

Minutes of a meeting of the Nelson City Council

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

On Thursday 28 August 2014, commencing at 9.03am

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

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Administration (P Langley), Administration Adviser (G Brown)

Apologies: Councillors L Acland, B McGurk and P Matheson

Opening Prayer

Councillor Copeland gave the opening prayer.

1. Apologies

Resolved

THAT apologies be received and accepted from Councillors Acland, McGurk, and Matheson, and from Councillor Rainey for early departure.

Her Worship the Mayor/Davy

Carried

2. Confirmation of Order of Business

2.1 Public Forum

Her Worship the Mayor explained that there were two additional public forums to that listed on the agenda.

2.2 Public Excluded Agenda

Her Worship the Mayor added that the documents that had been tabled related to the Mayor's Report (A1236809) and Status Report

(A1168168) which now contained information which was previously held within the Public Excluded agenda.

She advised that there would be a change to the order of business in that the Public Excluded Mayor's Report would be discussed before receiving the Committee minutes in the public agenda.

2.3 Exclusion of the Public

Her Worship the Mayor explained that directors of Tourism Nelson Tasman Limited, Sharon McGuire and Terry Horne, would be in attendance for Item 7 of the Public Excluded agenda to answer questions and, accordingly, the following resolution was required to be passed:

Recommendation

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, the directors of Tourism Nelson Tasman Limited, Sharon McGuire and Terry Horne remain after the public has been excluded, for Item 7 of the Public Excluded agenda (Future of Tourism Services), as they have knowledge that will assist the Council;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Sharon McGuire and Terry Horne possess relates to the activities of Tourism Nelson Tasman Limited, which is relevant to the Future of Tourism Services.

Her Worship the Mayor/Barker

Carried

3. Interests

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

4. Public Forum

4.1 Nelson's Digital Strategy

Matthew Dodd and Richard Chadderton spoke about Nelson's Digital Strategy. Mr Dodd discussed that a roadmap was being compiled to illustrate the opportunities in Nelson. He advised that digital strategies were being considered in other cities in New Zealand and internationally.

Mr Dodd said that the next step would be obtaining the views from the community in relation to ultra fast internet within commercial and non commercial sectors. He advised that there was a team working to analyse the material researched and build the strategy, and that after the strategy was complete a creative team would communicate the digital strategy to the Nelson community.

Mr Chadderton said that the direction was to become digital residents and that this could be accelerated by the digital strategy. Mr Dodd explained that there could be a cultural change in the way businesses use the internet by collaborating with other businesses worldwide.

In response to a question, Mr Dodd suggested that most people had internet access, but ensuring Wifi access in areas that needed it most, would be important.

In response to a further question, Mr Dodd indicated that central government had committed funds for high speed internet access along with the necessary infrastructure. He said that an online gigatown quiz was taking place, which he encouraged councillors to support.

4.2 Nelson Airport Statement of Intent

Steve Cross spoke about the Nelson Airport Statement of Intent and advised that he was not in support of Council accepting this document. He suggested that Clause 11, The Directors' Estimate of Company Value was inaccurate and that Council needed to review Nelson Airport's financial projections. He said he believed that the company value was in excess of \$30 million, and suggested that Nelson Airport should be performing better.

In response to a question, Mr Cross advised that by having low asset values, a perception was given that an organisation was performing better than its actual results, and that this was misleading.

In response to further questions, Mr Cross suggested that increasing parking charges at the airport would reduce ratepayers subsidising the airport and he believed that that there was no correlation between increasing costs and the number of people utilising the airport.

4.3 Performance of Elected Members

Jim Cable spoke about the general performance of the elected members. He said he wanted good decision making from councillors for projects that represented Nelson's best interests.

Mr Cable discussed the traffic flow issues at peak times along Rocks Road and Waimea Road, and said that the Rocks Road improvement proposals did not take into consideration the Southern Link. He said he believed that the Southern Link would not substantially affect the Victory Community.

Mr Cable said that Council was spending excessive time on the interests of cyclists and that there were more vehicles on roads which needed to be the priority.

In response to a question, Mr Cable advised that he had provided feedback to the Rocks Road improvements consultation.

