
Minutes of a meeting of the Nelson City Council

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

On Thursday 9 October 2014, commencing at 9.05am

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

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Consents and Compliance (M Bishop), Manager Environmental Inspections Limited (S Lawrence), Manager Administration (P Langley), and Administration Adviser (G Brown), and Youth Councillors (J Liang and S Stephens)

Apologies: Councillors L Acland, R Copeland and E Davy

Opening Prayer

Councillor Skinner gave the opening prayer.

1. Apologies

Resolved

***THAT apologies be received and accepted from
Councillors Acland, Copeland and Davy.***

Her Worship the Mayor/Barker

Carried

2. Confirmation of Order of Business

Her Worship the Mayor advised of the changes in the order of business, and explained that rather than Scott Gibbons presenting at public forum, Renata Mijatovic-Schrader, Tony Perkins and Colin Bengel would be addressing Council.

She confirmed that item 8 on the agenda, Waimea Community Dam (Lee Valley), would not be considered at the Council meeting.

Her Worship the Mayor, reiterated to Councillors that the meeting to deliberate on submissions to the proposed joint regional landfill which was to reconvene on Friday 10 October 2014 was cancelled to allow time to seek further advice from officers, and that a new date and time for this meeting would be notified when it was known.

Her Worship the Mayor advised that the late items would be dealt with first before the consideration of the remainder of the agenda items.

2.1 Next Steps – CBD Parking

Resolved

THAT the item regarding Next Steps – CBD Parking 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 next steps to be taken at the end of the current trial of free parking.

Her Worship the Mayor/Noonan

Carried

2.2 Regional Transport Committee – 3 October 2014

Resolved

THAT the item regarding Regional Transport Committee – 3 October 2014 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 Regional Land Transport Plan to be adopted.

McGurk/Skinner

Carried

2.3 Mayor’s Report

Resolved

THAT the item regarding the Mayor’s Report 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 funding to be provided to support Gigatown.

Her Worship the Mayor/Lawrey

Carried

2.4 Port Nelson Ltd – Appointment of Directors #2

Resolved

THAT the public excluded item regarding Port Nelson Ltd – Appointment of Directors #2 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 appointment of a director to the board of Port Nelson Ltd.

Her Worship the Mayor/Matheson

Carried

3. Interests

There were no updates to the Interests Register, and no interests with agenda items were declared.

4. Public Forum

4.1 Free Parking

Graeme O'Brien discussed parking enforcement and that it should be brought back in-house. He said that the majority of the Nelson community had agreed that free parking was beneficial to businesses but he believed the Nelson community were not aware of the costs involved.

Mr O'Brien added that he would appreciate Council's support in considering the recording of Council meetings.

4.2 Winter Free Car parking

CBD Business Group Representative, Renata Mijatovic-Schrader spoke to the tabled document (A1254285), and acknowledged Council's support in listening to retailers concerns and responding quickly.

She said that the analysis of the parking data did not show the human element and advised that perception had changed in the CBD and parking was no longer an obstacle. She believed that both regions had increased economic growth in the last 3 months and that the CBD had been reenergised.

Ms Mijatovic-Schrader informed councillors that a survey was conducted from Wednesday 1 October 2014 to Monday 6 October 2014 where 2,211 responses were received. She advised that the first option was to return to no free parking, second option to retain the current status quo and thirdly to introduce a 1 hour free parking everywhere in the CBD. The votes were 1% for option 1, 71% for option 2 and 27% for option 3.

Colin Bengé advised Council that due to the free parking there had been an increase in long term parking in the car parking squares, as there was no need to display a ticket so enforcement was difficult. He advised that this had directly affected the Bengé & Co greengrocers as they had a 5% decline in customers.

Mr Bengé said that the feedback from customers was that it was difficult to find parking spaces in Montgomery Square, therefore he believed that there needed to be a disincentive for people to stay all day, therefore he supported the 1 hour free parking which would be able to be monitored.

Tony Perkins tabled document (A1259423), and acknowledged Council for being proactive in addressing the parking challenges. He advised that the current trade environment was difficult and retailers were doing their best to remain competitive.

