

Minutes of a meeting of the Nelson City Council

Held in the Council Chamber, Civic House, 110 Trafalgar Street,
Nelson

On Monday 23 March 2015, commencing at 9.04am

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

In Attendance: Audit Director, Audit New Zealand (B Kearney), Chief Executive (C Hadley), Group Manager Corporate Services (N Harrison), Group Manager Community Services (C Ward), Group Manager Strategy and Environment (C Barton), Group Manager Infrastructure (A Louverdis), Senior Strategic Adviser (N McDonald), Senior Accountant (T Hughes), Manager Communications (P Shattock), Manager Administration (P Langley), and Administration Adviser (S McLean)

Apologies: Councillors E Davy for attendance, and K Fulton for lateness

Opening Prayer

Councillor Noonan gave the opening prayer.

1. Apologies

Resolved

THAT apologies be received and accepted from Councillor Davy for attendance, and Councillor Fulton for lateness.

Her Worship the Mayor/Copeland

Carried

2. Confirmation of Order of Business

Late Item Memo A1333203 refers.

2.1 Late Item 1 – Development Contributions Policy 2015 – Further Information

Resolved

THAT the item regarding Draft Development Contributions Policy 2015 – 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 consultation on the Draft Development Contributions Policy 2015 to align with consultation on the Long Term Plan 2015-25.

Her Worship the Mayor/Copeland

Carried

2.2 Late Item 2 – Administrative Matters – Further Information

Resolved

THAT the item regarding Administrative Matters – 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 bookings to be made for the Local Government New Zealand conference 2015 in a timely manner.

Her Worship the Mayor/Skinner

Carried

3. Interests

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

4. Public Forum

There was no public forum.

5. Mayor's Report

Her Worship the Mayor advised that the meeting would adjourn at approximately 10.00am for a brief workshop.

6. Draft Development Contributions Policy 2015 - Further Information

Document number A1333285, late item A1333203 refers.

Senior Strategic Adviser, Nicky McDonald, Policy Coordinator, Sarah Holman, Senior Planning Adviser, Lisa Gibellini, Senior Asset Engineer

– Utilities, Phil Ruffell, and Asset Engineer – Transport, Chris Pawson, presented the report and gave a presentation (A1333289).

Attendance: Councillor Fulton joined the meeting at 9.21am.

It was acknowledged that the Inner City Zone map would be enhanced to improve the identification of boundaries.

There was discussion on rolling over the 30 Household Unit of Demand (HUD) limit, versus setting it as an annual limit that would not accrue. It was pointed out that having a limit which did not roll over each year should encourage development.

Mr Ruffell highlighted concerns about unknown intensity or location of developments, hence the recommended 30 HUD limit per annum for five years.

A suggestion was made that the development contributions waiver for inner city development should be subject to consultation with the Urban Design Panel. It was highlighted that the Panel's advice was not binding, so use of its recommendations could not be stipulated.

Group Manager Strategy and Environment, Clare Barton, advised that developers acknowledged the benefits of the Urban Design Panel, and many were using the Panel. Ms Gibellini added there was no charge to developers for use of the Panel, and it was currently under-utilised.

In response to questions, Mr Ruffell advised that intensification was only a recent addition to the multiple drivers behind the work on inner city infiltration.

In response to a question, it was confirmed that short term living accommodation would be excluded from the development contributions waiver.

Attendance: The meeting adjourned for a brief workshop and morning tea from 10.00am to 10.35am.

In response to questions, Ms McDonald advised the 30 HUD limit annual period would be 1 July to 30 June, and this would be clarified in the draft Policy. She said the waiver for 30 HUDs in the inner city would result in a maximum of \$354,000 in waived development contributions per annum.

It was noted the potential level of waived development contributions for one and two bedroom units could not be identified as this would be speculating.

In response to a question, Ms Gibellini advised that Council set aside \$30,000 per annum for the operation of the Urban Design Panel, approximately half of which was spent each year on three to four applications on average.

Ms Barton suggested it would be more appropriate to consider the use of the Urban Design Panel through the Nelson Plan process. She added that care needed to be taken not to disincentivise development with additional requirements for the waiver.

It was suggested that under the Remissions section of the Policy a clause could be added that required any applications for waiver of development contributions to be accompanied by recommendations from the Urban Design Panel.

It was agreed that the recommendation would be taken in parts.

