

MINUTES OF A MEETING OF THE NELSON CITY COUNCIL – COMMUNITY SERVICES AND INFRASTRUCTURE HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON THURSDAY 28 APRIL 2011 COMMENCING AT 9.04AM

PRESENT: His Worship the Mayor A Miccio (Chairperson), Councillors I Barker, A Boswijk (Deputy Mayor), G Collingwood, R Copeland, E Davy, K Fulton, P Matheson, J Rackley, P Rainey, R Reese, D Shaw and M Ward

IN ATTENDANCE: Chief Executive (K Marshall), Youth Councillors Jamie White and Wirihana de Thierry, Executive Manager Network Services (A Louverdis) and Administration Adviser (A Rose)

1. Opening Prayer

The opening prayer was given by Councillor Davy.

2. Conflicts of Interest

There were no conflicts of interest declared regarding the items on the agenda.

3. Confirmation of Minutes

3.1 7 April 2011

Document number 1073929

Note: Councillor Shaw declared an interest in item 11 regarding the Bishop Suter Trust Board and did not vote.

Resolved

THAT the minutes of a meeting of the Nelson City Council – Governance and Policy and Planning, held on Thursday 7 April 2011 be confirmed as a true and correct record subject to the following amendments:

- ***Councillor Davy's name being added to those present at the meeting;***
- ***Page 5, paragraph 11 altered to read 'document needs to reflect drivers for key priorities in the LTCCP';***
- ***Page 7, the words 'and Paul Dalzell, Chairperson,' be removed from the minutes.***

Davy/Barker

Carried

Attendance: Councillor Ward arrived at the meeting at 9.07am.

3.2 24 March 2011

Document number 1066147

Resolved

THAT the minutes of a meeting of the Nelson City Council held on Thursday 24 March 2011 be confirmed as a true and correct record.

Reese/Barker

Carried

4. Mayor's Report

Document number 1078650, agenda page 18 refers.

His Worship the Mayor reported on the recent Anzac Day ceremonies and paid tribute to the organisation and work done by the Nelson RSA to make the ceremonies so successful.

He reported to Councillors on the recent meeting of Zone 5, in particular he confirmed he had given the letter regarding the remuneration for Councillors issue to Ms Angela Faulkes and he explained how the matter will be progressed.

4.1 Mayor and Councillor Training and Travel Arrangements

Resolved

THAT Council, due to the short notice approves retrospectively travel and accommodation costs for Councillor Matheson to represent Nelson City Council at the SPARC Sector Awards in Auckland on 18 April 2011.

His Worship the Mayor/Barker

Carried

Cross Council Items

5. Integrated Policy Framework

Document Number 1056845, agenda pages 19-26 refer.

The Manager Strategic Response, Chris Ward, joined the meeting, presented the report and made a powerpoint presentation (document number 1077996).

During discussion on this item the Council indicated its willingness to adopt the Integrated Policy Framework report in principle as a Strategic Policy Framework for the Council. There was strong support for having a public workshop to brief Councillors on how the policy would operate. The recommendation in the report was moved by Councillor Ward and seconded by Councillor Fulton.

Councillor Matheson, seconded by Councillor Davy moved an amendment deleting the second part of the recommendation and adding:

AND THAT a public workshop be held to brief Councillors on how the policy would operate.

The amendment was put and carried and became a substantive motion.

Resolved

THAT it be confirmed that the Integrated Policy Framework report 1056845 be adopted in principle as the Strategic Policy Framework of Nelson City Council;

AND THAT a public workshop be held to brief Councillors on how the policy will operate.

Matheson/Davy

Carried

6. Submission on the Proposed National Policy Statement on Indigenous Biodiversity

Document number 1073034, agenda pages 27-40 refer.

The Planning Adviser, Reuben Peterson, presented the report. While discussing the submission the Council suggested that if there was an opportunity for the Council to speak to its submission then this opportunity should be taken up.

Resolved

THAT the attached submission (document 1068313) to the Proposed National Policy Statement on Indigenous Biodiversity be confirmed;

AND THAT if hearings are held the Council present and speak to its submission.

Shaw/Boswijk

Carried

Infrastructure Items

7. Public Status Report - Infrastructure

Document No. 1034781, agenda page 41 refers.