He indicated that the parking trial had provided valuable insight however retailers were aware that parking was only part of the issue. He suggested that a vibrant city needed sports and events, and that the closure of the Trafalgar Centre and Nelson School of Music had affected retail business.

In response to a question, Mr Bengé said that shorter time limits had been considered however there was a need to keep the proposal simple.

In response to questions, Ms Mijatovic-Schrader said that 50 businesses were provided the survey and 26 responses were received which she believed was a good response. She indicated that the proposed 1 hour free parking was looking at the short term however a long term strategy was required to consider methods of payment, and that at this time the 1 hour free parking was the best option.

In response to a further question, Mr Bengé advised that there would be nothing stopping visitors from moving to another parking space and obtaining another free 1 hour ticket but he believed this would prove inconvenient to visitors.

5. Next Steps – CBD Parking

Document number A1238771, late item agenda 7-29 refer

Chief Executive, Clare Hadley presented the report, and reminded Council that the reason for the free parking was to entice people into the CBD. She advised that the rationale behind the report recommendations was that it was important that the CBD be treated as one.

Mrs Hadley informed councillors that there were 126 parking meter lollipops which accounted for only 10% of the city's' parking meters, and that Council needed to focus on the bigger issues.

She acknowledged that the parking trial was costly, however Council needed to be innovative and creative in this economic climate. She explained that the increase to \$1.50 per hour after the first free hour would be in operation from 8.00am, which she believed would act as a deterrent for those who may abuse the system.

In response to a question, Mrs Hadley said that paying for the first hour and having the second hour free was considered, however this would have required an upgrade in infrastructure which would be costly.

Mrs Hadley said that the Parking and Vehicle Control Bylaw 2011 stated that failure to display a parking permit was a \$40 fine, and that this would still be enforced.

In response to a question, Mrs Hadley believed that there would not be an increase in parking tickets as the message would be clear and parking wardens would continue to provide a grace period.

In response to further questions, Mrs Hadley said that the decrease in parking revenue, if on a permanent basis would need to be consulted on with the community, however at the moment this was considered another trial.

Mrs Hadley confirmed that carpooling spaces were currently free and to utilise these spaces individuals would need to provide information to the Customer Service Centre to obtain a permit which would be displayed on the dashboard.

It was acknowledged that there was a revenue reduction however the current investments in construction within the city, such as the Maitai Walkway helped in bringing individuals into the CBD, and that the parking trial assisted in making the city a busier place in the challenging economic climate. In addition it was recognised that the venues which were currently not in operation had a negative effect on the city.

There was general support for the recommendation, it was noted that it was costly however positive feedback had been received and it was important to have a vibrant city. It was discussed that the \$1.50 was a fair reflection of the cost of a car park, and that a strategy was needed for the longer term as we move towards a cashless society.

There was a suggestion that the city required more greenspace and support was given for a pedestrianised city. It was mentioned that landlords should be reducing rent for retailers to help with the economic climate.

There was reference to climate change and the importance of reducing the number of cars by with initiatives to encourage the use of public transport. It was noted that there was a risk in that motorists would move their cars after the 1 hour free had expired.

Resolved

THAT the report Next Steps – CBD Parking (A1238771) and its attachments (A1255514) and (A1255864) be received;

AND THAT Council offer the first hour as free parking in all areas within the CBD, noting that motorists will need to display a ticket, whether paying for parking or enjoying free parking;

AND THAT Council extend the hours of operation of the bylaw as set out in Schedule 12 of the Parking & Vehicle Control Bylaw 2011 to 8.00am to 5.00pm Weekdays (no change to Saturdays);

AND THAT Council increase the fee for parking to \$1.50 per hour in any pay and display or metered area, as set out in Schedule 11 of the Parking & Vehicle Control Bylaw 2011;

AND THAT Council promote long term commuter parking on Paru Paru Road and at the Trafalgar Centre with the Maitai Walkway providing a link to the CBD;

AND THAT Council set aside 26 spaces at the western end of Wakatu Square (in the area previously used by Council fleet vehicles) for motorists displaying carpooling permits, as set out in Schedule 4 of the Parking & Vehicle Control Bylaw 2011;

AND THAT Council confirm the actions outlined in the Next Steps- CBD Parking report are to be trialled for the period 20 October 2014 to 6 April 2015, as an interim measure, as part of determining the most appropriate/any permanent changes;

AND THAT Council develop a long term solution to car parking in the CBD which includes investigating the modernisation of car parking infrastructure; the location and volume of public car parks; alternative parking periods; options for "pay for as long as you stay"; and parking and transport incentives to encourage longer stays by shoppers in the CBD, with a target reporting timeframe back to Council of March 2015.

