

**MINUTES OF AN ORDINARY MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON THURSDAY 25 FEBRUARY 2010 COMMENCING AT 9.01AM**

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- PRESENT:** His Worship The Mayor (K Marshall), Chairperson, Councillors I Barker, G Collingwood, D Henigan, M Holmes, A Miccio, A McAlpine, R Reese (Deputy Mayor), D Shaw and G Thomas
- IN ATTENDANCE:** Chief Executive (K Marshall), Manager of Strategic Planning and Administration (M Tregurtha), Senior Executive Technical Services (A Louverdis) S Hillier (Nelson youth Councillor) and Administration Advisor (R N Palmer)
- APOLOGIES:** Apologies on behalf of Councillors A Boswijk, M Cotton, and P Rainey, and A Miccio for lateness, were received and accepted.
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**OPENING PRAYER**

The opening prayer was given by Councillor Thomas

**1.0 PUBLIC FORUM**

**1.1 Waimea Road Bus Stop**

The meetings attention was drawn to Clause 10.4 of the Chief Executives report on page 52 of the agenda.

Ann Bell tabled and read a submission on behalf of 9 residents opposing the proposed change of location of a bus stop on Waimea road to the Stoke side of Tukuka Street. She stressed that the residents were concerned there had been inadequate consultation with affected parties and that the reasons given for moving the bus stop were inadequate and the residents wished to remain with the status quo.

Ms Bell also drew the Councillors' attention to a number of other documents from various residents relating to and expressing their concerns in respect of the proposal.

His Worship the Mayor advised that the matter would be discussed as part of the Chief Executive's report.

**1.2 Modellers Pond/Tahunanui Reserve**

John Gilbertson on behalf of the Tahunanui Business Association and the Nelson Motel Association tabled a document outlining concerns at the present state of the Modellers pond explaining that it was in a state of high pollution due to the shortage of water and the past algae control which had utilised copper sulphate dosing.

He explained that in his opinion, the next spring tide which was due in about two weeks time was likely to flush the toxic material out into the estuary endangering the back beach ecology and polluting the main beach.

Mr Gilbertson urged the Council to use some of its contingency fund and remedy the present situation as soon as possible.

He pointed out that the Tahunanui Reserve Management Plan provided for the implementation of measures to avoid the discharge of pollution and/or atrophic water into the embayment and to investigate the possible means by which the pond could remain full and the water remain a better quality.

Mr Gilbertson stressed that in the opinion of the Tahunanui residents, the Council needed to take urgent action to prevent a major pollution incident on the next high tide.

## **2.0 CONFIRMATION OF MINUTES – 11 February 2010**

Document number 882213.

### **2.1 Correction**

It was noted that the members of the Community Spirits Awards panel should include Councillor Reese not Councillor McAlpine.

### **2.2 The Minutes**

Resolved

***THAT subject to the foregoing correction the minutes of the Ordinary meeting in the Nelson City Council held on Thursday 11 February 2010 be confirmed as a true and correct record.***

Reese/Holmes

Carried

## **3.0 STATUS REPORT – February 2010**

Document number 643922 Agenda pages 7-15 refer.

### **3.1 National Cycle way Project allocation.**

The meeting was advised that preliminary approval had been received and the project was now at the feasibility stage.

Councillors were also advised that that extension of the Atawhai cycle way to Boulder Bank Drive had not received approval and therefore there was no need for the Regional Transport Committee to consider allocating "R" funds to this particular facility.

### **3.2 Nightingale Library Memorial – Future Options**

The meeting was advised that discussion had been held between the Councils Senior Legal Advisor and the Nightingale Trustee and the matter was being further progressed.

### **3.3 Walking and Cycling Model Community**

It was agreed that the Council's decision at its last meeting should be added to the Status Report.

### **3.4 State Highway 6 Atawhai Drive Speed Limit**

It was agreed that the Senior Executive Infrastructure would provide an update report to Council on the State Highway 6 speed reduction programme.

### **3.5 Melrose House Lease**

The meeting was advised that staff were awaiting the return of the signed lease from the Trust.

### **3.6 Review Fresh Water Quality classifications**

The meeting was advised that the Board of Inquiry report on the National Policy Statement on Fresh Water had recently been released and the Plan Change to amend the water quality classifications would be part of a report to the Plan Change Committee on the priority of Plan Changes.

### **3.7 Swing Moorings Consent**

It was noted that the Swing Mooring Consents were now being processed but that the matter had not yet been completed.

Attendance Councillor Miccio entered the meeting

### **3.8 Vegetating the City Hill backdrop and valleys and establishing corridors.**

Concern was expressed that while the Executive Team might have assessed this as not a priority there had been no report back on how the matter might be progressed.

### **3.9 Saxton Field Pavilion Funding Application: Cricket/ Athletics/ Football.**

Andrew Petheram (Manager Community Projects) advised that although construction of the pavilion could physically be able to be completed by October 2010, it was unlikely that the sports codes would be able to guarantee funds in time for this timetable to be met.. The Council accepted that if such a guarantee was not forthcoming it could well be necessary to extend the timeline as well as making some provision within the Annual Plan in respect of additional funding.

