



# AGENDA

**Ordinary meeting of the**

**Nelson City Council**

**Thursday 19 June 2014  
Commencing at 9.00am  
Council Chamber  
Civic House  
Trafalgar Street, Nelson**

Membership: Her Worship the Mayor Rachel Reese, Councillors Luke Acland, Ian Barker, Ruth Copeland, Eric Davy, Kate Fulton, Matt Lawrey, Brian McGurk, Paul Matheson (Deputy Mayor), Gaile Noonan, Pete Rainey, Tim Skinner, and Mike Ward

## 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. Public Forum

### 4. Confirmation of Minutes – 27, 28 and 29 May 2014 6-45

Document number A1197671

Recommendation

***THAT the minutes of the meeting of the Nelson City Council – to deliberate on submissions to the draft Annual Plan 2014/15, held on 27, 28 and 29 May 2014, be confirmed as a true and correct record.***

### 5. Mayor's Report 46-51

Document number A1204249

Recommendation

***THAT the Mayor's Report (A1204249) and its attachment (A1204269) be received;***

***AND THAT the membership of the Woodburner Working Party be Councillors Acland (chair), McGurk, Fulton, and Barker;***

**AND THAT the draft Terms of Reference for the Woodburner Working Party (A1204269) be adopted.**

**6. Adoption of the Final Annual Plan 2014/15 52-53**

Document number A1205057

Recommendation

**THAT the final Annual Plan 2014/15 (A1205451) be adopted.**

Note: Attachment 1 to this report, Annual Plan 2014/15, is circulated as a separate document.

**7. Trafalgar Centre – Way Forward to Reopening 54-58**

Document number A1176948

Recommendation

**THAT the report Trafalgar Centre – Way Forward to Reopening (A1176948) be received;**

**AND THAT Council confirm that any plans for a Northern end extension will not progress to the scale indicated in the 2012/22 LTP;**

**AND THAT Council approve up to \$450,000 to appoint a project manager, who will drive the investigation process necessary to inform the preparation of concept design and deliver first iteration plans to Council;**

**AND THAT the brief for this project manager to manage this project from this point to reopening of the Trafalgar Centre be approved by the Mayor, Chair and Deputy Chair of Works and Infrastructure Committee, and tendered publicly;**

**AND THAT the project manager work within the ambit of Council's procurement policy (noting that this allows for exceptional circumstances such as specialist skill, or knowledge already gained to obviate public tendering of consultancy services);**

**AND THAT expenditure be funded from existing provisions in the current 2013/14 and 2014/15 capital budgets.**

**8. Maitai Walkway Project – Variance Update**

**59-64**

Document number A1205072

Recommendation

**THAT the report Maitai Walkway Project – Variance Update (A1205072) and its attachment (A1205436) be received;**

**AND THAT Council note the reasons for the variance in expenditure;**

**AND THAT Council provide a clear direction as to how to proceed with this project, i.e. either:**

- **Continue to complete the physical works and fund the shortfall of up to \$526,680 in the upcoming 2014/15 Annual Plan; or**
- **Stop the works and make the site fit-for-purpose at an estimated cost of \$2.5 Million (being Council's full cost).**

**9. Delivery of Projects – Internal Review**

**65-66**

Document number A1205287

Recommendation

**THAT the report Delivery of Projects – Internal Review (A1205287) be received;**

**AND THAT Council note the Chief Executive is commissioning a review of internal project management capability with a view to ensuring the successful delivery of projects.**

**10. Budget Funding for External Advice for Chief Executive's Employment Committee 67-68**

Document number A1204687

Recommendation

***THAT the report Budget Funding for External Advice for Chief Executive's Employment Committee (A1204687) be received;***

***AND THAT expenditure of up to \$10,000 (from within existing budgets) be approved for the engagement of an external advisor to assist the Chief Executive's Employment Committee for the 2014/15 year.***

**11. Civic Assurance Annual General Meeting 2014 69-70**

Document number A1198607

Recommendation

***THAT Council votes against the proposed increase in directors' Fees at the Civic Assurance Annual General Meeting on 23 June 2014.***

**12. Schedule of Documents Sealed 71-72**

Document number A1152020

Recommendation

***THAT the Schedule of Documents Sealed (A1152020) be received.***

**Note:**

- **Youth Councillors Carla Lindley and Sophie Ross will be in attendance at this meeting.**

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## Minutes of a meeting of the Nelson City Council

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

On Tuesday 27 May 2014, commencing at 9.06am

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- Present: Her Worship the Mayor (R Reese), Councillors L Acland, I Barker, R Copeland, E Davy, K Fulton, M Lawrey, B McGurk, P Matheson, G Noonan, P Rainey, T Skinner, and M Ward
- In Attendance: Chief Executive (C Hadley), Acting Group Manager Strategy (N McDonald), Chief Financial Officer (N Harrison), Group Manager Infrastructure (A Louverdis), Manager Communications (A Ricker), Senior Accountant (T Hughes), and Administration Advisers (L Laird and E-J Ruthven)
- Apologies: Councillors R Copeland and L Acland for lateness

### Opening Prayer

Councillor Skinner gave the opening prayer.

#### 1. Interests

No updates to the Interests Register were made, and no conflicts with agenda items were declared.

#### 2. Apologies

Resolved

***THAT apologies be received and accepted from Councillor Copeland, Councillor Acland for lateness, and Councillors Davy, Matheson and Rainey for early departure.***

Her Worship the Mayor/Noonan

Carried

#### 3. Confirmation of Order of Business

Resolved

***THAT the item regarding Report on draft Annual Plan 2014/15 Submissions and Further***

**Information 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 Council to deliberate on submissions in a timely manner.**

Davy/McGurk

Carried

**4. Additional Submissions to draft Annual Plan 2014/15**

Document number A1190899, agenda pages 4-15 refer.

Resolved

**THAT the report Additional Submissions to draft Annual Plan 2014/15 (A1190899) and its attachment (A1190952) be received;**

**AND THAT the additional submissions in A1190952 to the draft Annual Plan 2014/15 be accepted.**

McGurk/Ward

Carried

**5. Hearing of Submissions**

5.1 Ann Ross, agenda page 6 refers.

Ms Ross spoke about a 500m section of footpath on lower Songer Street and tabled a document (A1193153) illustrating the area.

She encouraged the Council to connect the footpath where the paving ceased. She added that it was a busy section of road, and a properly constructed footpath would assist pedestrians and other users in the area.

**6. Confirmation of Minutes**

6.1 27 February 2014

Document number A1149289, agenda pages 16-32 refer.

Resolved

**THAT the minutes of a meeting of the Nelson City Council, held on 27 February 2014, be confirmed as a true and correct record.**

Davy/Barker

Carried

Council Minutes – to deliberate on submissions to the draft Annual Plan 2014/15 – 27, 28 and 29 May 2014

6.2 14-15 May 2014

Document number A1186406, agenda pages 33-60 refer.

Resolved

***THAT the minutes of a meeting of the Nelson City Council – to Hear Submissions to the draft Annual Plan 2014/15, held on 13 and 14 May 2014, be confirmed as a true and correct record.***

Noonan/McGurk

Carried

## **7. Report on draft Annual Plan 2014/15 Submissions and Further Information**

Document number A1183685, late item refers.

### 7.1 Transport

#### 7.1.1 Regional Cycling Framework

Senior Asset Engineer – Transport and Roading, Rhys Palmer joined the meeting. In response to a question, the Chief Executive advised that there was not enough resource within the current staffing levels to provide support administrative support to the Regional Cycling Forum.

It was agreed that the Council should still support this Forum in recognition of the importance of the work being undertaken. It was noted that Councillor McGurk would attend the forum meeting when scheduled.

In response to questions about the review of the Cycle Strategy, Mr Palmer said the Strategy was out of date however he advised that cycling was better dealt with in the Transport Activity Management Plan and the Regional Land Transport Strategy.

Resolved

***THAT Council convey its support for the establishment of the Nelson Tasman Cycle Forum and look for opportunities to collaborate with the Forum as it seeks to enhance the environment for cycling in the Nelson Tasman region.***

Her Worship the Mayor/Davy

Carried

#### 7.1.2 Linkages

There was a discussion about the purpose of the Tahuna cycleway, and Mr Palmer commented that the current investigation was mainly for

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commuter access. He said it was unlikely the Council would get 'R' funding for a recreational route.

Mr Palmer further added that the proposed Rocks Road cycle connection could connect with the Great Taste Trail, and this would be considered as a part of the Parks and Facilities Asset Management Plan. It was noted that this issue required further consideration at a later point in this meeting.

#### 7.1.3 Bikefest

There was a discussion about the Events Fund and whether the Council should resolve to request that the fund evaluators waive the applicable dates for applications and consider this event even though it fell outside the required period. The Chief Executive advised that the Council could approach the Economic Development Agency and encourage the evaluators to take into consideration a broader set of criteria about the whole process in light of the submission from Bikefest.

Councillors noted they would like clarification about the funding sought from Bikefest. It was agreed this submission would be considered later in the meeting.

#### 7.1.4 Matangi Awhio Walkway

Upon discussion, officers advised that the land upon which the walkway was situated belonged to Wakatu Incorporation, and that they supported Council re-instating the walkway. There was general agreement that the walkway was well-used by the community.

Mr Palmer said the proposed investigation would assess options and alternatives based on geotechnical advice before the Council decided to re-instate the walkway. He further noted that the recommendation in the report was intentionally broad to allow any information that arose in the course of the investigation to be reported back to the Council.

Attendance: Councillor Acland joined the meeting at 9.55am

Resolved

***THAT an investigation be undertaken into options for reinstating walkway access from the bottom at Haven Road to Stanley Crescent and the results reported to the Works and Infrastructure Committee.***

Fulton/Her Worship the Mayor

Carried

#### 7.1.5 Railway Reserve Lighting

The Council discussed the high costs associated with lighting the Railway Reserve. Mr Palmer said it was possible to undertake lighting

in sections, starting in the CBD and moving out. Mr Palmer said when providing lighting for cyclists there were standards required of the Council.

There was general support for addressing this in a staged approach. Officers advised that this work should be included in asset/activity management plans as appropriate.

#### 7.1.6 Rocks Road Cycle/Walkway

Mr Palmer confirmed that there was sufficient budget in the Annual Plan to ensure the next stage continued, including the increased scope of the project.

#### 7.1.7 Bridge Street Enhancement

In response to questions, the Group Manager Infrastructure, Alec Louverdis said officers were having discussions with retailers about what would be required of them once the next stage of the project started. He added that there was a project manager to oversee enhancements required by business owners.

Mr Louverdis confirmed that there was approximately \$200,000 extra earmarked for this project, resulting in the total budget of about \$400,000.

#### 7.1.8 Individual Transport Submissions

The meeting considered each of the individual transport submissions in turn.

##### Submission 6, Dominic Alford

The Council discussed the traffic related safety issues raised in the area outlined in the submission. Mr Palmer advised that it would be better to properly consider slow speed zones through a whole residential zone rather than one small section of a single street in isolation. For this reason, Mr Palmer advised considering safety improvements in this area through the next Long Term Plan.

There was agreement from the Council that a shared zone approach was preferable. In response to questions, Mr Palmer noted that there were a number of areas of the city that encountered similar safety issues, and that they would all be considered together.

##### Submission number 21, Garry Woodgate

Mr Palmer advised that the safety issues outlined in the submission presented a similar problem as the previous submission, and that the area in question should be added to the list for shared zone consideration. There was general agreement that no action should be taken and that the submitter should be informed that shared zones across the city would come back to Council for consideration.

Submission number 26, Peter Winfield

Mr Palmer outlined the proposed Stoke foot hills study, and said the project would cover the larger Marsden Valley/Ngawhatu areas of high growth.

It was agreed that the submitter should be informed of the project's timeline in line with the Long Term Plan.

In response to further questions, Mr Palmer advised there were standards that restricted a compulsory stop at a roundabout.

Submission numbers 79, 80, 81, 87, 97

Councillors supported the advice provided by officers as in the report.

Attendance: the meeting adjourned for morning tea from 10.40 to 10.55am.

Submission number 136 and 137, David Smythe

It was noted that the response to the submitter should say grade separated crossing points 'have' not been considered due to high cost.