Attendance: The meeting adjourned for morning tea at 10.45am and resumed at 10.57am

6. Regional Transport Committee – 3 October 2014

Document number A1257624, late item agenda 30-36 refers.

Resolved

THAT the unconfirmed minutes of a meeting of the Regional Transport Committee, held on 3 October 2014, be received.

6.1 Regional Land Transport Plan 2015-2021

Senior Asset Engineer – Transport and Roading, Rhys Palmer presented the report.

In response to a question, Mr Palmer explained that the Rocks Road walking and cycling project was part of the Walk Cycle Schools Package and was third on the list of significant projects for the Nelson region. He said that the projects were prioritised using New Zealand Transport Authority's (NZTA) investment revenue strategy process.

He advised that NZTA's process for prioritising projects had recently changed but he did not believe this would affect the current ranking.

In response to a further question, Mr Palmer advised that \$16million would currently come from R Funding at the start of 2015, and that \$26million for the Walk Cycle Schools Package would need to seek a proportion from another funding stream, other than R Funding.

It was discussed that R Funding had to be committed by June 2018, and that by having a project 'package' removed the pressure from Rocks Road, and it was clarified that funding would be through the Long term Plan (LTP).

In response to a question, Mr Palmer said that the differences between the joint strategy and the Regional Land Transport Plan (RLTP) were minimal and that the order had changed due to completed investigations.

It was acknowledged that working with Tasman District Council (TDC) in compiling the 'front end' of the document had been successful and that Nelson/Tasman were in competition with the rest of the country for NZTA funding. It was discussed that the order of projects was based on analysis and the draft Government Policy Statement as it determined where the funding was to be allocated.

There were discussions relating to diversifying the range of transport choices for the community and that roading was subsidised substantially from rates for road maintenance.

It was noted that Councillor Barker was not in support of the recommendation.

Resolved

THAT Council approve the draft Regional Land Transport Plan as amended by the Regional Transport Committee on the 3 October 2014;

AND THAT Council approve the upload of the draft Regional Land Transport Plan onto the New Zealand Transport Agency website for moderation by 17 October 2014.

McGurk/Her Worship the Mayor

Carried

7. Confirmation of Minutes

7.1 28 August 2014

Document number A1242232, agenda pages 11-26 refer.

It was noted that the minutes be confirmed subject to the following changes:

- Removal of Councillor Rainey's attendance on page 18 as this was a duplication
- Removal of paragraph relating to public excluded on page 24 as this was not required

Resolved

THAT the minutes of a meeting of the Nelson City Council, held on 28 August 2014, be confirmed as a true and correct record, subject to edits.

Her Worship the Mayor/Noonan

Carried

8. Status Report – Council 9 October 2014

Document number A1168168, agenda pages 27-28 refer.

In response to a question, Mrs Hadley advised that the \$15,000 had not been used in full for the gondola independent peer review.

In response to a further question, Mrs Hadley advised that there would be an opportunity to discuss the Trafalgar Centre concept design with

the project managers Opus to review the project brief before moving forward.

Resolved

THAT the Status Report – Council 9 October 2014 (A1168168) be received.

Fulton/Ward

Carried

9. Mayor's Report

Document number A1252116, late item pages 5-6 refer.

Her Worship the Mayor acknowledged the voluntary effort by the Nelson community in relation to reaching the Gigatown final, and said that volunteers needed support therefore she was comfortable contributing to this economic development project.

She encouraged the community to attend the NZ Institute of Architects Urban Design day, which was championed by Councillor Rainey.

In response to a question, Her Worship the Mayor advised that a team was being formed which would be focussed on how to motivate individuals in being part of Gigatown.

Resolved

THAT the Mayor's Report (A1252116) be received;

AND THAT Council approves a sum of up to \$20,000 from the Special Economic Projects Fund to support Gigatown events and promotions.