Resolved

**THAT the status report for February 2010 be received.**

Holmes/Barker

Carried

#### **4.0 CHIEF EXECUTIVE REPORT TO COUNCIL FOR 6 MONTHS ENDING 31 DECEMBER 2009**

Report No 866838, agenda pages 16-56 refer

His Worship the Mayor introduced the report explaining that it was proposed that this report would continue to be provided to the Council at six weekly intervals.

He expressed the opinion that this was a valuable document for Councillors but it still needed a bit of refinement and any comments or suggestions from Councillors would be welcomed.

The Chief Executive introduced the report drawing Councillors attention to the recommendations which were listed at the bottom of the opening page.

#### **4.1 Arterial Traffic Study ( ATS)**

It was agreed that a copy of the Memorandum of Understanding proposed to be entered into with the District Health Board would be circulated to all Councillors for their information after it had been executed.

#### **4.2 Rugby World Cup 2011**

The meeting was advised of the various groups which had been established which were now working towards engaging the Community in the project.

#### **4.3 Potential National Environmental Standard (NES)**

It was noted that the Standard would have an impact on the Council's Engineering Standards and the provisions of its Resource Management Plan and therefore it would be prudent to wait to see what the Government decided was a reasonable level.

Resolved

**THAT the Council, endorse the proposal to await the release of the National Environmental Standard on Sea Level Rise before proceeding to review the relevant standards for Nelson.**

Barker/Miccio

Carried

#### 4.4 Statutory Compliance – Execution of documents

The meeting was advised that a report outlining the documents executed would still be presented to Council within the Chief Executives report.

Resolved

***THAT all deeds and documents previously requiring execution under Seal in future be executed by the Mayor or Deputy Mayor, or if one or both are unavailable, by any one or two elected representatives, as the case might require;***

***AND THAT all deeds and documents to be executed by elected representatives be certified by the Chief Executive, or other Senior Executive with delegated authority, as being in order for signing;***

***AND THAT any documents that are required by legislation to be executed under Seal continue to be executed under Seal in accordance with the existing delegations to the Chief Executive;***

***AND THAT the Delegations Register be updated to reflect the above.***

Holmes/Thomas

Carried

#### 4.5 Legal Actions

It was acknowledged that the material was only for information as the matters were sub judice.

#### 4.6 Financial summary

The meeting was advised that the \$140,000 over budget mentioned within paragraph 5.10 related to the Council's charges under its contract with Nelson Regional Sewerage Business Unit, which had increased due to evaluation of the Business Units assets.

#### 4.7 Major Projects

Michael Schruer (Senior Executive Infrastructure) presented this part of the report elaborating on the following items.

##### 1. Marsden/Ridgeway intersection

Mr Schruer explained that at a recent successful meeting with residents, it has been agreed that some improvements would be undertaken immediately but any major work would wait until the rezoning in Marsden Valley had been settled, and the effects of the connection of the Ridgeway in relation to traffic volumes could be ascertained.

At that stage there would be a detailed study carried out to determine the appropriate long term solution.

2. Nayland Road combined Stormwater/Roading

Resolved

***THAT \$100,000 of the savings on the Nayland Road combined Stormwater/Roading project be transferred to the Stanley/Beachville Stormwater project***

Collingwood/Reese

Carried

Andrew Petheram (Manager Community Projects) presented the following two items:

3. Saxton Stadium

The meeting was advised that a full report on the building and cost of the stadium would be presented to the Council in due course.

4. Trafalgar – Westside upgrade

Councillors expressed concern at the continuous increases in cost related with the project and discussed whether or not it should continue to have this level of priority.

Resolved

***THAT \$134,000 be transferred from the Trafalgar Centre South End account to complete the Trafalgar Centre West side upgrade.***

Henigan/ Reese

Carried

#### 4.8 Resource Consent Unit Update

Mandy Bishop, (Manager Resource Consents) presented this part of the report, explaining the progress which was being made in reducing the processing times in respect of resource consents.

Councillors expressed their pleasure with the improvement.

#### 4.9 Building Unit Update

Tracy Quinton-Boundy (Manager Building) presented this part of the report, and explaining the work which the building unit had been doing to increase its performance since being accredited in July 2009.

Councillors expressed their satisfaction with the improvements being achieved.

#### 4.10 Affordable Housing

Nicky McDonald (Manager Community Policy and Planning) presented this part of the report.

Resolved

***THAT the following resolution from the Community Services Committee adopted on 28 August 2008:***

***“THAT if staff resources and workload permit \$40,000 be approved for work to commence on an Affordable Housing Strategy in 2008/2009, however if resources/workloads do not see this commencing in 2008/09 then the \$40,000 be carried over to 2009/10.”***

***Be revoked;***

***AND THAT affordable housing issues be addressed through the current review of the Social Wellbeing Policy using funding allocated for the Affordable Housing Strategy in the 2009/10 year;***

***AND THAT any remaining funds be used to purchase resources to assist with policy that has been prioritised for completion in the term of this Council, including the Rutherford and Trafalgar Parks Reserve Management Plan.***

Thomas/McAlpine

Carried

#### 4.11 Current Status of Council policies being developed

The meeting was advised that staff were presently working through the priorities in relation to the policy development as part of the Annual Plan process.

