

Minutes of a meeting of the Nelson City Council

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

On Thursday 30 April 2015, commencing at 9.04am

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

In Attendance: Youth Councillors R McManus and K Phipps, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Group Manager Strategy and Environment (C Barton), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Administration (P Langley), and Administration Adviser (S McLean)

Apology: Councillor K Fulton for lateness

Opening Prayer

Councillor Davy gave the opening prayer.

1. Apology

Resolved

THAT the apology be received and accepted from Councillor Fulton for lateness.

Her Worship the Mayor/Matheson

Carried

2. Confirmation of Order of Business

Late Item Memo A1349596 refers.

2.1 Governance Committee – 16 April 2015

Resolved

THAT the item regarding Governance Committee – 16 April 2015 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 timely consideration of recommendations to Council.

Davy/Acland

Carried

2.2 Governance Committee – 16 April 2015 – Public Excluded

Resolved

THAT the public excluded item regarding Governance Committee – 16 April 2015 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 timely consideration of recommendations to Council.

Barker/Noonan

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. Confirmation of Minutes

5.1 19 March 2015

Document number A1332453, agenda pages 9-30 refer.

Resolved

THAT the minutes of the meeting of the Nelson City Council, held on 19 March 2015, be confirmed as a true and correct record.

Ward/McGurk

Carried

5.2 23 March 2015

Document number A1334062, agenda pages 31-44 refer.

An error was highlighted on page 7 of the minutes, with the word 'uptake' to replace 'update'.

Resolved

THAT the amended minutes of the meeting of the Nelson City Council, held on 23 March 2015, be confirmed as a true and correct record.

Noonan/Rainey

Carried

6. Status Report

Document number A1168168, agenda pages 45-46 refer.

In response to a question, the Chief Executive, Clare Hadley, advised the campground review would likely be reported to the Community Services Committee by the end of the financial year.

In response to a question on the Local Alcohol Policy, Mrs Hadley advised the relevant cases had been heard and were not under appeal. She said further work on the Policy would be prioritised accordingly.

There was discussion on the gondola proposal. Group Manager Community Services, Chris Ward, advised the proposal was waiting on the Recreation Reserve Management Plan, which would be presented to Council on 14 May 2015. It was confirmed Cycle Lift Society Inc had been involved in the Recreation Reserve Management Plan development.

It was suggested that a further action resolution on the gondola had been missed from the status report. Officers agreed to look into this and add further detail if necessary.

Resolved

THAT the Status Report (A1168168) be received.

Davy/Matheson

Carried

7. Mayor's Report

Document number A1342324, agenda pages 47-49 refer.

Resolved

THAT the Mayor's Report (A1342324) be received.

Her Worship the Mayor/Ward

Carried

8. Trafalgar Centre Reopening – Update

Document number A1343770, agenda pages 50-55 refer.

Consulting Engineer, Richard Kirby, presented the report.

In response to concerns, Mr Kirby advised the timeline for the Trafalgar Centre Reopening was tight but achievable. He said there had been no damage to the Centre from the recent earthquake.

Attendance: Councillor Fulton joined the meeting at 9.30am.

In response to a question, the Chief Executive, Clare Hadley, advised that officers were currently working on a contract for marketing Council venues, to ensure Council was ready to work with organisations wishing to book the Centre.

The Deputy Mayor complemented Mr Kirby and his team on public involvement and communications on the project to date.

Resolved

THAT the report Trafalgar Centre Reopening – Update (A1343770) be received.

Her Worship the Mayor/Matheson

Carried

9. Rutherford Park Upgrade – Roothing and Carparking

Document number A1344077, agenda pages 56-63 refer.

Consulting Engineer, Richard Kirby, and Parks and Facilities Asset Planner, Andrew Petheram, presented the report.

There was discussion on Rutherford Park parking design and the consultation which had been carried out to date. It was noted that a balance was needed between parking at the Trafalgar Centre and parking at Rutherford Park.

It was confirmed the reference to roading in the staff recommendation included relevant footpaths. It was also advised that if minor design changes were required, which did not impact the overall intention of the approved design, these could be addressed without further consultation.

In response to a question, it was advised the Trafalgar Centre roading and carpark budget in the Long Term Plan 2015-25 was \$1.9 million, which included cost savings from the use of the existing carpark at Rutherford Park. It was confirmed that this budget was less than the original budget proposed, and included a 30% contingency allowance.

Mr Kirby advised that a detailed budget for roading and carparking would be reported to Council in June 2015.

