the topic of local government.

Chloe Rumsey handed out invitations to a climate change event on 18 July (1552497).

Rachael Large reminded the group about election forms and award certificates, and spoke about the new access cards for Council and a change of regular meeting rooms. She said that the Executive Manager Community Services was now Hugh Kettlewell, and there was support from the group for Mr Kettlewell's attendance at a Youth Council meeting.

Councillor Rainey spoke about the vision for the Hub Trust and advised that he would bring this to a Youth Council meeting for discussion.

There being no further business the meeting ended at 2.42pm.

Confirmed as a correct record of proceedings:

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