Resolved

THAT the report Draft Development Contributions Policy 2015 – Further Information (A1333285) and its attachment (A1274615) be received;

Her Worship the Mayor/Acland

Carried

An additional motion was moved by Councillor Fulton and seconded by Councillor Lawrey:

AND THAT the criteria for remission of development contributions in the city centre (as set out in the Policy under 2.5 Remissions) include a clause requiring developments seeking waiver of 10 or more HUDs to be accompanied by recommendations from the Urban Design Panel.

The motion was put and lost.

Resolved

AND THAT the material being distributed to the public to accompany the consultation on the draft Development Contributions Policy be updated with relevant information from this report including the clarification on the annual period.

Barker/Matheson

Carried

7. Adoption of the Consultation Document for the Long Term Plan 2015-25 and Related Documents

Document number A1317555, agenda pages 5-10 refer.

Resolved

THAT the Community Outcomes (A1327824) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Her Worship the Mayor/Skinner

Carried

Senior Strategic Adviser, Nicky McDonald, summarised minor edits to the Forecasting Assumptions requested by Audit New Zealand.

Resolved

AND THAT the Forecasting Assumptions (A1323797) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Her Worship the Mayor/Rainey

Carried

Attendance: Councillor Noonan left the meeting at 11.28am.

Resolved

AND THAT the Financial Strategy (A1328267) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Her Worship the Mayor/Skinner

Carried

Attendance: Councillor Noonan returned to the meeting at 11.31am.

Resolved

AND THAT the Infrastructure Strategy (A1250365) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Lawrey/McGurk

Carried

There was discussion on the Statement of Fostering Maori Participation in Council Decision Making. Officers undertook to obtain legal advice to determine if the Statement was required in the supporting information to the Consultation Document, and report back to the meeting.

There was discussion on the Revenue and Financing Policy.

Group Manager Corporate Services, Nikki Harrison, summarised changes to the stormwater rate, inner city enhancement account and the detail on lump sum contributions.

In response to a question, Ms Harrison advised depreciation was not funded for motor camps.

It was agreed the analysis tables for each activity in the Policy would be edited to ensure plain English was used.

Attendance: Councillor Copeland left the meeting at 11.43am and returned at 11.45am.

It was agreed an additional bullet point 'all users of public transport' would be added to the public transport and mobility row of the activity table, in the column on who benefits.

Resolved

AND THAT the Revenue and Financing Policy (A1323785) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Her Worship the Mayor/Barker

Carried

It was noted the title of Attachment 9 would be corrected to Funding Impact Statement (Rates).

It was agreed the covering page to the Funding Impact Statement (Rates) would have further information about the water annual charge moving to the rates assessment.

It was agreed the first paragraph in the 'definition of rating of separately used or inhabited parts of a rating unit' section, would end with 'The following are examples of what are currently considered to be separately used an inhabited parts of a rating unit'.

Resolved

AND THAT the Funding Impact Statement (A1323806) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Barker/Her Worship the Mayor

Carried

Resolved

AND THAT the Development Contributions Policy (A1274615) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Rainey/Fulton

Carried

Attendance: Councillor Copeland left the meeting at 12.06pm.

Resolved

AND THAT the Schedule of Charges (Resource Consent Fees and Charges) (A1330801) be received and adopted for concurrent consultation with the Consultation Document under the provisions of section 83 of Local Government Act 2002;

McGurk/Ward

Carried

Attendance: Councillor Copeland returned to the meeting at 12.13pm.

There was discussion on the Rates Postponement Policy.

Concerns were raised about postponed rates being allowed up to 80% of the capital value of the property. It was suggested this be a percentage of equity instead. Ms Harrison advised that given low uptake numbers under the Policy, the associated risk was not high.

Concerns were also raised about repayment not being at the time of the settlement of the estate.

Attendance: Councillor Ward left the meeting at 12.22pm and returned at 12.26pm.

In response to a question, Ms Harrison advised that applications for rates remission for land affected by natural calamity were considered on a case by case basis, with Council having discretion over the final decision.

Attendance: The meeting adjourned for lunch from 12.29pm to 1.15pm, during which time Councillors Copeland and Skinner left the meeting.

The discussion returned to the Statement of Fostering Maori Participation in Council Decision Making. Ms McDonald said legal advice was that the Statement was not required to be released under Section 93G of the Local Government Act 2002.

Councillors agreed they were uncomfortable having the Statement released as supporting information without first discussing it with iwi.

It was agreed that the Statement would be tabled for discussion at the Kotahitanga Hui taking place on 25 March 2015.

In response to a question, Ms McDonald advised that councillors could choose to add detail on fostering Maori participation in decision making in the final Long Term Plan 2015-25.