5. **Confirmation of Minutes – 17 July 2014**

Document number A1221416, agenda pages 11-29 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council, held on 17 July 2014, be confirmed as a true and correct record.

Her Worship the Mayor/Davy

Carried

6. **Status Report – Council 28 August 2014**

Document number A1168168, agenda pages 30-31 refer.

Resolved

THAT the Status Report – Council 28 August 2014 (A1168168) be received.

Fulton/Skinner

Carried

7. **Mayor's Report**

Document number A1236809, agenda pages 32-33 refer.

Her Worship the Mayor updated Council on the Commonwealth Games and the efforts by Nelson competitors. She advised that a letter acknowledging the competitors' contributions and how they had inspired others would be sent from Council.

Her Worship the Mayor asked Councillors interested in attending the Local Government New Zealand Zone 5 & 6 meeting in Christchurch to email her, and indicated that it would be appropriate to rotate attendance amongst councillors.

Her Worship the Mayor explained that Council had been asked to nominate three people to sit on the Board of the Nelson School of Music (NSOM), however this was subject to the new constitution for the NSOM being adopted.

Resolved

THAT the Mayor's Report (A1236809) be received;

AND THAT Council note that a recruitment process will commence in September, seeking potential nominees to the Board of the Nelson School of Music;

AND THAT Council appoint a Nelson City Council representative for the Local Government New Zealand Zone 5 & 6 meeting in Christchurch on the 24 October 2014.

Her Worship the Mayor/Noonan

Carried

8. Administrative Matters

Document number A1227357, agenda pages 34-49 refer.

Resolved

THAT the report Administrative Matters (A1227357) and its attachments (A1166734, A1168076, A1006782, and A1196932) be received.

Davy/Skinner

Carried

9. Electoral System – Triennial Election 2016

Document number A1218517, agenda pages 50-60 refer.

Manager Administration, Penny Langley presented the report.

Councillors discussed the report. It was suggested that there were issues around diversity in local government, however changes to the electoral system had not been raised by the community.

In response to a question, Ms Langley advised that a poll by the community on an electoral system would need to be used for two triennial elections.

There was a discussion about the online voting trial. In response to a question, Ms Langley said other Councils which were taking part in the 2016 online voting trial were Auckland, Dunedin, Porirua and Manawatu and that she was unaware of the costs involved. She confirmed that a decision needed to be made by 12 September 2014 in relation to a voting system, but that she was unaware of time restrictions in relation to the online voting trial.

Ms Langley advised that there was no intention that online voting would be the only voting mechanism, however issues were still being worked on in relation to individuals using multiple mechanisms to vote.

In response to a question, Ms Langley said that Tasman District Council (TDC), Nelson City Council (NCC) and Marlborough District Council (MDC) electors voted in the Nelson Marlborough District Health Board (NMDHB), so it would make voting simpler if all Councils had the same voting experience with regards to online voting. She confirmed that TDC had not indicated a desire to take part in the online voting trial.

It was agreed that the matter be left to lie on the table pending further information relating to the online voting trial.

Attendance: The meeting adjourned for morning tea at 10.37am until 10.56am.

10. 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)
3	<p>Mayor's Report</p> <p>This report contains information regarding:</p> <p>Art Acquisition</p> <p>Negotiations in Relation to Proposed Road Stopping</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)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(i) To carry out negotiations

Mayor/Davy

Carried

The meeting went into public excluded session at 10.57am and resumed in public session at 11.19am.

11. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Noonan

Carried

12. Administrative Matters (Continued)

Ms Langley advised that costs at this point in time could not be calculated in relation to participating in the online trial. She added that it was likely that NCC could participate with the online trial, without this affecting the NMDHB election.

A number of councillors expressed general support to be part of the online voting trial to seek further community engagement. Other councillors wanted to see how other Councils experienced the online trial, and acknowledged the resource and costs which would be involved.

It was agreed that the recommendation be taken in parts.

Resolved

THAT the report Electoral System – Triennial Election 2016 (A1218517) and its attachments (A1235522, A1235525, and A1235530) be received;

Ward/Davy

Carried

THAT Council expresses interest in being involved in the online trial, and seeks further information on the impacts on Nelson City Council ratepayers and this be reported back to Nelson City Council as soon as it is available.

