
Minutes of a meeting of the Nelson City Council - Infrastructure
Held in the Council Chamber, Civic House, Trafalgar Street, Nelson
On Thursday 4 April 2013, commencing at 9.00am

Present: His Worship the Mayor A Miccio, Councillors I Barker, A Boswijk, G Collingwood, R Copeland, E Davy, K Fulton, P Matheson, P Rainey, R Reese, D Shaw, M Ward

In Attendance: Chief Executive (C Hadley), Executive Manager Network Services (A Louverdis), Acting Executive Manager Community Services (R Ball), Chief Financial Officer (N Harrison), Executive Manager Regulatory (R Johnson), Executive Manager Support Services (H Kettlewell), Executive Manager Kaihautu/Community Relations (G Mullen), Executive Manager Strategy and Planning (M Schruer), Manager Administration (P Langley), Manager Community Relations (A Ricker), Administration Adviser (L Canton), Nelson Youth Councillors (T McGregor, L Upton)

Apology: Councillor J Rackley

1. Apology

Resolved

THAT an apology be received and accepted from Councillor Rackley.

His Worship the Mayor/Davy

Carried

2. Opening Prayer

Councillor Davy gave the opening prayer.

3. Interests

There were no updates to the Interests Register. His Worship the Mayor reminded Councillors to declare any interests relating to agenda items as they arose over the course of the meeting.

4. Confirmation of Order of Business

4.1 Public Forum

His Worship the Mayor explained that two additional public forums had been booked since the agenda had been distributed, both relating to pedestrian refuges on Rocks Road.

4.2 Late Item – Bridge Street Carpark Seating Trial

His Worship the Mayor said that a major late item had come to hand after the agenda had closed. He explained that the item related to the construction and trial of a temporary seating structure in a carpark on Bridge Street.

The Chief Executive advised that discussion of this item could not be delayed until a subsequent meeting because a resolution on the matter was required before the next scheduled meeting of the Council in order that the trial could commence in the 2012/2013 financial year and before the winter season.

Resolved

THAT the item regarding Bridge Street Carpark Seating Trial 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, as a decision is required before the next Council meeting in order to commence the trial in the 2012/2013 financial year and before the winter season.

His Worship the Mayor/Fulton

Carried

5. Public Forum

5.1 Ron Taylor and Bridge Street Retailers

Mr Taylor said he represented a group of Bridge Street retailers and building owners. He said that Bridge Street was Nelson's main entertainment precinct but issues with one part of the street were giving the entire area a negative image. He said that hotel and business owners had been working with police to address this, but that a larger scale upgrade was needed to improve the safety and amenity of the street.

In response to questions, Mr Taylor said he would support a collaborative approach between building owners and Council. He added that in the short term, any small change that Council could make in the area would help to improve the behaviour of patrons.

5.2 Addo Mulders Snr

Mr Mulders Snr spoke to Council about a possible pedestrian refuge adjacent to the Basin Reserve on Rocks Road. He tabled an outline of his presentation which he read (1488412).

In response to questions, he said that he was not opposed to a pedestrian refuge at Days Track, rather he was requesting an additional refuge at the Basin Reserve. It was suggested that Mr Mulders make a submission to the Annual Plan 2013/14.

5.3 Kath Walker, Glen Roberts, and Graham Elliot

Mr Elliott said he was representing his partner, Ms Walker and three other residents including Mr Roberts. He gave a PowerPoint presentation (1487308) and spoke about the proposed pedestrian refuge on Rocks Road at the bottom of Days Track. Mr Elliott noted that the refuge would require the removal of car parking spaces on the seaward side of the road, which would affect recreational fishers, residents and their visitors.

Mr Roberts said that the location of the proposed pedestrian refuge would increase rather than decrease risks for all road users as it would create a pinch point, particularly for trucks. He said the traffic lights at Tahunanui currently mitigated crossing difficulties sufficiently that a refuge was not necessary. The group requested that Council postpone the construction of the refuge while these issues were investigated.

His Worship the Mayor noted that other issues had arisen relating to the pedestrian refuge and these would be addressed in a report to Council before a final decision was made on the construction of a refuge.

6. Confirmation of Minutes – 21 February 2013

Document number 1460361, agenda pages 7-28 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council - Infrastructure, held on 21 February 2013, be confirmed as a true and correct record.