There was discussion on community buildings at the Park. It was confirmed that relevant groups had been advised of the provision for the buildings to remain at this time.

In response to questions, Mr Petheram advised there was no budget allowance to prepare grass at the Park for overflow carparking. He confirmed that use of the old tennis courts for carparking was a temporary measure, and this land would be used for recreation in the future. Mr Petheram said turning the courts into recreation area was not included in the \$1.9 million budget, but would only be a minor modification.

In response to a question about the reference to lawns at section 7.1 of the officer's report, Mr Kirby advised this was only lawns associated with material removed during roading and carparking works. He clarified that any material dug out would be redistributed, levelled and grassed.

It was confirmed that a section on Rutherford Park would be included in Long Term Plan 2015-25 deliberations reporting.

It was suggested that improvements could be made in articulating the timeline for Rutherford Park development to community groups.

Resolved

THAT the report Rutherford Park Upgrade – Roading and Carparking and its attachments A1205436 and A1344245 be received;

AND THAT the roading and carparking amendments to the Concept Plan July 2013 (A1205436) as outlined in Amended Concept Plan April 2015 (A1344245) be approved;

AND THAT approval be given to initiate detailed design and consenting work for the roading and carpark components of the Concept Plan April 2015, with the intention of completing the detailed design and the physical works concurrently with the Trafalgar Centre Project as part of the Early Contractor Involvement process;

AND THAT some of the budget allocated in the Long Term Plan 2015/25 be brought forward to cover costs associated with progressing this project in 2014/15.

Matheson/Her Worship the Mayor

Carried

REPORTS FROM COMMITTEES

10. Planning and Regulatory Committee to hear submissions to the draft Urban Environments Bylaw – 12 March 2015

Document number A1333233, agenda pages 64-67 refer.

Attendance: Councillor Lawrey left the meeting at 10.08am.

Resolved

THAT the minutes of a meeting of the Planning and Regulatory Committee to hear submissions to the draft Urban Environments Bylaw, held on 12 March 2015, be received.

McGurk/Fulton

Carried

11. Works and Infrastructure Committee – 26 March 2015

Document number A1335846, agenda pages 68-75 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Works and Infrastructure Committee, held on 26 March 2015, be received.

Davy/Copeland

Carried

12. Planning and Regulatory Committee – 2 April 2015

Document number A1339761, agenda pages 76-80 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 2 April 2015, be received.

McGurk/Barker

Carried

12.1 Fees and Charges: Consents and Compliance (non RMA) 2015 - 2016

Resolved

THAT the Dog Control Fees and Charges for 2015 - 2016 be adopted as detailed in Attachment 1 to Report A1318731;

AND THAT the Environmental Health and other activities fees and charges for 2015-2016 be adopted as detailed in Attachment 2 to Report A1318731;

AND THAT the Provision of Property Information Fees and Charges for 2015-2016 be adopted as detailed in Attachment 3 to Report A1318731;

AND THAT the charges for Dog Control, Environmental Health and Provision of Property Information activities apply as from 1 July 2015 until such time as they are varied or amended by Council;

AND THAT the Dog Control charges be publicly advertised in accordance with Section 37(6) of the Dog Control Act 1996.

McGurk/Davy

Carried

13. Planning and Regulatory Committee to deliberate on submissions to the draft Urban Environments Bylaw – 2 April 2015

Document number A1340037, agenda pages 81-85 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee to deliberate on submissions to the draft Urban Environments Bylaw, held on 2 April 2015, be received.

McGurk/Fulton

Carried

13.1 Analysis of Submissions on the draft Urban Environments Bylaw

Her Worship the Mayor raised concerns that the Planning and Regulatory Committee had made a decision on sandwich boards which was not consistent with feedback from submitters.

Attendance: Councillor Lawrey returned to the meeting at 10.15am.

It was suggested by several members of the Committee that the decision on sandwich boards was in line with submitter feedback as it resulted in a clear footpath, with boards being moved to the kerb to join other obstructions.

Attendance: Councillor Rainey left the meeting at 10.19am.

It was pointed out that moving sandwich boards to the kerbside created an additional hazard for vehicles. It was also suggested that sandwich board placement was currently adhoc and the current bylaw was ineffective.

Attendance: Councillor Rainey returned to the meeting at 10.21am.

The Chairperson of the Planning and Regulatory Committee advised there had been differences in the Blind Citizens Association's written and verbal submissions, in relation to placement of sandwich boards.