Ward/Lawrey

Carried

THAT Council awaits the outcome of the trial of electronic voting at the 2016 local body election, and any decision to extend online voting nationally at the 2019 local body election, prior to considering further whether to continue to use the First Past the Post electoral system or whether to change to the Single Transferable Vote system;

AND THAT, in accordance with Section 27 of the Local Electoral Act 2001, Council note that the 2008 Council resolution to utilise the First Past the Post electoral system for the 2010 and 2013 local body elections remains effective until Council passes any further resolution regarding which electoral system to utilise for future local body elections, or a poll is held.

Ward/Noonan

Carried

13. Winter Free Parking Trial in Nelson CBD

Document number A1237290, agenda pages 61-64 refer.

In response to a question, the Chief Executive advised that businesses within the carparking squares had expressed concerns that employees were utilising parking spaces so shoppers were having issues finding carparks.

Ms Hadley indicated that council officers would collate statistical data in relation to the use of the carparks and that this could be presented at the Governance Committee on 25 September 2014. She said that information on the costs relating to the number of tickets issued, along with revenue would also be reported on.

During discussion it was noted that Uniquely Nelson had been discouraging employees from blocking spaces for shoppers, and that Council had changed the perception of parking in Nelson through the trial.

Resolved

THAT the report Winter Free Parking Trial in Nelson CBD (A1237290) be received;

AND THAT the following resolution passed by Council at its meeting on 26 June 2014:

AND THAT a focus group with CBD businesses be undertaken by officers at the end of the period to understand the value of and issues with the initiative

be rescinded;

AND THAT the 12 week trial period of free parking in the CBD be extended to 19 October 2014, to allow Council time to consider the matter at its meeting on 9 October 2014 and

provide time to implement any changes determined at that meeting.

Davy/Noonan

Carried

14. Nelson Airport Ltd 2014/15 Statement of Intent

Document number A1222966, agenda pages 65-78 refer.

Group Manager Corporate Services, Nikki Harrison, spoke to the report. She said the Joint Shareholder Committee meeting on 4 April 2014 discussed that the accounting policy asset valuations were to be reviewed, which Nelson Airport was currently undertaking.

In response to a question, Ms Harrison said that the value of the company would be included in the value of the assets review.

Resolved

THAT the report Nelson Airport Ltd 2014/15 Statement of Intent (A1222966) and its attachments (A1223143 and A1223159) be received;

AND THAT Council accept the Final 2014/15 Statement of Intent from Nelson Airport Ltd;

AND THAT Council authorises the Mayor and Chief Executive to sign the Nelson Airport Ltd 2014/15 Statement of Intent on behalf of Council.

Her Worship the Mayor/Barker

Carried

Attendance: Councillor Rainey left the meeting at 11.36am

REPORTS FROM COMMITTEES

15. Works and Infrastructure Committee – 24 July 2014

Document number A1224712, agenda pages 79-93 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Works and Infrastructure Committee, held on 24 July 2014, be received.

Davy/Lawrey

Carried

16. Planning and Regulatory Committee – 31 July 2014

Document number A1228329, agenda pages 94-99 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Planning and Regulatory Committee, held on 31 July 2014, be received.

Fulton/Ward

Carried

16.1 Sugar Sweetened Beverages Policy

It was noted that feedback to the Policy from other organisations had been extremely positive and some had thanked Council for this initiative.

There were discussions that the Policy was focussed on children and youth, and that the NMDHB was in full support.

Resolved

THAT Council note the internal Council policy (A1218790) on sugar sweetened beverages;

AND THAT all vendors and events operating on Council-owned properties be encouraged to exclude the sale or provision of sugar sweetened beverages from their operations.

Fulton/Copeland

Carried

17. Nelson Regional Transport Committee – 1 August 2014

Document number A1228495, agenda pages 100-105 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Nelson Regional Transport Committee, held on 1 August 2014, be received.

Davy/Copeland

Carried

17.1 Regional Land Transport Plan 2015-18

The Chief Executive clarified that the recommendation was not seeking a resolution of the content, rather it was to approve a collaborative approach, so that conversations could commence with Marlborough and Tasman District Councils.