Collingwood/Copeland

Carried

7. Bridge Street Carpark Seating Trial

His Worship the Mayor outlined the proposal for the temporary use of a carpark as a seating and social area in Bridge Street. He presented Councillor Ward's artist's impression of the concept (1487318) and explained that following the trial, the structure could be re-used in other parts of town and at events and festivals. He said that the total cost of the structure was \$12,000 and that contractors could have it in place within one week.

The Chief Executive added that Councillors had expressed concern at the delay of the Bridge Street upgrade during the Annual Plan 2013/14 workshops. Accordingly, she said, this was a temporary, low cost measure to address those concerns while Council investigated a longer term solution.

In response to a question, the Chief Executive advised that the structure could be trialed in various locations on Bridge Street, during which time retailers could be consulted. She tabled a map (1485993) showing three possible site options in front of numbers 114, 132 and 137 Bridge Street. The Chief Executive confirmed that the item required a decision by Council as specified in Section 4.2(e) of the Nelson City Council Parking and Vehicle Control Bylaw 2011, because it necessitated the temporary discontinuance of a parking space at the trial sites.

The Chief Executive advised that the cost of construction would be met by the Bridge Street budget, and that the cost of shifting the structure would be an operational expense.

In response to a further question, Councillor Ward confirmed that he had no pecuniary interest in the item.

Councillors discussed the proposal. Some Councillors expressed the view that the temporary structure was not a cost effective use of the Bridge Street budget. It was suggested that instead, Council should investigate how to implement at least part of the larger scale concept plan for the Bridge Street Upgrade that had already been procured.

Councillors speaking in support of the proposal emphasised that it was important to be responsive to community needs by implementing a lower cost option while the more permanent upgrade was on hold. It was also felt that the proposed trial was consistent with expert urban design and urban change advice previously received by Council, and was particularly cost effective in that it could be re-used in various situations.

In response to a question, the Chief Executive confirmed that affected business owners would be communicated with.

Resolved

THAT a temporary outdoor seating area be constructed to a maximum cost of \$12,000, in accordance with Section 4.2(e) of the Nelson City Council Parking and Vehicle Control Bylaw 2011.

Copeland/Fulton

Carried

A division was called.

Councillor	
Councillor Barker	No
Councillor Boswijk	Yes
Councillor Collingwood	No
Councillor Copeland	Yes
Councillor Davy	No
Councillor Fulton	Yes
Councillor Matheson	No
Councillor Rackley	Apology
Councillor Rainey	Yes
Councillor Reese	No
Councillor Shaw	Yes
Councillor Ward	Yes
His Worship the Mayor	Yes

Attendance: The meeting adjourned for morning tea from 10.40am to 11.02am.

8. Status Report - Infrastructure

Document number 1034781 v7, agenda pages 29-30 refer.

In response to questions, the Executive Manager Strategy and Planning and the Executive Manager Network Services provided verbal updates on the status report items.

Following a discussion, the Chief Executive undertook to provide Councillors with a timeline for the report back to Council on the outcome of the Freedom Camping Bylaw review.

Resolved

***THAT the Status Report - Infrastructure
(1034781 v7) be received***

His Worship Mayor/Collingwood

Carried

9. Portfolio Holder's Report

Infrastructure Co-portfolio Holder, Councillor Collingwood, gave a brief portfolio holder's report. She noted the high level of activity in the infrastructure area.

10. Report from the Top of the South Road Efficiency Group

Document number 1459188, agenda pages 31-53 refer.

The Executive Manager Strategy and Planning presented the report.

Councillors discussed the report. They noted the possibility that the aggregation of contracts could potentially lead to the loss of some major contractors, which may result in less competitive tendering processes in the long term.

Councillors then discussed the goals set out in the Memorandum of Understanding (MOU) (1480221). The Executive Manager Strategy and Planning advised that the goals were consistent with the Regional Land Transport Strategy (RLTS). A view was expressed that the last bullet point at item 5.0 of the MOU was not appropriate for inclusion as the MOU should include high level objectives only.

Councillor Davy, seconded by Councillor Matheson moved a motion.