Councillors agreed that responses to submitters should include other information relevant to the concerns of the submitter.

Submission number 144, Paul Anderson

It was noted that the figures used by the submitter were out of date and had been superseded. It was agreed that the submitter should be informed of this, and that the information in the Urbacity report was not able to be amended.

Mr Palmer added that the Urbacity report only took into account some specific areas, which did not include the area of concern to the submitter.

Submission number 160, Suzi Campbell

There was general consensus with the advice provide in the report, yet councillors agreed the submitter should be informed of the timeline for the Transport Activity Management Plan.

Regarding traffic speeds on Dodson Valley, it was agreed to forward the concerns of the submitter to the Police for enforcement. It was also agreed that Live Nelson could be used to promote the issue in the community.

Mr Palmer said it was possible to make some improvements to the bus stop on Atawhai Crescent. He also added that it was possible to move the location of the speed reader to aid future investigations into a low speed zone and that these issues would be reported to a future Works and Infrastructure Committee meeting.

Attendance: Councillor Copeland joined the meeting at 11.15am.

Submission number 167, Candy Eason

It was noted that the Rocks Road walking and cycling project would not consider the section of Rocks Road between the Crop and Food building and the CBD. Mr Palmer said it was possible that the Regional Transport Programme and the Rocks Road shared pathway project would consider this.

There was general agreement from the Council that this should be addressed through the Annual Plan 2014/15. Mr Palmer said the scoping report to extend the study area would cost about \$11,000. It was noted that this figure be included in the draft Annual Plan 2014/15 to progress the extended project.

Late submission number 2, Tahunanui Business Association

The Council discussed the transport related concerns raised in this submission and agreed with officers comments.

Resolved

***THAT Council approves the officer recommendations for submissions 6, 21, 26, 87, 97, 136, 137, 144, 160, 167, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, and L6 in Attachment 1 (A1192953).***

Noonan/Davy

Carried

- 7.2 Waste Water
- 7.2.1 Individual Wastewater Submissions

Submission number 24, Jesse White

It was noted that the Mayor would send a letter to businesses located on the site of the channel to encourage them to take an active role in clearing the channel of rubbish.

Officers advised that work to cover over the culvert was expensive and was not in any activity/asset management plan.

Resolved

***THAT Council approves the officer recommendations for submission 24 in Attachment 1 (A1192953).***

Davy/Acland

Carried

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7.3 Stormwater and Flood Protection

Tod Valley Stream and Wakapuaka Sandflats

Submission numbers 157, 172 and 175

Mr Louverdis advised that officers were in the process of securing resource consent to clear out the drains and public waterways in that area as a matter of urgency.

The Council was in general agreement to bring forward the programmed future upgrade of the stormwater network in the Wakapuaka Flats area from 2022, to minimise any flood risk to the area. The Council also expressed their preference for investigating options for addressing the flooding issues with Boulder Bank Drive.

There was a discussion about the flood gates in the area and officers advised that it was the responsibility of the Council to ensure these are functional. Mr Louverdis further advised that officers checked the flood gates after every rain event and routinely every month. He further added that the flood gates had been found propped open by other people.

In response to questions about levels of risk during major rain events, Mr Louverdis said it would be prudent to plan for a 1 in 100 year event in the area.

Resolved

***THAT \$50,000 be allocated in the draft Annual Plan 2014/15 to begin work with affected parties on options for an upgrade of the stormwater network through the Wakapuaka flats from Glen Road to Boulder Bank Drive.***

Davy/Rainey

Carried

7.3.1 Maitai River Weir

Attendance: Councillor Noonan declared an interest and left the meeting for the duration of this item.

The Council discussed the history associated with the weir. Officers advised that this was a complicated issue and a weir could not be constructed in isolation. Council expressed an interest in further exploring this issue at a later point.

7.3.2 Individual Stormwater and Flood Protection Submissions

Late submission number 15

Officers advised that the area of concern from the submitter was not on the priority list, mostly because it was a natural hillside and not a

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public drain. It was noted that this submission may need to be re-considered later in the meeting based on any further information that officers could provide.

Resolved

***THAT Council approves the officer recommendations for submissions 11, 14, 139, L5 and L15 in Attachment 1 (A1192953).***

Copeland/Davy

Carried

7.4 Environment

7.4.1 Maitai River

Acting Group Manager Environment, Greg Carlyon, joined the meeting and presented the Council with a breakdown of the budget associated to the Maitai River project for the 2014/15 year.

Upon discussions, officers advised that work around the effect of subdivisions on the health of the river, and other associated pieces of work, would be picked up through the course of the project.

It was noted that the budget included \$40,000 for community engagement and that groups like the Friends of the Maitai might be able to apply for some of this funding, instead of to the Community Assistance fund.

Mr Carlyon said officers would check if schools other than Victory School had the opportunity to participate in the project. He added that involvement by schools was to be based on delivery, not only education.

There was a discussion about the proposed budget for this work. Officers advised that this was a sufficient budget at present, as the project would feed into further work programmes at a later point. It was also noted that the project should remain deliverable, which it currently was.

Attendance: the meeting adjourned for lunch from 12.49pm to 1.30pm, and during this Councillor Acland left the meeting.

7.5 Additional Submission – submission number 211

A memo was tabled (A1194121) outlining an additional submission to be considered (submission number 211, relating to category 7, Parks and Active Recreation).

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Resolved

***THAT the additional submission (submission 211) to the draft Annual Plan 2014/15 be accepted.***

Her Worship the Mayor/Matheson

Carried

7.6 Air Quality

It was acknowledged that a separate review process was intended to be carried out in relation to air quality, and that this process would be explained in the response to submitters.

7.6.1 Individual Environment Submissions

The meeting considered each of the individual environment submissions in turn.

Submission 1, Nelson Environment Centre

It was noted that the Nelson Environment Centre had applied for Community Assistance funding, and had subsequently made a presentation to the Community Services Committee regarding the Food Security for Nelson Project.

It was further noted that the Nelson Environment Centre had applied to the Ministry for the Environment for funding for the project.

Councillors discussed the submission and a variety of views were expressed. Councillors in favour of including funding in the Annual Plan 2014/15 noted that the project linked well with the goals of the Nelson 2060 strategy, and could leverage off other environmental initiatives, such as Ecofest. Other councillors expressed support in principle for the project, but suggested that it was more appropriate to consider funding it once the outcome of the application to the Ministry for the Environment was known.

A minority of councillors disagreed with supporting the project in any form. Several councillors also expressed discomfort with considering Annual Plan funding for projects that had previously been considered and not funded through the Community Assistance fund.

Resolved

***THAT, subject to the Nelson Environment Centre's application for Ministry for the Environment funding for the Food Security for Nelson project being successful, that a report be brought back to Council on options for ways forward to support the project.***

Copeland/Fulton

Carried

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Attendance: Councillor Matheson left the meeting at 2.02pm.

Submissions 8, 9, 33, 38, 58, 71, 72, 91, 95 and 124

The meeting considered each of these submissions in turn, and noted that the issues had already been considered, or otherwise endorsed the officer comments as set out in document A1192953.

Submission 134, GE Aware Nelson

In response to a question, the Chief Executive reminded councillors that the review of the Nelson Plan was a separate process to the development of the Annual Plan 2014/15. She encouraged councillors against predetermining any issue that should be considered during a separate process.

It was agreed that the submitter be advised that the issue could be considered during the review of the Nelson Plan.

Submissions 138, 176, and 179

The meeting considered each of these submissions in turn, and endorsed the officer comments as set out in document A1192953.

Submission 196, Vastuved International Inc

It was agreed that the submitter's attention should be drawn to work underway to reinvigorate the central business district, including noting opportunities for inner city living.

Submission 200, EECA

There was a discussion regarding the submitter's suggestion of a voluntary rates scheme regarding home insulation. In response to a question, Chief Financial Officer, Nikki Harrison, explained that schemes such as this were considered to be a rate, and would require consultation through the development of the Long Term Plan 2015-2025.

Attendance: Councillor Acland returned to the meeting at 2.10pm.

It was agreed that this issue should be deferred to consideration through the Long Term Plan 2015-2025.

Submission L1, GreenXchange Limited

There was a discussion regarding the submitter's proposals regarding methods for dealing with commercial greenwaste. It was agreed that the submitter's ideas warranted further consideration, although it was unclear at this stage whether an officer report would be required. It was agreed that Councillor Ward would approach the submitter to request further information, and that this should be included in the response to the submitter.



Submitter L12, Michelle McLean

With regards to the parts of the submission relating to urban design provisions, it was noted that these would be able to be considered through the review of the Nelson Plan.

Attendance: Councillor Davy left the meeting at 2.27pm.

Resolved

***THAT Council approves the officer recommendations as amended, in principle, for submissions 1, 8 9, 38, 58, 71, 72, 95, 124, 134, 176, 179, 196, 200, and L1 and L12 in Attachment 1 (A1192953).***

Ward/Fulton

Carried

7.7 Social including Arts and Heritage

7.7.1 Nelson School of Music

In response to a question, Acting Group Manager Strategy, Nicky McDonald, explained that a further report would come to Council regarding the deliverables expected from the Nelson School of Music and the timeframe for achieving these. She confirmed that the closure of the Nelson School of Music buildings had altered activities there, and that the requirement for deliverables was to ensure the provision of budget met the public good outcomes as specified in the Local Government Act 2002.

Resolved

***THAT an allocation of \$100,000 be made in the Annual Plan 2014/15 for the purchase of outcomes from the Nelson School of Music, subject to approval of a timetable of deliverables by Council through a subsequent report.***

Her Worship the Mayor/Ward

Carried

7.7.2 Theatre Royal

Councillors endorsed the comments in the officer report (A1183685).

7.7.3 Arts Council Funding

Councillors discussed the activities of the Arts Council Nelson. Several Councillors expressed support for an increase in Arts Council funding, noting that funding levels had not changed for a long time, and that the Arts Council already achieved more than required under its Community Assistance contract.

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There was a discussion regarding whether it was appropriate to move Arts Council funding from the Community Assistance pool, and instead provide a separate budget line within the Annual Plan to support Arts Council activities. It was clarified that by doing so, the Community Assistance pool would decrease by the \$40,000 per year currently allocated to the Arts Council, and instead this would be allocated as a line item within the annual budgets.

There was a further discussion regarding whether the Arts Council would be appropriately placed to administer the Arts Fund contained within the draft Annual Plan 2014/15.

It was agreed that this item should lie on the table until the following day, to allow officers the opportunity to gather further information including Arts Council finances, current contract achievements, and appropriate on-going funding levels for the Arts Council.

Attendance: Councillor Rainey left the meeting at 2.51pm.

#### 7.7.4 Refinery Gallery Earthquake Strengthening

It was noted that officers recommended renewal of the lease for the Refinery Gallery building, but no earthquake strengthening.

Attendance: Councillor Copeland left the meeting at 2.54pm.

There was a discussion regarding funding for Kahurangi Employment Trust, and whether this was best achieved through Community Assistance funding or other means.

It was noted that any further discussion regarding whether the Kahurangi Employment Trust should be funded to run a community art gallery was more appropriate to be held through the development of the Long Term Plan 2015-2025.

#### 7.7.5 World War I Commemorations

In response to a question, Acting Group Manager Strategy, Nicky McDonald, advised that the proposed inclusion of \$50,000 for World War I commemorations was for activities in 2015, and was separate to funding for a commemorative sculpture in Marsden Cemetery. It was noted that the amount was provisional, and activities to commemorate World War I may not require the full amount.

Resolved

***THAT funding of \$50,000 be included in the draft Annual Plan 2014/15 to be used for WWI commemorations as necessary.***

Her Worship the Mayor/Barker

Carried

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### 7.7.6 Community Assistance Fund

In response to a question, Ms McDonald explained the proposed changes in process, which would remove officer assessments of applications being conveyed prior to the hearings.

Councillors discussed the submission, and noted the benefits of receiving officer advice regarding whether applications met Council outcomes. It was noted that applications for funding consistently outweighed the amounts of funding available, and that the requirement for at least 10% of the pool to be made available for one-off grants left an even smaller pool of money available for community contracts.

