

**MINUTES OF A MEETING OF THE NELSON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET ON 26 AUGUST 2010 COMMENCING AT 9.00AM.**

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**PRESENT:** His Worship the Mayor K Marshall (Chairperson), Councillors A Boswijk, G Collingwood, M Cotton, M Holmes, A McAlpine, A Miccio, P Rainey, R Reese (Deputy Mayor), D Shaw and G Thomas

**IN ATTENDANCE:** Chief Executive (K Marshall), Senior Executive Technical Services (A Louverdis), Senior Executive Infrastructure (M Schruer), Manager Community Policy and Planning (N McDonald), Divisional Manager Planning and Consents (R Johnson), Chief Financial Officer (N Harrison), and Administration Adviser (L Laird)

**APOLOGIES:** Councillor I Barker and D Henigan

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**1.0** Councillor Thomas gave the opening prayer.

**2.0 PUBLIC FORUM**

**2.1 Hathaway Court car parking issues**

Ray Gebert, accompanied by Gaile Noonan, spoke about the lack of car parking at Hathaway Court for both tenants and service vehicles (for example ambulance, tradesmen, visitors and caregivers). The Body Corporate provisions restrict car parking in the access way further limiting car parking options. Mr Gebert encouraged Council to restrict (preferably limited hourly parking) six of the currently all-day car parks outside Trailways.

In response to a question, Mr Gebert said that Body Corporate rules could be changed to allow parking in the access way however the ability to manoeuvre within it would then be limited.

**2.2 Proposed changes to Montgomery Square**

Neil Hodgson spoke about the loss of car parking with the proposed changes to Montgomery Square and said the project had not been properly consulted.

Mr Hodgson said the one way car parking system being proposed was too narrow and will restrict access for couriers and other such service vehicles. Mr Hodgson said the design needed work and the seats around trees were a hazard and not appropriate in a car park.

**3.0 CONFIRMATION OF MINUTES**

9 and 12 August 2010 Council meetings

Resolved

***THAT the minutes of a meeting of the Nelson City Council, held on Monday 9 and Thursday 12 August, be confirmed as a true and correct record, subject to 'Auckland Point School' being removed and 'Rotary' being added to Councillor Graeme's list of conflicts on page 6 (item 4.1) of the 9 August 2010 minutes.***

Mayor/Boswijk

Carried

#### **4.0 REPORTS POLICY**

##### **4.1 Plan Change 14 – Residential Subdivision, Land Development Manual and Comprehensive Housing**

Document No. 956772, agenda pages 27-44 refer

The Council was informed that the Plan Change Committee was concerned with a number of issues within the report and had decided to refer the report without recommendation to Council.

Senior Policy Planner Lisa Gibellini, Transport Manager Andrew James and Manager Environmental Policy Martin Workman joined the meeting. Ms Gibellini said Plan Change 14 (the Change) was about integrating better urban design approaches into all Council practises. She said the process of designing the Change had been robust and staff held public workshops that were well attended and supported by stakeholders, and the Change content had been overseen by an external steering group.

Ms Gibellini informed Council that during the consultation period for the draft plan it had been noted that a review of the roading hierarchy was missing and staff had set about reviewing this in line with the draft plan. Divisional Manager Planning and Consents, Richard Johnson added that this meeting was the opportunity for the Council to have input into the design of the Change rather than at a later date when it was being finalised.

There was considerable discussion about the Change, particularly regarding the issues associated with fence heights and the roading hierarchy.

##### **4.1.1. Fence heights**

There was some concern over the restrictions imposed by the proposed Plan on fence heights. Ms Gibellini clarified that the Change sought a uniform standard for fence heights depending on whether a road was classified or unclassified, however people could apply to construct fences above the permitted activity standard with resource consent. She said new developments and situations where existing fences are to be raised was where the impact would be the greatest.

##### **4.1.2. Roding hierarchy**

Concern was also raised over the lack of consultation in the process of reviewing the roading hierarchy and that important aspects, including talking to those affected by the change in status, had not been taken into account.

Attendance: the meeting adjourned for morning tea from 10.35 to 10.45am.

Councillor Miccio moved, and Councillor Cotton seconded:

***THAT** that the front fence rules referred to on page 39 and 43 of the Council agenda, be removed from the Plan Change and the report and recommendations adjusted to reflect this.*

Ms Gibellini explained that this is not a simple task as it has consequences throughout the entire Plan Change. The motion was put and lost.

Councillor Reese said she supported the recommendation in the report subject to Upper Collingwood, Brougham, Upper Trafalgar and Van Dieman Streets and Princes Drive, Washington Valley Road, Moana/Bisley Avenue and Richardson Street retaining their current status.

During discussion, it was also agreed that Toi Toi Street could be changed to that of sub collector as proposed by the Plan.

When asked about the impacts of altering the classification of these roads in the Change, Mr James said the Port Hills roads are not such an issue however retaining the current status of Upper Collingwood Street would mean the roading hierarchy would be inconsistent with the Land Development Manual recently adopted by the Council.