In response to previous questions on the Rates Postponement Policy, Ms Harrison advised that seven people were currently being assisted under the Rates Postponement Policy, with a total of \$39,000 in outstanding rates. She confirmed proof of insurance was sought annually. Ms Harrison advised that no change needed to be made to the repayment section as 12 months was allowed for payment under the Policy.

In response to further questions, Ms Harrison advised that Council did place a caveat on the property title when rates were postponed. She said family trusts could apply for rate postponement in limited circumstances.

It was agreed the maximum level of rates postponed would now be 80% of equity instead of capital value.

In response to a question, the Chief Executive, Clare Hadley, confirmed the references to Network Tasman Limited would be replaced with 'network utility operators' in the wording of the remission of rates for underground utilities section.

There was discussion on the necessity of the remission of rates on golf practice greens. It was clarified by Mrs Hadley that the Nelson Golf Club practice green land was zoned industrial but treated as recreational zoning and had a special rateable value.

Resolved

AND THAT the Rates Remission Policy (A1323787) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

McGurk/Matheson

Carried

Resolved

AND THAT the Financial Statements (Accounting Information) (A1328280) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Matheson/Noonan

Carried

Ms Harrison advised the Liability Management Policy was to be received by the Governance Committee at an upcoming meeting before being recommended for adoption by Council. She confirmed the Policy had been updated to reflect changes requested by the Audit, Risk and Finance Subcommittee.

Resolved

AND THAT the Liability Management Policy (A1261456) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Rainey/McGurk

Carried

Attendance: Councillor Matheson left the meeting at 1.45pm and returned at 1.47pm.

Ms Harrison summarised changes to the Investment Policy made by the Audit, Risk and Finance Subcommittee.

It was agreed the word 'vast' would be removed in the first sentence under the Property Investments section of the Policy.

Resolved

AND THAT the Investment Policy (A1261457) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Her Worship the Mayor/Noonan

Carried

Resolved

AND THAT the Council Controlled Organisations (A1323791) be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Her Worship the Mayor/Barker

Carried

Resolved

AND THAT, having considered all the reasonably practicable options, the revised Development Contributions Policy (A1274615), Revenue and Financing Policy (A1323785), Funding Impact Statement (Rates) (A1323806), and Rates Remission Policy (A1323787) be adopted for concurrent consultation with the Consultation

***Document under the provisions of section 82 of
Local Government Act 2002;***

Her Worship the Mayor/Matheson

Carried

Ms McDonald tabled a revised Council Activity Summary for Transport (A1333606) and Council Activity Summaries (A1328285).

It was noted the Community Outcome regarding public transport would be added to the Community Outcomes table in the Transport section.

Mrs Hadley advised a small change would be made to the wording around the Regional Public Transport Plan on page four of the Transport Activity.

It was agreed an image of a homezone sign would be sent to councillors for their information.

Senior Asset Engineer – Transport and Roading, Rhys Palmer, advised that the regional funding activities in the Transport section that were missing funding amounts were awaiting figures from the New Zealand Transport Agency (NZTA).

It was noted the Draft Regional Land Transport Plan would remain a draft document until July when it would be confirmed by NZTA. It was agreed that a footnote would be added to the transport activities table explaining non-subsidised allocations.

In response to comments on targets for peak hour travel times, Mr Palmer advised a larger amount of data was now being collected which would help to inform this measure.

It was agreed the first paragraph under significant negative effects and risk mitigation would be further clarified.

In the Water Supply Activity section, it was agreed that detail from the Tasman District Council report on the Waimea Dam would be replaced by detail on the Nelson City Council commissioned report.

It was agreed the last sentence in the Little Go Stream section of the Flood Protection Activity would be amended to reflect completion before the end of the financial year.

Attendance: Councillor Matheson left the meeting at 2.45pm.

Group Manager Strategy and Environment, Clare Barton, provided detail which would be added to the Woodburners section under the Environment Activity.

Attendance: Councillor Matheson returned to the meeting at 2.47pm.

It was discussed and agreed that the last sentence in the Woodburners section would read 'A contribution of \$100,000 towards this

partnership is proposed.' It was also agreed that the third to last sentence in the Woodburners section would be replaced with 'Council is reviewing the Air Plan to address these concerns.'

Attendance: Councillor Rainey left the meeting at 2.54pm.

It was noted that a small change would be made to the Nelson Arts Festival section of the Social Activity, and that an error would be corrected under the Theatre Royal section.

It was agreed the word 'was' would be replaced with 'is' in the first sentence of the second paragraph under the Gondola section. It was also agreed the word 'million' was not required under the Brook Waimarama Sanctuary Fence section.