Her Worship the Mayor/Lawrey

Carried

10. Alternative Meeting Format for Joint Council Matters

Document number A1231068, agenda pages 29-35 refer.

Group Manager Corporate Services, Nikki Harrison joined the meeting and in response to a question advised that the Delegations Register would require updating in relation to the recommendation.

Resolved

THAT the report Alternative Meeting Format for Joint Council Matters (A1231068) and its attachment (A1251959) be received;

THAT Nelson City Council and Tasman District Council meet as a joint committee of the two councils to determine matters relating to Statements of Expectation for Port Nelson Ltd, Nelson Airport Ltd and Tasman Bays Heritage Trust;

AND THAT the delegations/terms of reference for the Joint Committee of Tasman District and Nelson City Council as outlined in Attachment 1 (A1251959) be adopted;

AND THAT a Joint Shareholders' Committee, comprising the Mayor, Deputy Mayor and Committee Chairs from each council and the Chair of Tasman District Council Audit sub-committee have delegated authority to adopt Statements of Intent/ Statement of Corporate Intent, to appoint and set remuneration for directors and to negotiate on any other matters in relation to jointly owned CCOs;

AND THAT the delegations/terms of reference for the Joint Shareholders Committee as outlined in Attachment 1 (A1251959) be adopted;

AND THAT Port Nelson Ltd, Nelson Airport Ltd and Tasman Bays Heritage Trust (jointly owned), Nelson Tasman Tourism Ltd and the Nelson Regional Economic Development Agency (owned solely by Nelson City Council) be invited to make six monthly presentations to the joint committee meeting.

Matheson/Ward

Carried

REPORTS FROM COMMITTEES

11. Nelson Regional Sewerage Business Unit – 20 June 2014

Document number A1212937, agenda pages 53-60 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 20 June 2014, be received.

Ward/Fulton

Carried

12. Works and Infrastructure Committee – 4 September 2014

Document number A1245605, agenda pages 61-65 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Works and Infrastructure Committee, held on 4 September 2014, be received.

Lawrey/Ward

Carried

13. Community Services Committee – Community Assistance Funding 2014/15 – 8 & 9 September 2014

Document number A1247085, agenda pages 66-90 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Community Services Committee - Community Assistance Funding 2014/15, held on 8 & 9 September 2014, be received.

Rainey/Noonan

Carried

13.1 One off Grant Applications

Attendance: Councillor Lawrey declared a conflict of interest and sat back from the table.

It was discussed that the process of selection had been well received from the community groups and it was mentioned that organisations needed to meet a criteria in order to receive grants.

Resolved

THAT the following one-off contracts be approved because the benefits to the community outweigh the individual reasons as to why they have not met the individual criteria of the policy as they stand:

- ***Nelson Community Christian Night Shelter***
- ***Nelson Multicultural Council***
- ***Chin Community of Nelson.***

Noonan/Rainey

Carried

13.2 Contract Applications

Attendance: Councillor Rainey declared a conflict of interest and left the room at 11.35am.

Chief Executive, Clare Hadley asked for the item to be left on the table to be considered at a further meeting and there was general agreement.

Resolved

THAT pursuant to Standing Order 3.12.1 the item the [Meeting Name] agree that <<ITEM NO.>>:Community Services Committee – Community Assistance Funding 2014/15 – Contract Applications, ~~lies~~ be left to lie on the table, and will not be further discussed at this meeting.

Noonan/McGurk

Carried

14. Community Services Committee – 11 September 2014

Document number A1247833, agenda pages 91-98 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Community Services Committee, held on 11 September 2014, be received.

Rainey/Noonan

Carried

15. Works and Infrastructure Committee to deliberate on submissions to the draft Water Supply and Wastewater Bylaws – 16 September 2014

Document number A1250686, agenda pages 99-101 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Works and Infrastructure Committee to deliberate on submissions to the draft Water Supply and Wastewater Bylaws, held on 16 September 2014, be received.

Barker/Skinner

Carried

15.1 Analysis of Submissions on the Draft Wastewater Bylaw

Resolved

THAT the Wastewater Bylaw, as amended to reflect the Works and Infrastructure Committee's decision on submissions, be adopted.