There was general agreement that, during the Community Assistance process, it was important to consider selecting a smaller number of applicants and provide a level of funding that would allow projects to be successful, rather than providing a lower level of funding to a greater number of applicants.

### 7.7.7 Bikefest (Continuation)

Councillors returned to discuss the submission regarding Bikefest, and in particular, whether the submitter was best directed to the Community Assistance Fund or the Events Fund in order to progress Bikefest.

There was general agreement that the proposed project was outside the scope of the Community Assistance fund, and that the submitter was best directed to apply to the Events Fund, even though the proposed event fell outside the timeframes currently noted for the Events Fund. The Chief Executive was asked to indicate to the Economic Development Agency that a broad view should be taken with regards to the timing of this event, as it profiled well for Nelson and had the potential to develop in the future.

### 7.7.8 Individual Social, Arts and Heritage Submissions

#### Submission 27, Nelson Symphony Orchestra

It was noted that the \$50,000 budget towards World War I commemorations could provide a potential source of funding.

#### Submissions 49 and 50, Gaye Bloomfield and Fynn Sawyer

There was a discussion regarding toilets at the Tahunanui Reserve. In response to a question, the Chief Executive explained that soap had previously been provided in the toilet blocks there, but issues had arisen with freedom campers removing all soap on a regular basis. She said that discussions were underway with the cleaning contractors to assess solutions for providing soap in these toilets.

During discussions, it was noted that simple actions could be taken to make the toilet blocks more inviting, such as plantings outside. It was suggested that conversations could be had with the Tahunanui community regarding simple actions that could improve the amenity value of the toilet blocks, but it was otherwise noted that the issue may be better addressed during the development of the Long Term Plan 2015-2025.

Submission 63, Carleen Reich-Simko

It was agreed that the submitter's ideas regarding 'Welcome to Nelson' signs and landscaping around the Buxton Toilets could be forwarded to the Nelson Arts Council.

Submission 74, 76, 85, 98, 99, 109, 122, 132, 140, 146, 165, 169, 190, 192, 197 and 199

The meeting considered each of these submissions in turn, and noted that the issues had already been considered, or otherwise endorsed the officer comments as set out in document A1192953.

Submission L4, Larisse Hall

The officer comments in document A1192953 were noted. It was further suggested that the Nelson Arts Council could be involved in connecting artists with property owners, and that a Live Nelson article could also encourage such connections.

It was further noted that the Suter Gallery was actively pursuing an alternative presence in the CBD, and that the submitter should be advised of this.

Resolved

***THAT Council approves the officer recommendations in principle for submissions 27, 49, 50, 74, 146, 192, and L4 in Attachment 1 (A1183986).***

Lawrey/Noonan

Carried

Attendance: The meeting adjourned for the day at 3.32pm

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## Minutes of a reconvened meeting of the Nelson City Council

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

On Wednesday 28 May 2014, commencing at 9.08am

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Present: Her Worship the Mayor (R Reese), Councillors L Acland, I Barker, R Copeland, E Davy, K Fulton, M Lawrey, B McGurk, P Matheson, G Noonan, P Rainey, T Skinner, and M Ward

In Attendance: Chief Executive (C Hadley), Acting Group Manager Strategy (N McDonald), Group Manager Infrastructure (A Louverdis), Chief Financial Officer (N Harrison), Manager Communications (A Ricker), Senior Accountant (T Hughes), and Administration Adviser (E-J Ruthven)

Apologies: Councillor L Acland for lateness, and Councillors M Lawrey and P Rainey for early departure

### **8. Report on draft Annual Plan 2014/15 Submissions and Further Information (Continuation)**

#### **8.1 Arts Council Funding (Continuation)**

The meeting returned to discuss funding of the Nelson Arts Council. Acting Group Manager Strategy, Nicky McDonald, explained that following further discussions with the Nelson Arts Council, it appeared that operational funding of \$70,000 was an appropriate amount with which the Arts Council could successfully operate and deliver community outcomes.

Attendance: Councillor Copeland joined the meeting at 9.13am

Councillors discussed potential funding levels for the Arts Council, and there was general agreement that it was appropriate to provide a budget line of \$70,000 in the Annual Plan 2014/15 for the Arts Council Nelson for provision of services, and that a further report should be provided to the Community Services Committee detailing the services to be delivered.

During discussion, several councillors voiced concerns that the Arts Council was a regional body, yet Tasman District Council provided only \$4000 in funding each year. Councillors encouraged officers to ensure that the provision of services by the Arts Council Nelson was significantly weighted towards the Nelson area to recognise the imbalance in funding between the two Councils. In response to a

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question, Ms McDonald explained that the current community contract was weighted towards activities in the Nelson area.

Resolved

***THAT a provision of \$70,000 be provided for in the Annual Plan 2014/15 for the Arts Council Nelson for provision of services.***

Matheson/Noonan

Carried

It was further clarified that no decision would be made regarding allocation of the \$125,000 of capital funding in the Arts Fund as included in the draft Annual Plan, including any role that may be provided by Arts Council Nelson, until the further report had been brought back to the Community Services Committee.

## 8.2 Refinery Gallery Earthquake Strengthening (Continuation)

There was a further discussion regarding the Kahurangi Employment Trust's operation of the Refinery Art Gallery.

Several councillors noted that with the closure of the Suter Gallery for refurbishment, there would be few art spaces available in the city, and there was a discussion regarding whether Council should provide funding to the Refinery Art Gallery as a community gallery. In response to a question, Ms McDonald explained that officers would discuss the relationship between the Kahurangi Employment Trust and the Arts Council Nelson and whether this relationship could provide direction for the future of the Refinery Art Gallery.

Attendance: Councillor Acland joined the meeting at 9.29am.

Councillor Fulton, seconded by Councillor Rainey, moved a motion

*THAT an allocation of \$30,000 be made in the Annual Plan 2014/15 for the purchase of outcomes from the Kahurangi Employment Trust, subject to approval of a timetable of deliverables by Council through a subsequent report.*

There was a discussion regarding whether the proposed motion responded to the submission.

Attendance: The meeting adjourned from 9.43am to 9.51am.

The mover and seconder withdrew the motion with the leave of the meeting.

Councillor Fulton, seconded by Councillor Matheson moved a motion

*THAT a provision of \$15,000 be made in the Annual Plan 2014/15 for the Kahurangi Employment Trust to*

*provide the refinery as a community artspace, subject to a report back to the Community Services Committee.*

Councillors debated the motion, with several querying whether the proposed amount was sufficient to support the Refinery as a community artspace. Other councillors queried whether operating a community artspace was an appropriate function of Kahurangi Employment Trust.

There was general agreement amongst councillors that, should the motion succeed, it would be expected that Kahurangi Employment Trust would not apply for further Community Assistance funding. It was further noted that the motion called for a provision of \$15,000 at this stage, and that a further report would come to the Community Services Committee prior to this funding being confirmed.

Resolved

***THAT a provision of \$15,000 be made in the Annual Plan 2014/15 for the Kahurangi Employment Trust to provide the refinery as a community artspace, subject to a report back to the Community Services Committee.***

Fulton/Matheson

Carried

8.3 Parks and Active Recreation

8.3.1 Trafalgar Centre

Councillors endorsed the comments in the officer report (A1183685).

8.3.2 Modellers Pond

Group Manager Infrastructure, Alec Louverdis, spoke to the report. He said that further costing work had been carried out, which had identified that \$120,000 would be sufficient to carry out the works required in order to install fish into the Modeller's Pond. He clarified that this amount would not include any work to change the margins or shape of the pond, nor any beautification work to the area, but that the Modellers' Clubs had indicated an interest in assisting with such work. He added that on-going operational costs would still be incurred in order to maintain the pond.

There was a discussion regarding use of fish in the Modeller's Pond. In response to questions, Mr Louverdis clarified that the species of fish had been chosen specifically as they tolerated brackish water well. He said that Grey Mullet and Parore were native fish species, and that Iwi, the Department of Conservation, and Fish and Game New Zealand had been consulted by Nelmac, with no issues being raised regarding using the fish in this manner.

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Mr Louverdis added that the fish grew to a sufficient size to prevent predation from birds, but would not be suitable for fishing. He said that the fish did not require shade in the same way that other species might. He added that the fish breeders were confident that these species would eat the algae and weed in the pond, but that the particular types of weed were endemic to the Modeller's Pond, and as such the use of these fish species to treat weed issues had not been tested elsewhere.

Councillor Rainey, seconded by Councillor Noonan moved a motion

*THAT Staff be tasked to prepare a report that:*

- 1. Acknowledges the importance of the modellers area to Tahunanui, and investigates a comprehensive redevelopment of modellers pond area to include a landscaped picnic area, a new, improved and attractive railway station/ticket office for the model railway and the associated infilling of the modellers pond.*
- 2. Acknowledges the needs of the model boating fraternity and investigates the construction of a new but modest pier designed to facilitate Radio Controlled Yachting and boating at Monaco, with the provision of a small boat and motor for the retrieval of craft in peril.*
- 3. Acknowledges the model plane association and gives permission for, and a contribution towards the construction of an all-weather roadway to lead to the Radio Controlled airplane area at Wakapuaka flats.*

Councillors discussed the motion.

In response to a question, Mr Louverdis said that the motion suggested a large amount of work, which would take some time to carry out, may require receiving external advice, and would likely require consultation to take place. He said that in the meantime, the Modeller's Pond would still need to be maintained.

There was a discussion regarding stormwater management, and how this would be managed if the Pond were to be filled in. In response to a question, Mr Louverdis explained that an area in the pond vicinity would still need to be provided for stormwater discharge from the Centennial Road pump station prior to release into the estuary, and that the estimated costs for filling in the pond took this into account. In response to further questions, he said that stormwater did not affect the level of weed and algae in the pond, as the pond was susceptible



to these in any event, and that implementing a wetland treatment area would impact on space and cost.

In response to further questions, Mr Louverdis said that the pond depth was appropriate for Model yachts to be sailed there, but that the weed and algae created issues for model boat users. He said that model boat users were happy with the proposed solution utilising fish.

During discussion of the motion, it was questioned whether a pier at Monaco would be appropriate for modellers to use, and whether it was appropriate to consider the Wakapuaka sandflats in the context of the Modeller's Pond submissions.

Attendance: The meeting adjourned for morning tea from 10.54am to 11.08am, during which time Councillor Barker left the meeting.

In response to a question, Mr Louverdis confirmed that the Modeller's Pond had no heritage listing within the Nelson Resource Management Plan.

There was a discussion regarding the on-going operational costs associated with using fish in the pond. In response to questions, Mr Louverdis explained that the annual operational costs were likely to be in the order of \$60,000, and would include depreciation, topping the pond up with fresh water due to evaporation, fish replacement and on-going cleaning and maintenance costs. He added that the actual on-going maintenance costs would likely vary each year, depending on weather conditions.

With the leave of the meeting, the mover and seconder withdrew the motion, and substituted it with an amended motion:

*THAT Staff be tasked to prepare a report that*

- 1. Acknowledges the importance of the modellers area to Tahunanui, and investigates a redevelopment of the Modeller's Pond area including infilling of the Modeller's Pond.*
- 2. Acknowledges the needs of the model boating fraternity and investigates the construction of alternative facilities to the Modeller's Pond.*
- 3. And undertakes a trial of using fish in the Modeller's Pond in the meantime.*

Councillors discussed the motion and a variety of views were expressed. Councillors in favour of the motion noted that issues with the pond had been on-going for many years, and that submissions were weighed in favour of filling the pond in. Councillors against the motion suggested that using fish was an innovative solution that

should be trialled, and that if it did not succeed other options could then be investigated, including filling the pond in.

The motion was put and a division was called:

Councillor Acland	Aye
Councillor Barker	Apology
Councillor Copeland	No
Councillor Davy	No
Councillor Fulton	No
Councillor Lawrey	Aye
Councillor Matheson	No
Councillor McGurk	Aye
Councillor Noonan	Aye
Councillor Rainey	Aye
Councillor Skinner	No
Councillor Ward	No
Her Worship the Mayor	No

Resolved

***THAT an allocation of \$120,000 is made in the Annual Plan 2014/15 for the introduction of fish, improving water quality in the pond and minor improvements to amenity value of the Modeller's Pond area.***

Her Worship the Mayor/Matheson

Carried

Attendance: Councillor Davy left the meeting at 11.33am, and Councillor Barker returned to the meeting at 11.33am.