It was suggested the placement of sandwich boards along the kerb may create resource consent issues, and the Planning and Regulatory Committee may wish to consider the matter further. It was highlighted that the Committee may also wish to assess the costs and benefits associated with its decision on sandwich boards.

A view was expressed that the boards should be removed entirely to promote clear pathways and a cleaner look to the inner city.

A motion was moved by Councillor McGurk and seconded by Councillor Fulton.

THAT the amended draft Urban Environments Bylaw reflecting the Planning and Regulatory Committee's decisions on submissions, be adopted, taking effect from 2 June 2015.

In response to a question, Manager Planning, Matt Heale, advised that if a section of the draft Urban Environments Bylaw was sent back to the Planning and Regulatory Committee for further consideration, the remainder of the Bylaw should be adopted due to the expiry date of several parts of the Bylaw.

Further concern was raised about taking into account community views, and potential unintended consequences resulting from altering legislation.

An amendment was proposed and moved by Her Worship the Mayor and seconded by the Deputy Mayor.

THAT the amended draft Urban Environments Bylaw (excepting provisions 5.14-5.16 relating to sandwich boards), reflecting the Planning and Regulatory Committee's decisions on submissions on 2 April 2015, be adopted, taking effect from 2 June 2015;

AND THAT sections 5.14-5.16 of the amended draft Urban Environments Bylaw relating to sandwich boards be referred back to the Planning and Regulatory Committee for further consideration.

The amendment was put and a division was called.

Councillor Acland	Aye
Councillor Barker	Aye
Councillor Copeland	No
Councillor Davy	No
Councillor Fulton	No

Councillor Lawrey	No
Councillor Matheson	Aye
Councillor McGurk	Aye
Councillor Noonan	Aye
Councillor Rainey	No
Councillor Skinner	Aye
Councillor Ward	No
Her Worship the Mayor	Aye

The amendment was carried 7-6 and became the substantive motion.

Resolved

THAT the amended draft Urban Environments Bylaw (excepting provisions 5.14-5.16 relating to sandwich boards), reflecting the Planning and Regulatory Committee's decisions on submissions on 2 April 2015, be adopted, taking effect from 2 June 2015;

AND THAT sections 5.14-5.16 of the amended draft Urban Environments Bylaw relating to sandwich boards be referred back to the Planning and Regulatory Committee for further consideration.

Her Worship the Mayor/Matheson

Carried

14. Governance Committee – 16 April 2015

Document number A1345178, late item memo A1349596 refers.

Attendance: Councillor Matheson declared an interest and left the meeting at 11.05am.

Group Manager Community Services, Chris Ward, provided a correction on the item Nelson Events Strategy Funding Application South Island Masters Game. He advised that only \$20,000 of the stated \$65,000 had been secured from the Canterbury Community Trust, with the balance yet to be secured from other applications.

In response to concerns raised, Mr Ward advised the original officer recommendation would not have changed if this information had been provided earlier, as the reputation of the event and previous funding made it a secure sponsorship opportunity.

It was agreed that if councillors had any future reason to be concerned on the matter, it would be discussed with the Governance Committee Chairperson.

Resolved

THAT the unconfirmed minutes of a meeting of the Governance Committee, held on 16 April 2015, be received.

Barker/Davy

Carried

Attendance: Councillor Matheson returned to the meeting at 11.11am.

14.1 Procurement Policy and Debt Management Process

Attendance: Councillor Rainey declared an interest and left the meeting at 11.11am.

Resolved

THAT the Nelson City Council Procurement Policy January 2015 (A1293789) be approved.

Barker/McGurk

Carried

Attendance: Councillor Rainey returned to the meeting at 11.12am.

14.2 The Bishop Suter Trust draft Statement of Intent 2015/2016 and Half Yearly Report

Resolved

THAT the draft Bishop Suter Trust Statement of Intent 2015/16 (A1327762) be approved as the final version.

Barker/Acland

Carried

14.3 Corporate Report for the Period Ending 31 January 2015

Resolved

THAT the landfill charges be increased from \$114 per tonnes (inclusive of GST) to \$121 (inclusive of GST) effective 15 May 2015;

AND THAT landfill users be given two weeks notice of the increase in landfill charges;

AND THAT approval is given for a transfer of all capital expenditure and debt relating to the Maitai Walkway to be made from the Inner City Enhancement account to the Unsubsidised

Roading account in order to properly account for interest and debt in future years.