Resolved

THAT the strategic "front end" of the Regional Land Transport Plan be written in conjunction with Tasman District Council and Marlborough District Council, subject to similar agreement by Tasman District and Marlborough District Councils.

Davy/Her Worship the Mayor

Carried

18. Community Services Committee – 7 August 2014

Document number A1229717, agenda pages 106-114 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Community Services Committee, held on 7 August 2014, be received.

Noonan/Fulton

Carried

18.1 Burrell Park – Nelson Pacific Island Cultural Centre Building

Resolved

THAT Council enters into a lease as tenant for the building situated on Burrell Park (55 Muritai Street) with the building owners Nelson Pacific Island Afternoon Study Programme Incorporated for the remainder of the 2014/2015 financial year at a rental figure of \$9,400 per annum plus GST.

AND THAT Council approve this unbudgeted funding in the current financial year as an additional expense;

AND THAT Council signal their support to purchase the building in the upcoming LTP as an asset required for the good of the community and that the lease run until the purchase takes effect.

Davy/Noonan

Carried

18.2 Parks and Reserves Asset Management Plan 2015-25

Parks and Facilities Asset Planner, Andrew Petheram spoke to the tabled document A1244385 in relation to the amendments made to the Parks and Reserves Asset Management Plan 2015-25.

Resolved

THAT the draft Parks and Reserves Asset Management Plan 2015-2025 (A271320) be adopted to inform preparation of the draft Long Term Plan 2015-2025.

Her Worship the Mayor/Davy

Carried

19. 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	Council minutes Public Excluded – 17 July 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 • Section 7(2)(a) To protect the privacy of natural persons • Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			<ul style="list-style-type: none"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence
2	<p>Public Excluded Status Report – 28 August 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
4	<p>Tourism Nelson Tasman Limited Statement of Intent 2014/17</p> <p>This report contains information relating to the negotiations regarding the final Statement of Intent.</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
5	<p>Future of Tourism Services</p> <p>This report contains information relating to shareholdings in Tourism Nelson Tasman Limited.</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
6	<p>Works and Infrastructure Committee - Public Excluded Minutes – 24 July 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)(i) To carry out negotiations

Her Worship the Mayor/Fulton

Carried

The meeting went into public excluded session at 12.34pm and resumed in public session at 1.50pm.

20. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Barker/Skinner

Carried

**21. Community Services Committee – 7 August 2014
Continued**

21.1 Arts Fund Focus for 2014/15

Resolved

THAT the contract for services negotiated with Arts Council Nelson for 2014/15 include the delivery of outcomes from the Arts Fund;

AND THAT the Mayor and Chair of Community Services Committee approve a shortlist of sites, to be developed in consultation with Arts Council Nelson, that the Arts Fund can be applied to in 2014/15;

AND THAT the nature of the projects be reported back to the Community Services Committee for approval before the artworks are finally commissioned;

AND THAT Council's Arts Selection Panel be involved in any selection of artworks that is required.

Noonan/Copeland

Carried

Attendance: Councillor Copeland left the meeting at 1.52pm

22. Governance Committee – 14 August 2014

Document number A1233236, agenda pages 115-123 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Governance Committee, held on 14 August 2014, be received.

Barker/Davy

Carried

22.1 Finance Report for the Period Ending 30 June 2014

Resolved

THAT Council approves continuing work on 2013/14 capital projects within the 2013/14 approved budgets, noting a report on carry forwards will come to the Governance Committee's meeting on 25 September 2014;

AND THAT Council note the June 2014 rain event incurred unbudgeted operating expenditure of approximately \$260,000, and that \$155,000 of unspent contingency budget in 2013/14 be carried forward to fund this, with remaining operating costs from that event being met within 2014/15 operating budgets;

AND THAT Council approve an additional \$50,000 capital expenditure for a new retaining wall in Citrus Lane relating to damage from the June 2014 rain event.

Barker/Davy

Carried

22.2 Regional Community Outcomes

Resolved

THAT Council approve the high level regional community outcomes to be included in the Long Term Plan for consultation.

Barker/Davy

Carried

There being no further business the meeting ended at 1.56pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date