### 8.3.3 Stoke/Greenmeadows

Councillors endorsed the comments in the officer report (A1183685).

### 8.3.4 Brook Camp

Councillors endorsed the comments in the officer report (A1183685).

### 8.3.5 Aquatic Facility

Councillors discussed the submission. It was noted that the issues regarding water sports at the marina were complex, and involved a number of different groups. In response to a question, Mr Louverdis suggested that the most appropriate way to explore solutions to the issues raised was through the Properties and Facilities Asset Management Plan process.

It was suggested that low-cost interim storage options should be progressed where possible.

Resolved

***THAT the needs of water sports groups be progressed through the Asset Management Plan process, with consideration given to the wider uses of the land in the marina area.***

Her Worship the Mayor/Fulton

Carried

### 8.4 Marina

It was noted that officers were working through issues raised by the submitter.

### 8.5 Hardstand

In response to a question, Mr Louverdis advised that the allocation of \$50,000 was to provide for an additional hardstand area of approximately 300m<sup>2</sup>, in order to ensure that 3500m<sup>2</sup> of hardstand area at the Port was provided. He clarified that the remaining 3200m<sup>2</sup> was the current Dickson marine hardstand area.

During discussion it was noted that councillors would prefer that a publicly-owned hardstand area be developed as a community facility, and it was agreed that this should be further considered through the development of the Long Term Plan 2015-2025.

Attendance: The meeting adjourned from 11.56am to 12.02pm.

***THAT Council confirms its wish to develop a publicly available marina hardstand, with officers to prepare through the Property and Facilities Asset Management Process, with the intention of implementation taking place in the 2015/16 financial year;***

***AND THAT no variation to the resource consent be sought.***

Rainey/Fulton

Carried

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Attendance: Councillor Davy returned to the meeting at 12.02pm.

It was noted that other issues relating to the marina would be discussed later in the meeting.

## 8.6 Individual Parks and Active Recreation Submissions

Submissions 2, 5, 7, 10, 12, 19, 22, 28, 30, 31, 39, 40, 42, 43, 44, 45, 46, 47, 51, 52, 53, 59, 62, 64, 65, 66, 67, 73, 89, 102, 104, 107, 108, 113, 116, 127, 128, 129, 143, 145, 151, 152, 153, 183, 186, L8, L9, L10, L11 and L13

The meeting considered each of these submissions in turn, and noted that the issues had already been considered, or otherwise endorsed the officer comments as set out in document A1192953.

### Submission 17, Timothy Wright

Councillors discussed the submitter's request for a recreational cycle link through Tahunanui around the edge of the Tahuna Bach Camp, golf course and airport, linking in to the Great Taste Trail.

In response to questions, Parks and Facilities Asset Planner, Andrew Petheram, explained that this proposal was best developed through the Asset Management Plan process. He said that, while current walking tracks existed around the camp and the airport, there was no such track around the golf course. He added that no discussions had taken place with airport as yet on this topic.

Councillors expressed support for progressing a recreational cycle trail in this manner where possible, thereby linking the Great Taste Trail into Nelson city.

### Submission 93, Nelson Model Aero Club

It was noted that this was a long-standing request for an all-weather accessway on the Wakapuaka Sandflats. Several councillors noted that a road was already in place, and that the Model Aero Club wished to improve the road.

In response to questions, Mr Petheram explained that the Wakapuaka Sandflats were an important ecological area, and that a development plan for the area should be in place prior to any permanent or semi-permanent development occurring. He said that officers would need to bring a report back to Council on the issue, and that officers' advice may well be that there should be no such road in a valuable ecological site.

It was agreed that Councillors should consider this issue in greater detail through the Asset Management Plan process.

Submission 125, Paul Fisher

It was noted that it was possible for a coffee cart concession to be awarded outside of Riverside Pool, however no one had expressed an interest in doing so.

Attendance: The meeting adjourned for lunch from 12.34pm to 1.13pm.

Submission 148, Addo Mulders Sr

Councillors recognised the importance of installing a hearing loop in Stoke Hall, but noted that earthquake strengthening issues must be addressed prior to considering this further.

Submission 164, Sport Tasman

Councillors discussed the submission. It was noted that Sports Tasman were involved in managing bookings at Saxton Stadium since the closure of the Trafalgar Centre, and that there were both sporting and non-sporting events scheduled to be held there. The importance of developing a governance structure for the Saxton Field facilities was emphasised, and it was noted that this was on the current work programme.

There was a discussion regarding the submitter's request for an artificial turf. In response to a question, Mr Petheram explained that artificial turf facilities were useful, especially during wet weather, but that installation costs meant that it was not a priority at the current time.

It was further noted that Nelson College had suggested development of an artificial turf, along with a community-based gym and swimming pool area, and was looking to progress this project in partnership with others. It was suggested that the submitter's attention be drawn to this proposal, and advised that Council would be interested in hearing from all parties if the proposal were able to be advanced.

There was a further discussion regarding the lease of Sports House, and Sport Tasman's request to sub-lease the upstairs area as a gym or physiotherapy space. In response to a question, Mr Louverdis confirmed that Sports Tasman was currently paying a commercial lease on Sports House, but had requested a community lease. He said that moving to a community lease would have an impact on rates.

Councillors noted that Sports Tasman was largely run on a commercial model, that governance of Saxton Field assets should be advanced as a priority, and that the request for a community lease not be approved.

With regards to the request to sub-lease upstairs rooms at a community rate, Mr Louverdis explained that the submitter wanted to sub-lease the rooms to gym/physiotherapy operators at a commercial

rate, and that this was not consistent with their desire to lease them from Council at a community rate.

It was agreed that, if Council were of the mind to lease the rooms out, that Council should be the lessor, and Sport Tasman would be free to indicate their interest but would not be given priority over any other parties. Officers further noted that leases of vacant buildings needed to be advertised.

Councillors indicated that they were in agreement with officers continuing discussions with Sports Tasman on this matter. It was further agreed that Her Worship the Mayor, and Councillors Skinner and Rainey should follow this matter up with Sports Tasman with regards to Sport Tasman's relationships with Council.

#### Submission 174, Erik Lind

In response to questions, Mr Petheram explained that there were other areas in the city for which playground development was a higher priority. He explained that playground development took into account natural features, and aimed to provide an interactive environmental area.

A suggestion was made that service clubs could work with parks staff to assist with playground development.

#### Submission 181, Nelson Surf Life Saving Club Inc

Councillors discussed the submission, and noted concerns regarding the design elements of the proposed building. The importance of ensuring design sympathetic with the beach environment was emphasised.

It was agreed that the issue was most appropriately considered through the development of the Long Term Plan 2015-2025.

#### Submission 187, Nelson Marina Berth Holders' Association Inc

Councillors discussed the submission. In response to a question, Mr Petheram said that the number of liveboards was currently capped at three per pontoon due to the level of onshore facilities available to service liveboards.

It was agreed that the submitter's suggestion that profits from the operation of the marina should be returned to the marina was unfeasible, given that the marina operation was let through a commercial tender process.

It was suggested that there were a number of issues to be considered regarding the marina area, and that it would be beneficial to have a separate Council workshop regarding this area, prior to consideration of the Properties and Facilities Asset Management Plan process.

Resolved

***THAT Council approves the officer recommendations in principle for 17, 22, 93, 125, 148 164, 174, 181, L8, L9, L10, L11, and L13.***

Acland/Ward

Carried

## 8.7 Economic

### 8.7.1 Property Assets Review

Attendance: Councillor Rainey declared an interest and did not take part in any discussion of this item.

Councillors discussed the request from the Youth and Community Trust for assistance with a youth specific venue that could house events and services. A suggestion was made that where possible, such a venue should be within or nearby to Nelson Marlborough Institute of Technology.

In response to a question, Mr Louverdis explained that there were no further Council facilities available at this point.

### 8.7.2 Digital Strategy

There was a discussion regarding the Chamber of Commerce's request for Council to establish a digital strategy. Councillors noted that a digital strategy highlighted opportunities for economic development and discussed the benefits of a digital strategy to the city.

It was further noted that, if Nelson were to progress in the Gigatown Competition, a digital strategy would form a major part of the next round of the competition. It was suggested that members of the community involved in the Gigatown competition would likely be willing to volunteer time towards the development of such a strategy.

In response to a question, Chief Financial Officer, Nikki Harrison, confirmed that there was approximately \$18,000 available in the special economic development fund.

It was agreed that Her Worship the Mayor would contact the Economic Development Agency with a view to moving forward with the development of a digital strategy, and that Council support could come directly from the special economic development fund, rather than a provision within the Annual Plan 2014/15 being required.

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8.7.3 Individual Economic Submissions

Submissions 3, 35, 70, 110 and 120

The meeting considered each of these submissions in turn, and noted that the issues had already been considered, or otherwise endorsed the officer comments as set out in document A1192953.

Submission 4, Josephine Lauria

It was clarified that the submitter's property was a commercial property. Councillors agreed with the officer comments set out in document A1192953.

Attendance: Councillor Lawrey left the meeting at 2.43pm.

Submission L14, Uniquely Nelson

It was noted that \$15,000 provided in the draft Annual Plan for free wifi in the Nelson city centre was insufficient, and that the cost would be approximately \$18,000 plus on-going costs of approximately \$1500 per month. It was clarified that the increased amount took into account the on-going monthly costs. It was further clarified that the submitter would cap Council's contribution at the increased amount.

Resolved

***THAT provision of funding in the Annual Plan 2014/15 for wifi in the central business district be increased to \$18,000.***

Her Worship the Mayor/Copeland

Carried

Resolved

***THAT Council approves the officer recommendations in principle for submissions 3, 4, 35, 70, 110 and 120 in Attachment 1 (A1183986).***

Davy/McGurk

Carried

Attendance: The meeting adjourned for afternoon tea from 3.05pm - 3.12pm.

8.8 Corporate

8.8.1 Individual Corporate Submissions

Submissions 13, 15, 16, 20, 29, 32, 36, 41, 54, 56, 57, 68, 69, 105, 118 and 150

Councillors discussed the proposed upgrade to the Bank Lane canopy. In response to a question, Group Manager Infrastructure, Alec



Louverdis, explained the history relating to the Bank Lane canopy and the proposed upgrade.

Councillors agreed in principle with the proposed upgrade, but asked that consideration be given through the Transport Asset Management Plan to enhancing the floor of the lane with wooden decking.

#### 8.8.2 Separately Used or Inhabited Parts of a Rating Unit (SUIP)

Councillors discussed the submission. It was noted that bed and breakfast operators catering for four or less guests were not rated commercially, and the officer recommendation sought to clarify that kitchen facilities in guest rooms should not alter this distinction.

Councillors discussed the officer recommendation and a variety of views were expressed. Those in favour noted that all small-scale bed and breakfast operators should not be rated in a similar manner, regardless of whether there were kitchen facilities were present in the guest room. Those against the recommendation noted that bed and breakfast operators were commercial businesses otherwise competing with motel and hotel units, and should be rated accordingly.

Resolved

***THAT the definition of Separately Used or Inhabited Parts of a Rating Unit (SUIP) be changed to exclude "a bed and breakfast room with or without kitchen facilities".***

Her Worship the Mayor/Ward

Carried

Attendance: The meeting adjourned for the day at 3.29pm.

Council Minutes – to deliberate on submissions to the draft Annual Plan  
2014/15 – 27, 28 and 29 May 2014

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## Minutes of a reconvened meeting of the Nelson City Council

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

On Thursday 29 May 2014, commencing at 9.02am

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- Present: Her Worship the Mayor (R Reese), Councillors I Barker, R Copeland, E Davy, K Fulton, M Lawrey, B McGurk, P Matheson, G Noonan, P Rainey, T Skinner, and M Ward
- In Attendance: Chief Executive (C Hadley), Acting Group Manager Strategy (N McDonald), Group Manager Infrastructure (A Louverdis), Chief Financial Officer (N Harrison), Manager Communications (A Ricker), Senior Accountant (T Hughes), and Administration Adviser (E-J Ruthven)
- Apologies: Councillor L Acland, and Councillor T Skinner for lateness

### 8.8.3 Individual Corporate Submissions (continued)

#### Submissions 55, 75, 86, 111, 171, and 195

The meeting considered each of these submissions in turn, and noted that the issues had already been considered, or otherwise endorsed the officer comments as set out in document A1192953.