Barker/Lawrey

Carried

15.2 Approval of Draft Water Supply Bylaw (No.223)

Resolved

THAT the Water Supply Bylaw (A1181471) be adopted.

Lawrey/Fulton

Carried

16. Works and Infrastructure Committee – 16 September 2014

Document number A1251114, agenda pages 92-107 refer.

THAT the unconfirmed minutes of a meeting of the Nelson City Council Works and Infrastructure Committee, held on 16 September 2014, be received.

Lawrey/Fulton

Carried

17. Regional Transport Committee – 17 September 2014

Document number A1250521, agenda pages 108-119 refer

Resolved

THAT the unconfirmed minutes of a meeting of the Regional Transport Committee, held on 17 September 2014, be received.

McGurk/Her Worship the Mayor

Carried

18. Planning and Regulatory Committee – 18 September 2014

Document number A1251236, agenda pages 120-130 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Planning and Regulatory Committee, held on 18 September 2014, be received.

McGurk/Fulton

Carried

18.1 National Policy Statement – Freshwater Management

Resolved

THAT the Nelson Resource Management Plan is amended under section 55 of the Resource Management Act 1991 (without using the process in Schedule 1) to reflect the National Policy Statement for Freshwater Management Policy A4.

McGurk/Fulton

Carried

18.2 Using Discretion to reduce Alcohol Licensing Fees

Resolved

THAT the use of discretion in the Sale and Supply of Alcohol (Fees) Regulations 2013, to reduce alcohol licensing fees is delegated to the Licensing Inspector and Chief Licensing Inspector in the "particular circumstances" outlined in clauses a), b), c) and d) of section 5.7 and clauses e), f) and g) of section 5.15 of this report;

AND THAT outside of those "particular circumstances", discretion to reduce alcohol licensing fees in accordance with the Sale and Supply of Alcohol (Fees) Regulations 2013 is delegated to the Chief Executive and Group Manager, Strategy and Environment;

AND THAT fee category reductions as a result of "particular circumstances" be applied retrospectively to on licences, off licences and club licences since the Sale and Supply of Alcohol (Fees) Regulations 2013 were introduced.

McGurk/Ward

Carried

19. Governance Committee – 25 September 2014

Document number A1255587, agenda pages 131-139 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Governance Committee, held on 25 September 2014, be received.

Barker/Matheson

Carried

19.1 Development Contributions Interim Policy

Resolved

THAT Council adopts the amendments to the Development Contributions Policy identified in Attachment 1 to this report (A1231506);

AND THAT Council approves the delegations under the Local Government Act 2002 in relation to development contributions as identified in Attachment 2 to this report (A1231510);

AND THAT Council approves the fees in respect of administering the Development Contributions Policy as \$255.00 for an Application for Reconsideration where original documentation provided by the applicant was incomplete or incorrect, and \$2,750.00 as a deposit for a Development Contributions Objection Hearing.

Barker/Fulton

Carried

19.2 2013/14 Capital Programme – Carry Forwards into 2014/2015

Resolved

THAT \$1,856,618 of unspent capital budget from 2013/14 be carried forward for use in 2014/15;

AND THAT \$153,237 of capital spent in 2013/14 be offset against 2014/15 budgets;

AND THAT a net amount of \$164,077 operating budget be carried forward for use in 2014/15.

Barker/Fulton

Carried

20. Exclusion of the Public

Resolved

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

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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	<p>Council minutes Public Excluded – 28 August 2014</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(i) To carry out negotiations
2	<p>Status Report Public Excluded – 9 October 2014</p> <p>This report contains information regarding:</p> <p>Plan Change 18 Appeals</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
3	Port Nelson Ltd – Appointment of Directors #2	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons • Section 7(2)(h) To carry out commercial activities
4	Works and Infrastructure Committee - Public Excluded Minutes – 4 September 2014	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
5	Community Services Committee - Public Excluded Minutes – 11 September 2014	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations

Her Worship the Mayor/Matheson

Carried

The meeting went into public excluded session at 11.56am and resumed in public session at 12.10pm. During this time youth councillors Jackie Liang and Samantha Stephens left the meeting.

21. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Noonan

Carried

There being no further business the meeting ended at 12.10pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date