Barker/Acland

Carried

14.4 Liability Management and Investment Policies

Resolved

THAT the Liability Management Policy (A1261456) and Investment Policy (A1261457), with amendments from the Audit, Risk and Finance Subcommittee, be adopted.

Barker/McGurk

Carried

14.5 Tourism Nelson Tasman Ltd draft Statement of Intent 2015/16 and Half Yearly Report

Attendance: Councillor Fulton left the meeting at 11.16am.

Resolved

AND THAT the Governance Committee refer back to Council the draft Statement of Intent (A1325267) for consideration.

Barker/McGurk

Carried

Group Manager Community Services, Chris Ward, tabled a recommendation regarding the Tourism Nelson Tasman Ltd draft Statement of Intent 2015/16 (A1351389).

Councillors discussed the officer recommendation and made changes to align direction to the Tourism Nelson Tasman Board with Council's expectations.

It was agreed that activities should be prioritised based on return on investment, and the focus should be on what can be achieved instead of what will no longer be included.

In response to a question, Mr Ward advised the review of Nelson Tasman Tourism, along with other economic service providers, would be reported to the Governance Committee at its meeting on 28 May 2015. He advised that Council needed to provide feedback on the draft Statement of Intent prior to the outcome of the review due to the 30 June legislative deadline.

It was suggested that information on the value of the Boards proposed activities for the coming year would be beneficial.

Resolved

THAT the Tourism Nelson Tasman Board be asked to make the following changes to the draft Statement of Intent (A1325267):

- ***Add an objective, performance measure and target in relation to leveraging tourism opportunities from events, both programmed and unprogrammed***
- ***Provide separate reporting and financial information on Nelson City and Tasman District Council funding***
- ***Provide increased information on trends, how Nelson Tasman Tourism will respond to them***
- ***Include a work stream in relation to marketing of Nelson within New Zealand to campervans and independent travellers***
- ***Prioritise activities by return on investment focussing on the areas that will deliver greatest benefit.***

Barker/Acland

Carried

Attendance: Councillor Noonan left the meeting at 11.41am.

14.6 The Nelson Regional Economic Development Agency draft Statement of Intent 2015/16 and Half Yearly Report

Attendance: Councillor Noonan returned to the meeting at 11.44am.

Resolved

THAT the draft Nelson Regional Economic Development Agency Statement of Intent (A1323928) be approved with the following amendments:

- ***Removal of Horoirangi from table 4.3;***
- ***Removal of the reference to the convention centre on page 163 under Physical Infrastructure.***

Barker/Davy

Carried

15. Joint Shareholders Committee 17 April 2015

Document number A1345011, agenda pages 86-91 refer.

Attendance: Councillor Lawrey left the meeting at 11.47am.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Tasman District Council Joint Shareholders Committee, held on 17 April 2015, be received.

Davy/Barker

Carried

16. Civil Defence Emergency Management Group – 17 April 2015

Document number A1344996, agenda pages 92-93 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson Tasman Civil Defence Emergency Management Group, held on 17 April 2015, be received.

Matheson/Ward

Carried

17. Exclusion of the Public

Attendance: Councillor Lawrey returned to the meeting at 11.49am.

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)
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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 – 19 March 2015	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)(g) To maintain legal professional privilege • Section 7(2)(i) To carry out negotiations
2	Status Report – Council 30 April 2015 This report contains information regarding: <ul style="list-style-type: none"> • Plan Change 18 Appeals • Rugby Opportunity 	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)(g) To maintain legal professional privilege • Section 7(2)(i) To carry out negotiations
3	Trafalgar Centre Reopening - Update This report contains information regarding: <ul style="list-style-type: none"> • Tender Assessments 	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
4	Joint Shareholders Committee - Public Excluded Minutes – 17 April 2015	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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
5	<p>Governance Committee – Public Excluded Minutes – 16 April 2015</p> <p>These minutes contain information regarding:</p> <ul style="list-style-type: none"> • Nelmac Limited draft Statement of Intent 2015/16 and Half Yearly Report • Nelson Airport Limited – Airport Land • Nelson Airport Limited Proposed Constitutional Changes 	<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)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations

Her Worship the Mayor/Skinner

Carried

Attendance: Councillor Skinner left the meeting at 11.50am.

The meeting went into public excluded session at 11.51am and resumed in public session at 12.50pm, during which time Councillors Skinner and Fulton returned to the meeting.

18. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Matheson

Carried

There being no further business the meeting ended at 12.50pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date