#### Submissions 77, 78, 82, 90 and 135

Councillors discussed the request for video links to Council meetings. It was noted that Mainland TV had been approached for a quote to provide video link services, but that this had not yet been received.

Councillors indicated an interest in progressing video links to Council meetings, and agreed it was prudent to make a provision within the Annual Plan 2014/15 for this purpose.

Resolved

***THAT provision of \$15,000 be made in the Annual Plan 2014/15 to provide for video links to Council meetings if feasible.***

Her Worship the Mayor/Noonan

Carried

Council Minutes – to deliberate on submissions to the draft Annual Plan 2014/15 – 27, 28 and 29 May 2014

Submissions 114 and 115, Andrew Dunlop

It was noted that the submitter should be advised that Council was unable to rate churches.

It was agreed the submitter be informed that judicial review was the only process available of reviewing consent decisions. It was noted that Council was obliged to adhere to the terms of the Resource Management Act, and that if the submitter had any further concerns, he could consider writing to his local Member of Parliament.

Attendance: Councillor Copeland joined the meeting at 9.12am.

Submission 147, Addo Mulders

It was suggested that Council had an advocacy role with the airport, and could raise with the airport the submitter's request that the runway be extended.

Attendance: Councillor Skinner joined the meeting at 9.15am.

Submitter 185, Richard King

It was agreed that painting the Civic House Clock Tower was not a priority at this point in time.

Attendance: Councillor Fulton joined the meeting at 9.17am.

Submission 119, Dean Walker

There was a discussion regarding the Te Tau Ihu Sustainability Forum, and suggestion was made that the forum could provide a community interface to progress the Nelson 2060 Strategy.

It was agreed that Council was able to provide the Council Chamber as a venue for the Sustainability Forum, where available, but there were insufficient resources to take over administration and minute taking for the forum. It was further suggested that the Sustainability Forum consider what role it could play in assisting Council to deliver on projects, and that its community interface role with regards to the Nelson 2060 Strategy be further considered during development of the Long Term Plan 2015-2025..

Resolved

***THAT Council approves the officer recommendations in principle for submissions 13-16, 20, 29, 32, 36, 41, 54-57, 68, 69, 75, 77, 78, 82, 86, 90, 105, 111, 114, 115, 118, 119, 135, 147, 150, 171 and 185 in Attachment 1 (A1183986).***

Her Worship the Mayor/Matheson

Carried

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8.9 Multiple

8.9.1 Individual Multiple Submissions

Submissions 18, 23, 25, 48, 84, 94, 103, 106, 117, 121, 123, 131, 149, 155, 156, 158, 159, 161, 162, 163, 166, 170, 177, 178, 182, 188, 191, 193, 198A, 198B, 211, L3, and L7

Attendance: Councillor Noonan declared an interest and did not take part in any of the discussions relating to Submission 103, Nelson Greypower Association.

The meeting considered each of these submissions in turn, and noted that the issues had already been considered, or otherwise endorsed the officer comments as set out in document A1192953.

Submission 37, Doreen Morrison

It was agreed that the words 'for low value assets' should be removed from the officer comments in document A1192953.

Submission 61, Paul Harrington

Councillors discussed the submitter's desire for an artwork to be installed in Washington Valley, and it was noted that seed funding may be available through the Arts Fund. It was agreed to leave further consideration of this until later in the meeting.

There was a further discussion regarding artwork for the Civic House clock tower, and a suggestion was made that a light projection could be a suitable instalment. It was noted that Councillor Copeland and Rainey could consider further options for the clock tower and bring ideas back to the relevant Council committee if appropriate.

Attendance: Councillors Davy and Fulton left the meeting at 9.32am.

Submission 83, Nelson Youth Council

Councillors discussed the various ideas put forward by the Nelson Youth Council. With regards to Opera in the Park, it was noted that the name of the event had previously been changed, and following public feedback, had been changed back to Opera in the Park. It was agreed that the name of the event be re-considered during the planning for the next event.

With regards to summer internships, Acting Group Manager Strategy, Ms McDonald, explained that where Council had additional needs over summer, youth would be sought where available. Councillors noted the benefits of youth summer internships, and suggested that other employers in the city could also consider this as an option. It was agreed this should be considered further through the development of the Long Term Plan 2015-2025.

With regards to the submission relating to later NBus services, it was noted that a review of NBus operations was currently underway and would be reported back to the relevant committee.

Councillors noted that the remaining Youth council submissions were adequately covered either through report A1183685, or through the officer comments in document A1192953.

Submission 88, Aly Cook

It was noted that Council could assist the submitter with regards to providing GIS data relating to potential locations for a Big Top, but that provision of a Big Top was otherwise a matter for private enterprise to progress.

Submission 92, Nelson Marlborough District Health Board Public Health Service

It was noted that the issue of sugar-sweetened beverages would be covered in a future Mayor's Report.

With regards to fluoridation, it was agreed that Council would consider any clear direction from central government on this issue.

Attendance: Councillor Matheson left the meeting at 9.49am.

Submission 96, Nelson Tasman Chamber of Commerce

Councillors discussed the suggestion of establishing a presence in the Christchurch Chamber of Commerce office, to assist with providing leverage for Nelson businesses in the Canterbury rebuild. It was suggested that lack of figures associated with this request made it difficult to consider in terms of the Annual Plan 2014/15, but that the special economic development fund could potentially be used to assist with this initiative.

It was agreed that Her Worship the Mayor would advance discussions with the Chamber of Commerce and the Economic Development Agency to establish a clearer idea of the likely costs of the initiative.

Attendance: Councillor Matheson rejoined the meeting at 9.54am.

Submission 101, Donna Butler

It was noted that there was an indicative walkway/cycleway linking Brook Valley to Bishopdale provided on a planning map but there was currently no plan to develop this pathway.

A suggestion as made that the various activities in the Brook area be carefully considered through the development of the Long Term Plan 2015-2025 and the review of the Nelson Plan.

Submission 112, Wakatu Incorporation

In response to a question, Chief Financial Officer, Nikki Harrison, said that she was aware of other Councils that had rates relief policies for Maori freehold land with no economic value, but that she was unaware of any land in Nelson that would fall into such a category.

It was agreed that any potential rating changes were best considered through the Long Term Plan 2015-2025.

Attendance: Councillor Fulton returned to the meeting at 10.05am and Councillor Davy returned to the meeting at 10.06am.

Submission 126, Nelson Tasman Cycle Trails Trust

Councillors noted that there was an enthusiasm for recreational as well as commuter cycle routes. It was agreed that progressing a recreational cycle trail through Tahunanui to link with the Great Taste Trail was a priority and that officers should engage with the Golf course in order to progress this prior to the Long term Plan if possible.

Attendance: Councillor Matheson returned to the meeting at 10.10am.

Submission 130, Friends of Nelson Haven and Tasman Bay Inc

With regards to the submission relating to Tasman Bay, it was noted that a working group within the Biodiversity Forum was working to engage with key stakeholders and to develop a Terms of Reference for a future work plan. It was further noted that this would come back to Council once budget requirements were clearer, and that existing environmental budgets may be able to cover any officer time required.

Submission 133, Nelson Heritage Advisory Group

In response to a question, the Chief Executive explained that the Heritage Strategy was overdue for review, and that this would become the responsibility of the new Group Manager Strategy and Environment. She said that undertaking this review would require the issues around heritage stocktakes to be resolved in the first instance.

Councillors noted the importance of taking heritage issues into consideration through the development of the next Long Term Plan.

Submission 141, Steve Cross

It was noted that the response to the submitter should also address the concerns he expressed regarding the proposed Brook Valley gondola.

Submission 142, Ron Marris

It was noted that housing affordability could be considered through the development of the Long Term Plan 2015-2025, and that there was no

intention to demolish the Hunting and Fishing building in Wakatu Square at this stage.

With regards to the St Vincent Street cycleway, it was noted that work was underway to increase messaging and signage regarding drivers exiting to St Vincent Street through the cycleway.

It was further suggested that the submitter's ideas for riverside statues could be forwarded to the Nelson Arts Council, and that he could also be directed to liaise with the group working to establish a Lord Rutherford Day.

Submission 154, Brook Valley Community Group

It was clarified that discussions regarding the future of the Brook camp were primarily with current residents of the camp in the first instance, rather than with the wider Brook Valley community.

A suggestion was made that a public meeting regarding Brook Valley issues may be useful.

Attendance: The meeting adjourned for morning tea from 10.34am to 10.46am.

Submission 168, Pam Frahm

It was noted that signage at Monaco regarding soft sand had recently been erected.

Submission 173, Nelson Residents' Association Inc

It was noted that the Railway Reserve/Princes Drive extension overbridge would not have any impact on future transport corridors.

Submission 61, Paul Harrington (continued)

Support was expressed for seed funding to be included within the Annual Plan 2014/15, noting that the community would be expected to contribute towards a community artwork with further fundraising or goods in kind.

Resolved

***THAT provision of \$10,000 be included in the Annual Plan as seed funding for a Washington Valley community artwork, subject to the Washington valley community providing further detail of the project to Council.***

Lawrey/Her Worship the Mayor

Carried

Submission 63, Carleen Reich-Simko (continued)

There was a discussion regarding a mural for the Buxton Toilets.

Resolved

***THAT \$1700 be included within the Annual Plan 2014/15 to finish the Buxton Toilets mural.***

Fulton/Lawrey

Carried

Submission 189, Permaculture Design

It was suggested that targeted rates schemes may be a good method of incentivising rainwater collection and lessening stormwater/ greywater disposal, however that this would be more appropriately addressed through the Long Term Plan 2015-2025.

Submission 194, NZ Motel Association

It was noted that the response to the submitter also needed to consider the issue of regulatory compliance with regards to commercial use of residential properties.

Submissions 201, 202, 203, 204, 205, 206, 207, 208, 209 and 210

In response to a question, Group Manager Infrastructure, Alec Louverdis, explained that the work programme currently prioritised construction of footpaths on roads where there was no footpath provision at all. He said that, if Council wished to progress with the construction of a footpath on this part of Songer Street, a clear direction from Council to re-prioritise footpath works would be required.

It was agreed to return to this issue later in the meeting once estimated construction costs for the footpath were available.

Submission L2, Tahunanui Business Association Inc

The previous discussions regarding Tahunanui cycleways were referenced.

It was further noted that the Tahunanui Business Association Annual general Meeting would be taking place shortly, and it was suggested that the response to the submitter be provided prior to the meeting if possible.

Resolved

***THAT Council approves the officer recommendations in principle for submissions 23, 25, 37, 48, 60, 61, 83, 84, 92, 96, 101, 103, 112, 117, 123, 130, 131, 133, 141, 142, 149, 154, 158,***



**159, 162, 163, 166, 170, 173, 177, 178, 182, 188, 189, 193, 194 88, 94, 100, 106, 121, 126, 168, 191 198A and 198B and L2 and L7 in Attachment 1 (A1183986).**

Her Worship the Mayor/Noonan

Carried

#### 8.10 New Budget Items

The Chief Executive explained that there were several issues that had arisen since the release of the draft Annual Plan, and for which provision needed to be made in the Annual Plan 2014/15.

##### 8.10.1 Nelson Wastewater Treatment Plant Rising Main

Group Manager Infrastructure, Mr Louverdis, advised that there had recently been a further break on the Atawhai rising main. He said that a large amount of work had already taken place to upgrade the Atawhai rising main, but that due to the recent break on the main, it was prudent to undertake non-invasive testing to indicate the structural integrity of the pipe. He said that there was funding currently in the Long Term Plan to upgrade the remainder of the pipe, and the testing should indicate whether this work needed to be brought forward to an earlier date.

In response to questions, Mr Louverdis outlined the types of smart technology that would be used to test the pipe.