THAT the Top of the South Road Efficiency Group- Issues and Objectives Report (1480513) be received;

AND THAT the following recommendations contained in the Top of the South Road Efficiency Group - Issues and Objectives Report (1480513) be confirmed:

THAT Council notes the work being done to investigate Top of the South Roding operations and maintenance efficiencies as set out in the "Issues and Objectives" paper (1480517);

AND THAT the approach is endorsed and the "Memorandum of Understanding in respect of collaboration for the management of land transport across the Top of the South Island" (1480221) and the "Issues and Objectives" paper (1480517) be approved to guide ongoing work, subject to the final bullet point under goal 5.4 of the Memorandum of Understanding being removed.

The motion was put and it was lost.

Resolved

THAT the Top of the South Road Efficiency Group-Issues and Objectives Report (1480513) be received;

AND THAT the following recommendations contained in the Top of the South Road Efficiency Group – Issues and Objectives Report (1480513) be confirmed:

THAT Council notes the work being done to investigate Top of the South Road operations and maintenance efficiencies as set out in the "Issues and Objectives" paper (1480517);

AND THAT the approach is endorsed and the "Memorandum of Understanding in respect of collaboration for the management of land transport across the Top of the South Island" (1480221) and the "Issues and Objectives" paper (1480517) be approved to guide ongoing work.

Copeland/Fulton

Carried

11. 2 Degrees – New Telecommunications Facility at Wakapuaka

Document number 1470708, agenda pages 54-58 refer.

The Executive Manager Network Services presented the report. He explained that the staff recommendation was identical to a previous Council decision regarding the erection of a telecommunications mast by Vodafone, including the Council requirement for a publicly notified resource consent.

In response to questions, the Executive Manager Network Services advised that the lease would include provisions for addressing excessive radiation levels should they arise. He also noted that the long lease term reflected the nature of the works and was consistent with that held by Vodafone.

Councillors discussed whether the consent should be publicly notified or if the Vodafone consent process had been sufficient to indicate public feeling on the matter. There was some agreement that if Council removed the requirement for public notification, it risked being inconsistent, particularly if a more controversial proposal came to Council in future.

Resolved

THAT the Chief Executive be delegated the authority, as landowner, to complete an agreement with 2 Degrees for the purpose of establishing a new telecommunications facility on Lot 3 DP 7530, subject to the following conditions:

- **2 Degrees seek and secure a publicly notified resource consent before any work can commence;**
- **2 Degrees pay a commercial rental, to be adjusted by the CPI each year, but with the opportunity to review the rent to market rent every 5 years;**
- **2 Degrees be granted a 20 year lease term;**
- **2 Degrees pay all Council's legal/valuation and administration costs.**

Davy/Boswijk

Carried

REPORTS FROM COMMITTEES

12. Nelson Regional Sewerage Business Unit – 14 December 2012

Document number 1434989, agenda pages 59-68 refer.

Resolved

THAT the minutes of the meeting of the Nelson Regional Sewerage Business Unit, held on 14 December 2012, be received.

Shaw/Collingwood

Carried

13. 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	Public Excluded Minutes – Nelson City Council Infrastructure – 21 February 2013 These minutes contain information regarding:	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:
	The Boulder Bank Culvert Agreement		<ul style="list-style-type: none"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(i) To carry out negotiations
	The provision of a hardstand at the marina		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
	Outstanding contractual issues with respect to the Nelson Wastewater Treatment Plant		<ul style="list-style-type: none"> • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
2	Public Excluded Infrastructure Status Report – 4 April 2013 This report contains information regarding:	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:
	The Boulder Bank Culvert Agreement		<ul style="list-style-type: none"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(i) To carry out

			negotiations
3	Council Owned Earthquake Prone Buildings – Mediterranean Food Warehouse Building	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)(h) To carry out commercial activities Section 7(2)(i) To carry out negotiations
4	Nelson Regional Sewerage Business Unit Public Excluded Minutes 14 December 2013 These minutes confirmed the public excluded minutes of the Nelson Regional Sewerage Business Unit meeting of 5 October 2012, and otherwise contain information regarding:	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:
	An independent professional adviser's opinion as to whether the capital charge is currently being calculated in accordance with the Disposal of Trade Waste Agreement		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations

His Worship the Mayor/Fulton

Carried

The meeting went into public excluded session at 12.10pm and resumed in public session at 1.37pm.

14. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

His Worship the Mayor/Collingwood

Carried

There being no further business the meeting ended at 1.38pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date