It was agreed that changes would be made to the Trafalgar Centre and Rutherford Park Development sections and these would be presented at the reconvened meeting on 24 March.

Resolved

THAT the meeting be adjourned to Tuesday 24 March at 10.30am in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson.

Her Worship the Mayor/Matheson

Carried

The meeting adjourned at 3.15pm, to be reconvened at 10.30am on Tuesday 24 March 2015.

Minutes of a reconvened meeting of the Nelson City Council

**Held in the Council Chamber, Civic House, 110 Trafalgar Street,
Nelson**

On Tuesday 24 March 2015, commencing at 10.32am

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

In Attendance: Chief Executive (C Hadley), Group Manager Corporate Services (N Harrison), Group Manager Community Services (C Ward), Group Manager Strategy and Environment (C Barton), Group Manager Infrastructure (A Louverdis), Senior Strategic Adviser (N McDonald), Senior Accountant (T Hughes), Manager Communications (P Shattock), Manager Administration (P Langley), and Administration Adviser (S McLean)

8. Adoption of the Consultation Document for the Long Term Plan 2015-25 and Related Documents - continued

The meeting resumed reviewing the tabled Council Activities document (A1328285). The Chief Executive, Clare Hadley, and Her Worship the Mayor, provided detail on further changes to the Activities text.

It was agreed the Community Art heading under the Social Activity would be changed to Public and Community Art.

Attendance: Councillor Copeland joined the meeting at 10.35am, and Councillor Acland joined the meeting at 10.36am.

It was agreed the partnership funding referred to in the Light Nelson section would be changed to 'base and partnership funding'.

There was discussion on the wording for the Nelson Arts Festival section. It was highlighted that moving to a Trust structure was financially prudent and would help to access other forms of funding support.

It was agreed the reference to 'per year' would be deleted in the second sentence of the Community Assistance section.

Her Worship the Mayor provided councillors with updates to the Rutherford Park Development and Trafalgar Centre sections of the Parks and Active Recreation Activity.

In response to a question, the Chief Executive, Clare Hadley, advised funding for re-roofing the Trafalgar Centre was included in the \$9.5 million budget for seismic strengthening as the roof was associated with a possible solution. She said the tiered stadium seating was not included in the seismic strengthening budget.

It was suggested a comment could be added to the Trafalgar Centre section regarding the strengthening information Council was waiting on, which could then impact options during final decision making on the Long Term Plan 2015-25.

It was agreed a sentence would be added to the Stoke Youth Park section being: 'This is an important project to consider in the context of other developments in central Stoke including the Greenmeadows redevelopment.'

There was discussion on the renewal of a bridge in the Brook Waimarama Sanctuary. Group Manager Infrastructure, Alec Louverdis, advised that funding for the bridge renewal would be reviewed as a potential carry forward at the end of the financial year.

It was noted a spelling error would be corrected in the service levels table for Parks and Active Recreation.

In response to a question on the service levels table in the Social Activity, Mrs Hadley advised the arts and community events measure would be corrected to read 'attendance levels'.

In response to an earlier question, Mrs Hadley advised the increase in payments to staff and suppliers under the Environmental Activity was related to the Nelson Plan, Nelson Nature, the insulation programme and joint landfill work. She added that joint landfill also provided an offset in increased income.

Resolved

AND THAT the Activity Summaries (A1328285) with amendments be received and adopted as supporting information for the Consultation Document as required by section 93 G of the Local Government Act 2002;

Her Worship the Mayor/Barker

Carried

Her Worship the Mayor tabled an updated Consultation Document on the Long Term Plan 2015-25 (A1331246) and summarised changes that would be made.

Resolved

AND THAT the Long Term Plan 2015-25 Consultation Document (A1331246) with amendments be adopted for a public submission process to run from 26 March to midday on 28 April 2015;

AND THAT the Mayor and Chief Executive be delegated to make any necessary minor editorial amendments prior to the documents being released for public consultation.

Matheson/Barker

Carried

9. Administrative Matters – Further Information

Document number A1332492, late item A1333203 refers.

Manager Administration, Penny Langley presented the report.

Ms Langley confirmed the Making Good Decisions courses which had already been funded from individual councillor training budgets would be reassigned to the additional training budget.

Resolved

THAT the report Administrative Matters – Further Information (A1332492) be received;

AND THAT the costs of Resource Management Act Making Good Decisions training be funded from the additional training budget rather than the individual elected members training budgets for the current triennium.

Lawrey/Noonan

Carried

There being no further business the meeting ended at 12.14pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date