Resolved

***THAT an allocation of \$100,000 capital funding is made in the Annual Plan 2014/15 for non-invasive testing of the Atawhai rising main as a precautionary measure against future breaks.***

Davy/Ward

Carried

##### 8.10.2 New Stock Effluent Facility in Richmond

Mr Louverdis outlined the requirement for Nelson City Council to provide a stock effluent facility, the history of identifying a suitable site for this over many years, and the arrangements with NZTA and Tasman District Council regarding the placement of the stock effluent facility at Three Brothers Corner.

He said that detailed design of the facility indicated issues with discharging effluent into the TDC sewer reticulation system, and the only realistic option was to truck effluent directly to Fittal Street. He said that the on-going cost of doing so was approximately \$50,000 per year, and as a result the project had been put on hold pending a Council decision on this matter. He added that the costs would be shared 50/50 with NZTA.

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Councillors discussed the matter and a variety of views were expressed. Those in favour of the approving the on-going costs noted that Council was bound to provide a stock effluent facility, and trucking the effluent appeared to be the only way to comply with this requirement. Councillors against approving the on-going costs suggested that TDC's sewer reticulation system should be upgraded to accept the effluent, or alternatively a new site for the facility should be identified.

Resolved

***THAT an allocation of \$25,000 operational funding is made in the Annual Plan 2014/15, subject to NZTA providing co-funding, and noted as an annual commitment thereafter, for trucking stock effluent to Bell Island from the Richmond Stock Effluent Facility.***

Ward/Rainey

Carried

Councillor Noonan abstained from voting on the motion.

#### 8.10.3 Contaminated Soil

In response to a question, Group Manager Infrastructure, Alec Louverdis, explained that the Hazardous Activities and Industries List (HAIL) had been completed and a number of Parks and Reserves sites were included on the list. He said that additional operational funding was required to address health and safety concerns for contractors working at these sites.

Resolved

***THAT an allocation of \$50,000 operational funding is made in the Annual Plan 2014/15 to cover the cost of soil testing at parks and reserves sites necessary for compliance with the National Environment Standard for Assessing and Managing Contaminants in the Soil to Protect Human Health.***

Matheson/Her Worship the Mayor

Carried

#### 8.10.4 Songer Street Footpath – submissions 201, 202, 203, 204, 205, 206, 207, 208, 209 and 210 (continued)

Councillors returned to discuss the submissions relating to provision of a footpath on Songer Street. In response to a question, Mr Louverdis clarified that the estimated cost of constructing a footpath in this area was \$60,000, and he confirmed that this would be considered capital works.

In response to a question, Mr Louverdis confirmed that if extensive works occurred on Songer Street, such as installation of ultra fast broadband cables, then the opportunity would be taken to complete the footpath at that time.

Councillors agreed that the matter be noted and considered along with other priorities for footpath implementations.

#### 8.10.5 Parking in the CBD during Winter

Her Worship the Mayor explained that a number of CBD retailers had expressed concern regarding how to ensure the Nelson CBD remained active throughout winter. She said that, while free parking on Tuesdays during winter was not being considered this year, it was appropriate to consider other methods by which the city centre could be invigorated during the winter months, and which may have an impact on parking income.

Resolved

***THAT provision of \$100,000 be made in the annual Plan 2014/15 to cover any potential reduction in parking revenue in support of strategies for the central business district over the winter period.***

Her Worship the Mayor/Ward

Carried

Attendance: Councillor Davy left the meeting at 12.04pm.

#### 8.10.6 Capital Variance Report

The Chief Executive tabled the Capital Variance Report (A1190178).

It was noted that the items Neighbourhood Parks: Land Purchase: General Reserve, Saxton Capital: Land Purchase (Daelyn), Subsidised Rooding: School Frontage Nelson Intermediate, and Flood Protection: Flood Mitigation were items carried forward from the 2013/14 financial year.

With regards to the item Marsden Cemetery: WWI Centenary Memorial, Chief Financial Officer, Nikki Harrison, explained that an additional \$15,000 had been added to allow for ground works in relation to the memorial.

With regards to the item Crematorium: Capital: Building Upgrade, Ms Harrison explained that the exact costs of the project were currently unclear, and as a conservative step, a high estimate had been included within the Annual Plan 2014/15.

The Chief Executive outlined the extra budget required for the project Car Parks (Inner City Enhancement: Maitai Share Path (Akersten Street to Trafalgar Street)), and explained that these costs had arisen

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as a result of issues relating to land contamination, design and unscheduled works.

Councillors requested further information relating to the reasons for the overspend on this project.

Resolved

***THAT the Capital Variance Report (A1190178) be adopted.***

Rainey/Ward

Carried

8.10.7 Individual Stormwater and Flood Protection Submissions – Submission L15 continued

The meeting returned to consider the issue of drainage from the hillside to Halifax Street. In response to questions, Mr Louverdis advised that the hillside formed a natural, unaltered gully, and that Council had not caused any channelling of water onto the property below.

8.10.8 Disaster Recovery Fund

Councillors discussed the Disaster Recovery Fund and agreed that it was important to build this fund up as soon as possible.

Resolved

***THAT an additional \$300,000 be allocated to the Disaster Recovery Fund through the Annual Plan 2014/15.***

Her Worship the Mayor/McGurk

Carried

8.10.9 Resolutions passed 'in principle'

Resolved

***THAT the resolutions previously passed throughout the meeting 'in principle' be confirmed.***

Her Worship the Mayor/Barker

Carried

8.11 Rates Rise

It was noted that the Annual Plan 2014/15 would result in an average rates rise of 3.7%, of which 3% accounted for repayment of debt as a result of the December 2011 rainfall event.

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There being no further business the meeting ended at 12.50pm.

Confirmed as a correct record of proceedings:

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

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## **Mayor's Report**

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### **1. Purpose of Report**

- 1.1 To update Council on a number of matters and make subsequent decisions.

### **2. Recommendation**

***THAT the Mayor's Report (A1204249) and its attachment (A1204269) be received;***

***AND THAT the membership of the Woodburner Working Party be Councillors Acland (chair), McGurk, Fulton, and Barker;***

***AND THAT the draft Terms of Reference for the Woodburner Working Party (A1204269) be adopted.***

### **3. Woodburner Working Party**

- 3.1 At the 5 June 2014 Council meeting it was resolved to establish a Working Party to review Nelson's air quality controls across all airsheds. This work would be informed by detailed modelling and monitoring to be undertaken over winter 2014 and would be reported to back by November 2014.
- 3.2 It was proposed that the Working Party should be made up of similar membership to that of the Working Party that originally developed the Nelson Air Quality Plan. However, given the time constraints a simpler make-up is required particularly given future opportunities for wider consultation later in the process. The recommended membership of the Working Party is Councillors Acland (chair), McGurk, Fulton, and Barker.
- 3.3 Due to the significant work to be undertaken before November and currently underway, and the need to seek stakeholders from iwi, staff from Tasman District Council and the Nelson Marlborough District Health Board there is a need to establish membership of the Working Party in June.
- 3.4 The draft Terms of Reference for this Working Party are included as Attachment 1.

- 3.5 As the formation of this Working Party was recommended by the Planning and Regulatory Committee and this matter is within the area of responsibility for that Committee, reporting by the Working Party will be done to that Committee.
- 3.6 Officers will work with the Chair of the Working Party to set the date for the first meeting. It is anticipated that the first meeting will address the following, along with items of other business:
- Agreeing a meeting schedule
  - Conflicts of Interest
  - Confidentiality
  - Receiving a report on the emission inventory process currently underway and a timeline for modelling work

#### **4. Community Housing Aotearoa**

- 4.1 The Community Housing Aotearoa (CHA) national conference is being held in Nelson on 3 July 2014. It is a two day event at Founders Heritage Park and they are expecting up to 250 delegates from throughout New Zealand and from overseas, attracting both local and national coverage.
- 4.2 CHA is a voluntary organisation, supporting groups with very limited budgets, and is celebrating its 10th anniversary at the conference. This also coincides with Nelson Tasman Housing Trust's 10th anniversary.
- 4.3 Her Worship the Mayor has made a donation of \$200 from the Mayoral Discretionary Fund to the conference.

#### **5. Air New Zealand Parliamentary Reception**

- 5.1 Her Worship the Mayor has been invited to the Annual Air New Zealand Parliamentary Reception to be held at Parliament on 22 July 2014. The event will showcase Regional New Zealand and will provide an opportunity for Air New Zealand to thank their regional partners as well as key stakeholders.
- 5.2 The event is hosted by Air New Zealand Chairman and CEO and is being attended by the Prime Minister as Minister of Tourism.
- 5.3 Her Worship the Mayor is unable to attend and has asked Councillor Lawrey to attend in her place.

#### **6. Conclusion**

- 6.1 That Council notes the updates in this report.

Rachel Reese  
**Mayor of Nelson**

**Attachments**

Attachment 1: Draft Terms of Reference Woodburner Working Party [A1204269](#)

No supporting information follows.



## Woodburner Working Party

### Terms of Reference

#### 1. Purpose

The Woodburner Working Party will guide the development of the review of woodburner provisions of the Nelson Air Quality Plan. The Working Party will report to the Planning and Regulatory Committee in November 2014 with a recommended option that will consider monitoring and modelling work carried out over winter 2014.

#### 2. Membership

- Councillors Acland (chair), McGurk, Fulton, and Barker

#### 3. Stakeholders

Representatives from iwi, staff from Tasman District Council and the Nelson Marlborough District Health Board will be invited to attend the Working Party meetings as key stakeholders.

#### 4. Quorum

Quorum for the Working Party is set at two members.

#### 5. Areas of Responsibility

The Working Party will review monitoring data provided by officers and advise of options to be modelled in order to recommend a preferred option to the Planning and Regulatory Committee by November 2014

#### 6. Powers to decide

None

#### 7. Powers to recommend

The Working Party will recommend a preferred option for the Nelson Air Quality Plan woodburner provisions back to the Planning and Regulatory Committee by November 2014

#### 8. Role of the Working Party

- To affirm the programme of research including air quality emission inventory, survey information, and airshed monitoring work.
- To request, receive and consider any information relevant to the options under consideration

- To report to the Planning and Regulatory Committee with a preferred option
- To be an interface between community and sector groups so that interested members of the public can provide feedback

## **9. Role of the Chair**

- To review the agenda with staff prior to Working Party meetings
- To chair meetings according to the agreed agenda and to assist the Working Party to reach consensus on issues and options
- To act as spokesperson for the Working Party
- To present findings to the Planning and Regulatory Committee

## **10. Role of staff**

Staff provide technical expertise, project management and administrative support to the Working Party. Their role is to:

- Provide advice and reports to enable full consideration of the options before the Working Party;
- Providing advice to the Working Party on legal and statutory issues and obligations
- Lead technical discussions on options under consideration
- Manage project resources (budget and staff time)
- Manage project issues, risks, changes and advise the Working Party Chair of issues as they arise
- Provide staff reports to meetings at decision making points
- Organising and managing engagement with key stakeholders and the wider community
- Keeping Working Party members briefed on key communications with key stakeholders and the public;
- Prepare and distribute agendas for Working Party meetings
- Maintain records of process used, options considered, key decisions made by the Working Party and reasons for decisions, so that the decision making process can be clearly understood.

## **11. Conflicts of Interest**

Conflicts of interest should be declared at the start of Working Party meetings.

## **12. Reporting**

- Notes of Working Party meetings will be taken
- A report to Planning and Regulatory Committee with a recommendation will be prepared by staff on behalf of the Working Party summarising the options considered and the reasons supporting the recommended option.

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## **Adoption of the Final Annual Plan 2014/15**

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### **1. Purpose of Report**

- 1.1 To adopt the final Annual Plan 2014/15.

### **2. Recommendation**

***THAT the final Annual Plan 2014/15 (A1205451)  
be adopted.***

### **3. Background**

- 3.1 Council undertook a special consultative procedure for its draft Annual Plan 2014/15 from 28 March to 28 April 2014, in accordance with Section 85 of the Local Government Act 2002.
- 3.2 226 submissions were received and Council met to hear submitters over 13 and 14 May 2014. Council held meetings to deliberate on submissions on 27, 28 and 29 May.