A concern was expressed that no progress had been made in relation to the structure plan for Stoke which had been discussed by the previous Council. It was clarified that the Council had made no budget provision in the Community Plan to undertake this work.

#### 4.12 Parking Bylaw Update

The meeting discussed the presentation during the Public Forum regarding the proposal to relocate an existing bus stop on Waimea Road. It was agreed that the Senior Executive Technical Services should contact the concerned residents to work through the issues, and that a report would be included within the next Chief Executive's Report.

Resolved

***THAT the following alterations to the schedules of Bylaw number 207, parking bill control (2004) be approved***

1. **Schedule 4 - Special Parking Areas – Main Road Stoke**  
- install two new bus stops (complete with shelters) to service residents of the Earnest Rutherford retirement village and surrounding areas.
2. **Schedule 9 – No Stopping Waimea Road – Remove the redundant no stopping section outside Mainland TV frontage and in Franklyn Street install “no stopping” at the Kawai Street intersection following the safety assessment.**

Holmes/Henigan

Carried

#### 4.13 Council Branding

Council was advised that the roll out of the new branding would likely be a slower process due to budget constraints.

#### 4.14 Documents Sealed

Resolved

***THAT the schedule of documents sealed for the period 16 October 2009 to 22 December 2009 as attached to report 866838 be received.***

Shaw/Henigan

Carried

### 5.0 REPORTS FROM COMMITTEES

#### 5.1 Remuneration Review Committee - 10 February 2010

Document number 882500, Agenda pages 57-58 refer

Resolved

***THAT the minutes of the meeting of the Remuneration Review Committee held on Wednesday 10 February 2010 be received.***

Reese/McAlpine

Carried

### 6.0 PUBLIC EXCLUDED BUSINESS

#### 6.1 Exclusions of the public

Recommendation

***THAT the public be excluded from the following parts of the proceedings of this meeting in accordance with section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 on the grounds that the public conduct of this part of the proceedings of the meeting would be likely to result in the disclosure of***



*information for which good reason for withholding exists.*

- i. Nelson City Council, Public Excluded Minutes – 11 February 2010*
- ii. Status Report – Public Excluded – Public Excluded*
- iii. Chief Executive’s Report – public excluded*
- iv. Property development*
- v. Remuneration Committee – 10 February 2010*

**Reasons:**

*To Enable the Council to carry out negotiations or commercial activities without prejudice or disadvantage; or*

*To Protect information where the making available of the information would unreasonably prejudice the commercial position of the person who is the subject of the information; or*

*To protect the privacy of natural persons.*

Holmes/Shaw

Carried

## 6.2 Re-admittance of the Public

Resolved

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

McAlpine/Shaw

Carried

## 7.0 RELEASE OF DECISIONS FROM PUBLIC EXCLUDED

Resolved

**THAT the following resolutions of the Council passed during public excluded business be released to the public.**

His Worship The Mayor/McAlpine

Carried

- 1. THAT the re-appointment of Jim Williamson as Director of NELMAC for a period of two years be confirmed.**
- 2. THAT the priorities for Organisational Focus as follows be confirmed:**
  - **Stakeholder Engagement**
  - **Customer service excellence**
  - **Precision delivery**

***AND THAT*** specific Key Performance Indicators for monitoring of the Chief Executive's performance as follows, be confirmed:

***Statutory Duties***

- ***Statutory duties are performed as set out in the Local government Act 2002, including implementing a statutory compliance process acceptable to Audit NZ - 30 June 2011***
- ***An unqualified Audit report is received in respect of the 2009/10 Annual Report – 30 November 2010***

***Economic Performance***

***OPEX***

- ***Operating budgets will not be exceeded – 30 June 2011***

***CAPEX***

- ***Individual capital projects over \$750 000 will be achieved within  $\pm$  5%***
- ***Any changes outside of  $\pm$  5% will be brought back to Council for reconsideration, along with consequent effects.***
- ***The total Capital budget will be achieved – 30 June 2011***

***Customer satisfaction is raised as follows:***

- ***Resident's perception of value for money is 5% greater than at 30 June 2010 – 30 June 2011***
- ***User's perception of counter staff contacts is 5% greater than at 30 June 2010 – 30 June 2011***
- ***Overall resident's perception of Council service performance is 5% greater than at 30 June 2010 – 30 June 2011***
- ***These measures will be taken using the same process as used at 30 June 2010***

***Staff Satisfaction is raised as follows:***

- ***The overall performance index is 2pts higher than 30 June 2010 level – 30 June 2011***
- ***The employee engagement index is 2pts higher than 30 June 2010 level – 30 June 2011***
- ***The employee engagement index is in the top 25% when compared with all organisations in the JRA survey – 30 June 2011***
- ***These measures will be taken using the same process as used at 30 June 2010***

***AND THAT the Key areas of Focus be finalised as part of the Annual Plan process.***

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

\_\_\_\_\_ CHAIRPERSON \_\_\_\_\_ DATE

The meeting closed at 3.20pm.