Resolved

***THAT** proposed Plan Change 14 – Residential Subdivision, Land Development Manual and Comprehensive Housing to the Nelson Resource Management Plan as shown in Attachment 1 to Report 930779 and as amended by Attachment 2 to Report 967394 be adopted and approved for public notification subject to the following streets retaining their current status according to the roading hierarchy of the Land Development Manual;*

<i><b>Upper Collingwood Str (from Nile to Brougham Str)</b></i>	<i><b>Sub Collector</b></i>
<i><b>Brougham Str (from Collingwood to Rutherford Str)</b></i>	
<i><b>Trafalgar Str (from Brougham to Van Dieman Str)</b></i>	
<i><b>Van Dieman Str (all of it)</b></i>	
<i><b>Princes Drive (from Washington</b></i>	<i><b>Collector</b></i>

<p><i>Rd to Moana Ave)</i></p> <p><i>Washington Rd (all of it)</i></p> <p><i>Moana Ave (all of it)</i></p> <p><i>Bisley Ave (all of it)</i></p> <p><i>Richardson Street (all of it)</i></p>	
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**AND THAT the Section 32 report for Proposed Plan Change 14 – Residential Subdivision, Land Development Manual and Comprehensive Housing as shown in Attachment 2 to Report 930779 be adopted and approved for public notification;**

**AND THAT it be confirmed that the proposed Plan Change 14 has been prepared in accordance with the statutory procedures set down in the First Schedule to the Resource Management Act 1991;**

**AND THAT the Chair of the Plan Change Committee and the Divisional Manager Planning and Consents be given the authority to approve minor technical wording amendments, or correction of errors, to the proposed Plan Change documents to improve readability and/or consistency prior to public notification.**

Reese/Boswijk

Carried

It was noted that the minor errors on page 28 and 32 of the agenda would be amended by staff.

#### **4.2 Waimea Inlet Management Strategy 2010**

Document No. 965522, agenda pages 45-72 refer

Monitoring Coordinator Paul Sheldon joined the meeting and spoke to the report. The Council discussed the project's robust process and acknowledged the unprecedented community buy-in and support for this initiative.

Resolved

**THAT the Waimea Inlet Management Strategy (Attachment 1 to Report 965522) is approved as a supporting document under the Council's Long Term Council Community plan;**

**AND THAT Council becomes a signatory of the Waimea Inlet Charter (Attachment 2 to Report 965522) and supports the establishment and operation of the Waimea Inlet Forum;**

***AND THAT a review of opportunities to give effect to the Waimea Inlet Management Strategy is carried out as part of preparing the 2011-12 Annual Plan.***

Reese/Shaw

Carried

## **5.0 PUBLIC FORUM DISCUSSION**

Senior Executive Technical Services, Alec Louverdis said the item in public forum about car parking at Hathaway Court would be treated as an application, and staff would undertake the necessary consultation and report back to Council through the Chief Executive's Report.

As for the public forum item regarding Montgomery Square, Mr Louverdis said staff had met with Uniquely Nelson and the weekend market organiser Nita Knight regarding the layout of Montgomery Square. The final designs were still in progress but the basis remains the same as what was previously presented to Council.

Mr Louverdis confirmed that once the plans are finalised they would be released for public consultation and construction is proposed to begin in January. The Council expressed concern with the construction start date due to the impact on business during this period and said staff need to discuss this with affected businesses. Mr Louverdis acknowledged the concerns of the Council and said he would provide regular updates.

## **6.0 REPORTS FROM COMMITTEES**

### **6.1 Audit Risk and Finance Committee**

Document No. 965057, agenda pages 73-74 refer

11 August 2010

Resolved

***THAT the minutes of the meeting of the Audit Risk and Finance Committee, held on Wednesday 11 August 2010 be received.***

Thomas/His Worship the Mayor

Carried

### **6.2 Nelson Tasman Civil Defence Emergency Management Group**

Document No. 964964, agenda pages 75-76 refer

30 July 2010

Resolved

***THAT the minutes of the meeting of the Nelson Tasman Civil Defence Emergency Management Group, held on Friday 30 July 2010 be received.***

His Worship the Mayor/Rainey

Carried

### **6.3 Rugby World Cup Steering Group**

Document No. 952602, agenda pages 77-80 refer

7 July 2010

It was noted that Tasman District Council are not currently covering any of the costs for RWC 2011.

Resolved

***THAT the minutes of the meeting of the Rugby World Cup Steering Group, held on Wednesday 7 July 2010 be received.***

Miccio/Boswijk

Carried

### **6.4 Nelson Regional Sewerage Business Unit**

Document No. 894993 and 957104, agenda pages 81-94 refer

12 March and 23 July 2010

Resolved

***THAT the minutes of the meeting of the Nelson Regional Sewerage Business Unit, held on Friday 12 March and Friday 23 July 2010 be received.***

Shaw/Cotton

Carried

### **6.5 Plan Change Committee**

Agenda pages 95-117 refer

Resolved

***THAT the minutes of the meetings of the Plan Change Committee, held on 3 September 2009, 17 February 2010, 7 May 2010, 29 June 2010, 23 July 2010, be received.***

Reese/Boswijk

Carried

## 6.6 Remuneration Review Committee – 11 August 2010

Document No. 968091

11 August 2010

Resolved

***THAT the minutes of the meeting of the Remuneration Review Committee, held on Wednesday 11 August 2010 be received.***

Thomas/Boswijk

Carried

## 7.0 LGNZ CONFERENCE

Councillor Boswijk tabled a report from the 2010 Local Government Conference (the Conference) and provided feedback on the highlights and the key themes from three presentations at the Conference. She referred the Council to the webpage for additional information from the Conference.

Councillor Shaw reported on other presentations and highlighted the themes and best practise pieces of information. He mentioned fundamental differences between Australian and New Zealand local government processes that were discussed.

## 8.0 PUBLIC EXCLUDED MINUTES

### 8.1 Exclusion of the Public

Resolved

***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 – 12 August 2010***

Reason:

*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.*

**ii) Nelson Regional Sewerage Business Unit – 23 July 2010**

Reason:

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

**iii) Remuneration Committee Public Excluded Minutes – 11 August 2010**

Reason:

*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.*

**iv) Remuneration Committee Report to Council – Chief Executive Performance Review 2009 -2010**

Reason:

*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.*

Boswijk/Mayor

Carried

**8.2 Re-admittance of the Public**

Resolved

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

Thomas/Miccio

Carried

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

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