7.1 Saxton Field Leases

In response to a request the Chief Executive confirmed that there would be an update on the status of the leases at Saxton's Field in a future Chief Executive Report.

Resolved

THAT the Public Status Report – Infrastructure (1034781) be received.

His Worship the Mayor/Collingwood

Carried

8. Portfolio Holders Report

Councillor Collingwood reported on her attendance at the recent Zone 5 meeting and said she would be circulating a written report to all Councillors.

In particular, she recommended that Councillors have a look at the website www.camping.org.nz.

9. Chief Executive Report - Infrastructure

Document number 1069154, agenda pages 42-58 refer.

The Executive Manager Network Services, Alec Louverdis, joined the meeting and presented the report.

9.1 QEII Gateway/Maitai Gateway

The Manager of Policy and Planning, Nicky McDonald, joined the meeting and explained that expressions of interest for an artist to develop an artwork for the QEII/Trafalgar Street Gateway have closed and three artists had been shortlisted to develop a concept for the site which was next to the carpark beside the Maitai Club.

There was considerable discussion regarding the QEII Gateway site and it was suggested that now the speed limit for this part of QEII Drive had been lowered to 50kph it might be possible to erect an artwork on the QEII/Trafalgar Street roundabout. In answer to a question Ms McDonald said that the New Zealand Transport Authority had said that full details of any proposal would have to be submitted to the Authority before it could make a decision as to whether anything could go on the roundabout and it would depend on various factors as to whether it could be approved.

Councillor Copeland and Councillor Rainey indicated they would move and second a motion that the QEII/Trafalgar Street roundabout be added to the sites for consideration for the Gateway Sculpture. However, although concerns were expressed, there was no motion put to the meeting.

9.2 Stormwater Culverts at Haven Road and St Vincent Street adjacent to Saltwater Creek

Resolved

THAT investigation, design and repair of sections of stormwater culverts at Haven Road and St Vincent Street adjacent to Saltwater Creek be undertaken

with urgency in the 2010/2011 and 2011/12 financial years;

AND THAT \$154,000 from 2010/11 and \$132,000 from 2011/12 stormwater renewals budget be directed to the works.

Davy/Collingwood

Carried

9.3 Cycle track at Trafalgar Park

In reply to a question from Councillor Matheson, Mr Louverdis noted that there was not a discrepancy with regards the comments on health and safety in so far that Council staff and their consultants are of the opinion that the track, taking into account its life, is not dangerous to use. However should the users of the track deem this not to be the case and that the track is unsafe, then the code governing this body needed to make the call as to whether their users should use the track.

9.4 Trading in Public Places - Retail Displays

The Councillors confirmed that it was not the issue of retail that was of concern to them (although acknowledging that there is still a inconsistency in enforcement) but more on how outdoor dining can be treated. Mr Louverdis noted that there would be an opportunity to revisit both of these areas when the Bylaw is again reviewed in 2012.

9.5 Parking and Vehicle Control Bylaw 2004, No. 207 Amendments to Schedules

Mr Louverdis outlined the various changes and additions to the schedule of the bylaw required to amend operations that have been carried out under delegated authority since the last update in November 2010.

In answer to a question, Mr Louverdis confirmed that all of the proposed amendments are related to health and safety issues.

Councillor Collingwood seconded by Councillor Matheson moved the recommendation under 13.3 in the report. The debate that followed highlighted several Council concerns in particular in Avon Terrace and Brougham Street.

Attendance: The meeting adjourned for lunch from 12.30pm to 1.02pm.

Following the luncheon adjournment Council decided that more information was required.

Resolved

THAT the matter of the Parking and Vehicle Control Bylaw No. 207 Amendment to Schedules be left to lie on the table and be brought back to Council in six weeks time.

Reese/Fulton

Carried

9.6 Arapiki Stream Stormwater Upgrade

Resolved

THAT from the \$121,000 stormwater savings realised on Arapiki Stream due to favourable site conditions, \$30,000 be transferred to Iwa Road and \$36,000 to Atawhai Drive.

Matheson/Rackley

Carried

9.7 Founders Railway Watermain Relocation

Mr Louverdis advised that the consent hearing for Founders Railway Society to extend the permanent way to Trafalgar Street had yet to be heard and that the Founders Railway Society had placed this on hold pending a review of the submissions received to date. The timeframe is unknown and it was noted that any decision could be subject to a review by submitters and that this could further delay the railway extension.