### **4. Discussion**

- 4.1 The final Annual Plan 2013/14, Attachment 1, is presented here for Council to adopt.
- 4.2 Contingent on the Annual Plan being adopted, Council will also need to set the rates for the 2013/14 financial year. This is scheduled for 26 June.
- 4.3 Once Council has adopted the final Annual Plan 2014/15, submitters will receive responses to their submissions.

### **5. Conclusion**

- 5.1 Council must adopt the final Annual Plan 2014/15 by the end of June 2013.

Nicky McDonald  
**Acting Group Manager Strategy**

**Attachments**

Attachment 1: Final Annual Plan 2014/15 ([A1205451](#))

No supporting information follows.

## Trafalgar Centre – Way Forward to Reopening

### 1. Purpose of Report

- 1.1 To seek Council approval to embark on a way forward with respect to remediating the Trafalgar Centre with a view to re-opening it.

### 2. Recommendation

**THAT the report Trafalgar Centre – Way Forward to Reopening (A1176948) be received;**

**AND THAT Council confirm that any plans for a Northern end extension will not progress to the scale indicated in the 2012/22 LTP;**

**AND THAT Council approve up to \$450,000 to appoint a project manager, who will drive the investigation process necessary to inform the preparation of concept design and deliver first iteration plans to Council;**

**AND THAT the brief for this project manager to manage this project from this point to reopening of the Trafalgar Centre be approved by the Mayor and Chair and Deputy Chair of Works and Infrastructure Committee, and tendered publicly;**

**AND THAT the project manager work within the ambit of Council's procurement policy (noting that this allows for exceptional circumstances such as specialist skill, or knowledge already gained to obviate public tendering of consultancy services);**

**AND THAT expenditure be funded from existing provisions in the current 2013/14 and 2014/15 capital budgets.**

### 3. Background

- 3.1 On 19 December 2013, the Trafalgar Centre was closed because of the risk of catastrophic failure. Council made this decision after taking into account the fact the Centre is a place of assembly, hosting up to 4,000 people at any one time.
- 3.2 Council has been working towards solutions that would allow the Trafalgar Centre to be reopened.
- 3.3 On 6 March 2014, Council resolved (relevant part only below):

*THAT the Council invite the project team for the Trafalgar Centre Project to consider and respond to it on any potential engineering solutions and costings which would ensure the Trafalgar Centre can be adequately strengthened to address Council's obligations in relation to public safety.*

### 4. Update

#### Technical Working Party Project team

- 4.1 \$233,000 has been applied to investigation work (including convening the Working Party) - \$42,000 pre October 2013.
- 4.2 The project team comprising the members listed below met on 7 May 2014 to consider and respond to any potential engineering solutions and costings which would ensure the Trafalgar Centre could be adequately and economically strengthened to address Council's obligations in relation to public safety. The cost to facilitate this meeting was around \$45,000.
- Alan Bickers (facilitator);
  - Council officers (Group Manager Infrastructure and Project Manager);
  - Brian Riley (Arthouse Architects);
  - Mark Whiteside (Holmes Consulting - structural consultant);
  - Stuart Palmer and Dan Andrews (Tonkin and Taylor - geotechnical consultant);
  - Adam Thornton (Dunning Thornton - structural peer reviewer);
  - Don Smith (Novare Design - independent structural engineer);
  - Dr Ka-Ching Cheung (Gaia Engineering - independent geotechnical engineer);
  - Julian Ironside (Fletcher Vautier Moore – NCC legal counsel);
  - Jeff Swanney (Geotechnical and Civil Engineering).

4.3 The agreed objectives of this workshop were to find possible engineering solutions that would allow Council to economically make the building safe for public occupancy.

4.4 The findings of this group are summarised below:

- That structural deficiencies exist in all parts of the building;
- That liquefaction and consequential lateral spread is a possibility in a seismic event and that this would exacerbate existing structural deficiencies;
- That there is a risk of lateral spread independent of liquefaction;
- That whilst the Centre is made up of separate structures that they should be considered as one entity in any assessment;
- That an acceptable way forward in arriving at an outcome is to undertake work to the above ground components such that these works improve the structures tolerance to ground movements that would in the first instance reduce the overall scope of work especially to underground work;
- That 67% above ground and 34% below ground is an acceptable approach to address both Building code and Council's health and safety concerns and obligations;
- That the Main Hall, Northern end, and Civil Defence sections of the building are likely to need above ground work only;
- That the Southern end will likely need above and below ground work;
- The Trafalgar Centre as a whole is worth remediating; it has value as a building, and good qualities;
- That additional investigative work is required to better understand the scope of this work and the options possible to achieve the objective of reopening the Centre.

## **5. Proposed Way Forward**

5.1 This work will need to use external consultants. To date, Arthouse Architects have been involved with the project on the basis of their contract with Council (entered into in 2004) for the Trafalgar Centre extensions.



- 5.2 The next stage of the work is to investigate options identified by the Technical Working Party, in order for Council to determine the physical works it wishes to undertake.
- 5.3 The Council intended to extend the Trafalgar Centre, providing \$10.2 Million in the 2012/22 LTP for works known as the northern end, also including addressing toilet and kitchen facilities. It is unlikely that Council will be able to fund the remedial work, and undertake the northern end extension in the short-medium term. It may continue with addressing the facilities.
- 5.4 If the northern end extension had progressed, the Trafalgar Centre would have been closing for an extended period.
- 5.5 Given the other significant projects on Council's work programme, it would be appropriate to appoint a project manager to assist in the delivery of this project. Whilst there is no formal brief, this could be developed from the further work recommended by the Technical Working Party, along with an indication of the scope of other works that Council wishes to address at the Centre, and this role could be publicly tendered.
- 5.6 A project manager appointed in such a way would need to report to a small governance group, and the details of this will need to be addressed.
- 5.7 Whilst it is recommended that a project manager be sought through a public process, Council needs to consider its procurement policies in terms of consultancies that will contribute. It may be that it finds itself wanting to utilise knowledge already gained, or other factors. This is provided for in the procurement policy, and will be the subject of consideration later.
- 5.8 The introduction of a project manager at this stage changes the decisions needing to be made by Council now. As with officers, any project manager would need to work within Council's procurement policy. This does allow for balancing the knowledge already gained; scarcity of such technical specialists in the current market; public interest in the work.

Officers believe that appointing an external project manager to assist in delivery of any final physical solution is a good way forward – but this should be post the development of a brief setting out Council's expectations of this role.

## **6. Future Northern Upgrade**

- 6.1 No work has been undertaken on the future of any northern upgrade, until such time as the above additional work has been undertaken and quantified.
- 6.2 It is prudent to include improved kitchen and toilet facilities within the project manager's brief.

## **7. Conclusion**

- 7.1 The Trafalgar Centre was programmed to close during 2014 for a northern end extension. Instead, following the Technical Working Group's advice, further investigative work will be undertaken, to inform the preparation of concept design. This should lead shortly thereafter to detailed design and remedial work getting underway.
- 7.2 A project manager is seen as an appropriate way to ensure that this moves forward quickly. A brief will need to be developed for this role, and this can be approved by the Mayor, Chair and Deputy Chair of Works and Infrastructure. The role will be publicly advertised.

Alec Louverdis

**Group Manager Infrastructure**

No attachments.

No Supporting information follows.

## **Maitai Walkway Project – Variance Update**

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### **1. Purpose of Report**

- 1.1 To update Council on the reasons for cost over-runs on this project.
- 1.2 To seek Council direction as to how to proceed with this project.

### **2. Recommendation**

***THAT the report Maitai Walkway Project – Variance Update (A1205072) and its attachment (A1205436) be received;***

***AND THAT Council note the reasons for the variance in expenditure;***

***AND THAT Council provide a clear direction as to how to proceed with this project, i.e. either:***

- ***Continue to complete the physical works and fund the shortfall of up to \$526,680 in the upcoming 2014/15 Annual Plan; or***
- ***Stop the works and make the site fit-for-purpose at an estimated cost of \$2.5 Million (being Council's full cost).***

### **3. Background**

- 3.1 The Maitai walkway was a Heart of Nelson project (C2 – Create a riverside park bordering the Maitai River for passive recreation) and marked as a medium to high priority project with a timeframe of 5+ years to implement.
- 3.2 This project was included in the 2012-22 LTP (page 65 – Planned major projects – Maitai shared path Akersten to Trafalgar Street).
- 3.3 Council adopted the Rutherford Park Development Plan on 18 July 2013. Refer to Attachment 1 for plan.

3.4 Funding for this project was included in the 2013/14 Annual Plan under various activities as shown below:

Activity	Description	Annual Plan Budget
Transport Subsidised	Maitai shared path (Akersten St to Trafalgar) Page 67	\$ 1,000,000
Transport – Inner City Enhancement Car Parks	Maitai shared path (Akersten St to Trafalgar) Page 67	\$ 1,822,000
Parks and Active Recreation - Sports Parks	Maitai shared path (Akersten St to Trafalgar) Page 71	\$ 118,000
	Total	\$ 2,940,000

3.5 Aspects of this project are part funded by NZTA at 53%.

3.6 The NZTA co-investment amounted to \$530,000 being the 53% subsidy on \$1,000,000.

3.7 In a report to the 8 August 2013 Infrastructure Council meeting, officers advised that the total anticipated cost including contingency and professional fees was \$2,936,173 - within the overall budget of \$2,940,000. Council resolved as follows:

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

3.8 Following a report to the 27 August 2013 Council meeting entitled "2012/13 Capital Programme – Carry Forwards into 2013/14" and taking into account design work expenditure in 2012/13, the overall budget was set at \$2,902,320.

3.9 Works commenced on site on 26 November 2013.

3.10 Work by the contractor and officers has established that the projection to complete the physical works is estimated at \$3,629,000.

3.11 The categories accounting for increase in projected costs are design requiring rectification, under-scheduled items, items not scheduled at all, and unforeseen ground conditions.

#### 4. **Issues**

4.1 The design was undertaken by a landscape architect and the plans were very different to the usual engineering standards expected for a project of this nature.

4.1.1 The decision was made by officers to progress to tender stage with these plans due to the expenses already incurred.

4.1.2 The tender was advertised, but officers placed it on hold when it became clear the Schedule of Quantities (schedules) were inadequate. The decision was made to develop new schedules using another civil consultant and the tender was re-priced. Officers made the decision around May 2013 not to extend the services of the landscape architect.

4.1.3 On site it became clear that there were a number of items that were under scheduled, not scheduled at all or had design faults that needed rectification on site.

4.2 Whilst contaminated material was expected on site, unforeseen ground conditions required deeper excavation resulting in a greater volume in contaminated material to be disposed of, greater compliance testing and the import of clean fill.

4.2.1 Councillors were alerted to problems and potential over-expenditure in January 2014 via the Councillors' newsletter as below. Officers accept that this was insufficient.

*Works on the Maitai walkway project are well underway. Works on site has potentially revealed a greater degree of contaminated material over that identified during the design phase. This may mean an increased project cost and officers will advise Council of this during the projections.*

4.3 The project was initiated under the previous organisational structure (before the most recent reorganisation).

4.3.1 There were a number of process issues that placed the project under serious risk from the start, including inadequate hand-over processes between different divisions within Council.

## 5. Financial Summary

5.1 There have been savings in footpath renewals in the 2013/14 year, as a result of working with UFB installations around the City. As this is within the same activity, officers reallocated these savings to this project.

5.2 The situation then is summarised below:

Item	Amount
Budget	\$ 2,902,320
Projection	\$ 3,629,000
Shortfall	\$ 726,680
Offset from the 2013/14 footpath renewals	\$ 200,000
Net shortfall	\$ 526,680

- 5.3 The above shortfall does not reflect any possible additional co-investment from NZTA that Council may be eligible for. Discussions have commenced with NZTA in this matter. Officers believe that the total subsidy that NCC could be eligible for from NZTA is around \$600,000. This amounts to an additional \$70,000 over and above the \$530,000 already secured on the project. Should this come to fruition then the net overall shortfall would be in the order of \$456,680. However, for the purposes of budgeting, no allowance has been made for this until negotiations have been finalised with NZTA and this figure has actually been confirmed.

## 6. Options

- 6.1 There are two options to progress the project going forward:

### Option 1

- 6.2 Continue with the works to deliver the end product at a projected cost of \$3,629,000 and make additional funding of up to \$526,680 available.

### Option 2

- 6.3 Change the scope to include minimal work (past the library) to make the walkway fit-for-use and a general clean-up. The expected cost to complete this revised scope would be in the order of \$2.5 Million and includes work done by the contractor but not yet invoiced, materials already ordered by the contractor and sealing of the footpath required under the consent.
- 6.4 Option 2 would put the NZTA co-investment at risk as any reduction in works would compromise the shared walkway link between Akersten Street and Nile Street and would also end up costing Council more with respect to this project (\$530,000) as well as future projects.

## 7. Summary

- 7.1 The project has been subject to issues arising from the following high-level causes:
- 7.1.1 The design was undertaken by a landscape architect and the plans were very different to the usual engineering standards expected for a project of this nature;
- 7.1.2 Whilst contaminated material was expected on site, unforeseen ground conditions required deeper excavation resulting in a greater volume in contaminated material to be disposed of, greater compliance testing and the import of clean fill;
- 7.1.3 The project was initiated under the previous organisational structure (before the most recent reorganisation).
- 7.2 Option 1 (to continue with the works to deliver the end product at a projected cost of \$3,629,000 and fund the shortfall) is recommended.

Option 2 (to accept the works as is) would place the NZTA co-investment into jeopardy for this project (\$530,000) and would end up costing Council more and the expected outcomes would not be achieved.

Alec Louverdis  
**Group Manager Infrastructure**

**Attachments**

Attachment 1 – Rutherford Park development plan (A1205436)

No supporting information follows



# ATTACHMENT 1

## THE CONCEPT PLAN



- 1 Central Pedestrian Spine
  - 1a Pedestrian Spine further consideration required
  - 2 Paru Paru Road / Park Boulevard
  - 2a Paru Paru Road / Potential future extension
  - 3 Flexible events lawns
  - 4 Matai Walkway / River Promenade
  - 5 Point Park marking old shoreline with stone seating wall and estuary edge gardens
  - 6 Small scale events / sculpture lawn
  - 7 Flexible petanque, performance, and temporary sculpture space
  - 8 Playscape / children's landscaped playground with kiosk / public toilet / changing facility adjacent
  - 9 Playscape / youth play & skate park / further work required to determine optimum location
  - 10 Croquet Courts
  - 11 Halifax Street & Anzac Park / Pedestrian Connections
  - 12 Saltwater Creek edge enhancement & pathways
  - 13 Moller Fountain parkland
  - 14 Trafalgar Centre with Northern Extension and East Entry Foyer / Gallery
  - 15 Multi-use plaza accommodating service events space/parking
  - 16 Trafalgar Centre drop off
  - 17 New landscaped car parks / potential alternative youth play location / with carpark at 9
  - 18 The Landing including improved small boat launching
  - 19 New footpath & river walkway with boardwalk / deck access & outlook to Matai River edge
  - 20 Multi-functional community facilities
  - 21 Trafalgar Park / river lawn / flexible events space
  - 22 Estuarine ecological gardens including boardwalks / islands / and bird hides
  - 23 Kinzett Terrace flexible events lawn
  - 24 Nelson gateway sculpture
  - 25 Boardwalk / Pier
  - 26 New eastern Grandstand & Multi-functional recreation facility
  - 27 Boardwalk to Peach Grove and Haven Holes
  - 28 Railway society future station and line from Founders Heritage Park
  - 29 Potential future tennis courts / 4
  - 30 Potential future path in front of Trafalgar
-  New building
  -  Existing building
  -  Existing trees
  -  New trees
  -  Lawn
  -  Landscape
  -  Vehicle path and footpath
  -  Boardwalk / Bridge / Deck

#A1205436

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## **Delivery of Projects – Internal Review**

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### **1. Purpose of Report**

- 1.1 To identify Council system/process issues within the organisation that challenge successful project delivery.
- 1.2 To advise of an internal review of project management capability.

### **2. Recommendation**

***THAT the report Delivery of Projects – Internal Review (A1205287) be received;***

***AND THAT Council note the Chief Executive is commissioning a review of internal project management capability with a view to ensuring the successful delivery of projects.***

### **3. Background**

- 3.1 Council has recently been advised of a significant cost over-run in the Maitai Walkway project. Whilst this is the subject of a separate report, it clearly identifies issues with project management.
- 3.2 This is not the first time that sub-optimal outcomes have been identified; Council recently considered additional funding for Saxton Field drainage on the cricket oval. That matter will be reported back to the Community Services Committee.

### **4. Discussion**

- 4.1 Considerable effort was put into organisational systems and processes over the period 2008-2011. A comprehensive knowledge base was developed; review of processes, and documentation of these occurred to ensure consistency of approach; and a programme office was established to keep control of major projects.
- 4.2 Unfortunately, this discipline was not instilled equally across the organisation. While project management capabilities were developed, significant gaps in the project management process were not addressed. Adherence to such disciplines was not a requirement. Without training to understand the purpose of project management, some areas of Council have continued operating as they had been.

- 4.3 There are areas of Council where project management is undertaken very successfully. The Rugby World Cup was a whole of Council project, project managed through the programme office. The Cricket World Cup has the same project management structure.
- 4.4 An organisational restructure in 2013 sought to ensure a smoother transition between project initiation and project delivery for infrastructure projects. This was seen as a major barrier to successful delivery. The Waimea/Motueka Rds intersection was the example most quoted as suffering in this separation. The Maitai Walkway is similar.
- 4.5 The 2013 organisational restructure did not touch on the discipline of project management for capital projects. An internal review is now appropriate to assure Council that its project delivery is able to deliver optimal outcomes each time, and that it is kept informed during the life of projects.
- 4.6 Reporting on financial matters should be done through the Finance report to the Governance Committee. This is the appropriate mechanism to bring any issues to the Council table and to seek formal approval for any significant changes. This would provide the opportunity for reporting to Council on issues such as deviations in budget, scope and time on major projects.

## **5. Conclusion**

- 5.1 There have been issues in the delivery of some capital projects. It is appropriate to commission an internal review of the project management disciplines to understand these, and address them. This will ensure Council has capability in this area.
- 5.2 The Finance report to the Governance Committee is the vehicle to bring issues with projects to the Council table, and to seek formal approval for significant changes.

Clare Hadley  
**Chief Executive**

### **No attachments**

No supporting information follows.

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## **Budget Funding for External Advice for Chief Executive's Employment Committee**

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### **1. Purpose of Report**

- 1.1 This report seeks approval for an allocation of up to \$10,000 for professional fees and expenses for an external advisor to assist the members of the Chief Executive's Employment Committee.

### **2. Recommendation**

***THAT the report Budget Funding for External Advice for Chief Executive's Employment Committee (A1204687) be received;***

***AND THAT expenditure of up to \$10,000 (from within existing budgets) be approved for the engagement of an external advisor to assist the Chief Executive's Employment Committee for the 2014/15 year.***

### **3. Background**

- 3.1 The Chief Executive's Employment Committee has three areas of responsibility:
- 3.1.1 To review the Chief Executive's performance;
  - 3.1.2 To review the Chief Executive's remuneration;
  - 3.1.3 To address any employment related issues as may from time to time arise between the Chief Executive and Council.
- 3.2 The Committee has the power to recommend to Council a performance agreement between the Chief Executive and Council.
- 3.3 The Committee has expressed a desire to obtain external, independent advice to assist it, firstly, in developing a performance agreement, and secondly, in relation to all employment matters between the Chief Executive and Council.

#### **4. Discussion**

- 4.1 Advice to the Chief Executive's Employment Committee, and previous iterations, has come from Council's HR Manager. Members of the Committee seek to have independent advice, as the HR Manager is an employee of the Chief Executive.
- 4.2 This expenditure has not had prior approval from Council. It is currently unbudgeted, although it could be funded from within Council's employee relations budget.
- 4.3 An approach has been made to a local provider. Discussions on a brief for the work, and likely cost, are continuing.

#### **5. Conclusion**

- 5.1 This report seeks approval for funding of up to \$10,000 for an external advisor to the Chief Executive's Employment Committee.

Clare Hadley  
**Chief Executive**

#### **No attachments**

No supporting information follows.

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## **Civic Assurance Annual General Meeting 2014**

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### **1. Purpose of Report**

- 1.1 To determine how Council should vote on the matter of an increase in Directors' Fees at the Civic Assurance Annual General Meeting (AGM) to be held on 23 June 2014

### **2. Recommendation**

***THAT Council votes against the proposed increase in directors' Fees at the Civic Assurance Annual General Meeting on 23 June 2014.***

### **3. Background**

- 3.1 Council is a shareholder of Civic Assurance, the New Zealand Local Government Insurance Corporation Limited.
- 3.2 Council received notification of the Civic Assurance AGM and a copy of the agenda on 3 June 2014.
- 3.3 There are a number of issues on the agenda for the Civic Assurance AGM. The only one that officers are seeking guidance from Council is regarding the proposed increase in Directors' Fees.
- 3.4 This item says:
- Directors' Remuneration*
- To determine the remuneration of Directors at \$154,688pa effective from 1 July 2014 (See the explanatory note on the reverse of the proxy form).*
- The proxy form says:
- The Directors engaged Martin, Jenkins and Associates Ltd to advise an appropriate level of remuneration for the Directors of the Company. The Board's recommendation to shareholders is based on that report.*
- 3.5 The report recommended a 35% increase in the total Directors fees pool from \$114,900 to \$154,668. The recommendation provides for an adjustment that will bring Civic Assurance fees closer to the lower quartile that applies to all organisations and comparable central-local government organisations.

#### **4. Discussion**

- 4.1 What is proposed by Civic Assurance is an increase of 35%.
- 4.2 Although not yet set for the 2014/15 year, when Council set Directors' Fees for its Council Controlled Organisations and Council Controlled Trading Organisations, officers will likely recommend increases capped at CPI.
- 4.3 On this basis it would be inconsistent for Council to vote in favour of such a substantial increase for the Directors of Civic Assurance.

#### **5. Conclusion**

- 5.1 That Council vote against the proposed increase in Directors' Fees at the Civic Assurance Annual General Meeting in line with the likely recommendations to be made regarding Directors' Fees for Council Controlled Organisations and Council Controlled Trading Organisations.

Nikki Harrison  
**Group Manager Corporate Services**

#### **No Attachments**

No supporting information follows.

### Schedule of Documents Sealed: 5 March 2014 to 7 May 2014

DATE	LEGAL DESCRIPTION	DESCRIPTION	SITE ADDRESS
05/03/14	NL 5D/137	Licence to occupy footpath land between Nelson City Council and Nelson Marlborough District Health Board (licensor)	98 Waimea Road, on corner of Motueka Street
15/03/14		Appointment of Enforcement Officer (Security Guard)	
31/03/14		Appointment of Enforcement Officer (Building Officer)	
10/04/14	CFR 578569	Deed of covenant for structure on Road Reserve between Danny John Guard and Ann Maree Guard and Nelson City Council	109 Princes Drive, Nelson
15/04/14		Appointment of Enforcement Officer (Senior Building Officer)	
23/04/14		Appointment (Renewal) of Harbourmaster	
23/04/14		Appointment of Enforcement Officer (Security Guard)	
24/04/14		Appointment (Renewal) of Enforcement Officers/Authorised Officers (Consents and Compliance)	
30/04/14		Appointment (Renewal) of Enforcement Officers/Authorised Officers (Building Unit)	
30/04/14		Appointment (Renewal) of Enforcement Officers/Authorised Officers (Parks and Recreation)	
06/05/14		Bishop Suter Trust Statement of Intent 2014-2017	
06/05/14		Tasman Bays Heritage Trust Statement of Intent 2014-2015	
07/05/14		Nelson Regional Economic Development Agency Statement of Intent 2014-2015	

DATE	LEGAL DESCRIPTION	DESCRIPTION	SITE ADDRESS
07/05/14		Nelmac Statement of Intent 2014-2015	
07/05/14	Lot 3 DP 14732	Deed of variation and renewal of lease between Nelson City Council and Her Majesty the Queen acting by and through the Department of Inland Revenue	5 <sup>th</sup> Floor Civic House, 110 Trafalgar Street