He pointed out in reply to a question that it is the Founders Railway Society who are seeking a resource consent for the railway extension and not Council. Council did not need a consent to re-locate the water main. He noted that the water re-location and the resource consent were separate issues and that based on the direction given to him by Council. He has progressed the design and prices for the re-location works and the only reason this has come back to Council was because the costs for the actual re-location was greater than the allowed budget resulting from a very short time frame and wet ground conditions. If the tenders were within budget the works would have already commenced.

He noted that if works did not commence within the next week (that is with some degree of urgency) then it would be impossible for the re-location works as well as the railway extension to be undertaken before Rugby World Cup 2011.

In reply to a question, Mr Louverdis advised that if the urgency was taken out of the equation then perhaps the prices would be lower and that he potentially could re-negotiate a reduced cost with the tenderers, but that in itself would take time.

Council expressed itself unwilling to commit the necessary funding to relocate the water main until the resource consent and all the other necessary approvals had been obtained by the Founders Railway Society.

The Chief Executive advised that the effect of such a decision would mean that the project would not be progressed before Rugby World Cup 2011.

Resolved

THAT the matter of Founders Railway watermain relocation and the proposal to fund this work from savings made from the Stoke high level reservoir water supply be left to lie on the table.

His Worship the Mayor/Rainey

Carried

9.8 Atawhai Drive Combined Transport, Stormwater and Sewer

Resolved

THAT additional \$36,000 be funded from the \$121,000 savings realised from the Arapiki Stream stormwater upgrade.

Davy/Boswijk

Carried

9.9 Iwa Road Combined Transport, Stormwater and Sewer

Resolved

THAT the additional \$30,000 be funded partly from the \$121,000 savings realised from the Arapiki Stream stormwater upgrade.

Davy/Boswijk

Carried

10. Youth Council Update

The visiting Youth Councillors, Jamie White and Wirihana de Thierry, presented an update on recent Nelson Youth Council activities which included Youth Week, the submission the Youth Councillors had made to Council's Draft Annual Plan, their involvement with Tomorrows Leaders Workshop and their involvement in the Rugby World Cup 2011 Volunteers Organisation.

His Worship the Mayor thanked the Youth Councillors for their attendance and before they left, they gave their impressions of the meeting.

11. Public Excluded Business

11.1 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) Public Excluded Minutes - Council Meeting Governance and Policy and Planning 7 April 2011

Reasons:

To carry out negotiations; and

To carry out commercial activities; and

To protect the commercial position of the person who supplied or is the subject of the information.

ii) Public Excluded Minutes – Council Meeting 24 March 2011

Reasons:

To carry out negotiations; and

To carry out commercial activities.

iii) Public Excluded Status Report - Infrastructure

Reasons:

To carry out negotiations; and

To carry out commercial activities.

iv) Chief Executive Report - Infrastructure

Reasons:

To protect the privacy of natural persons; and

To protect information that may disclose a trade secrets or the commercial position of a person; and

To protect information that is subject to an obligation of confidence.

To maintain legal professional privilege.

v) Proposed Purchase of Land

Reasons:

To protect the privacy of natural persons; and

To protect information that is subject to an obligation of confidence; and

To carry out commercial activities; and

To carry out negotiations.

vi) Proposed Disposal of Council Land

Reasons:

To protect the privacy of natural persons; and

To carry out negotiations; and

To carry out commercial activities.

**vii) Nelson City Council Tasman District Council
Joint Shareholders Committee Minutes -
25 March 2011**

Reasons:

To carry out negotiations; and

To carry out commercial activities.

His Worship the Mayor/Fulton

Carried

The meeting went into public excluded session at 1.47pm and resumed in public session at 3.44pm. During this time the resolution to extend the meeting beyond six hours was passed and the meeting had an adjournment from 2.15pm to 3.44pm.

11.2 Re-admittance of the public

Resolved

THAT the public be re-admitted to the meeting.

His Worship the Mayor/Barker

Carried

Resolved

THAT the meeting be closed;

AND THAT the items on the agenda which had not been able to be considered be referred to the next meeting.

His Worship the Mayor/Reese

Carried

There being no further business the meeting closed at 3.45pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE