



AGENDA

**Ordinary meeting of the
Nelson City Council
18 November 2010
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership:

His Worship the Mayor Aldo Miccio, Councillors Ian Barker, Ali Boswijk (Deputy Mayor), Gail Collingwood, Ruth Copeland, Eric Davy, Kate Fulton, Paul Matheson, Jeff Rackley, Pete Rainey, Rachel Reese, Derek Shaw and Mike Ward

Business

As set out below

18 November 2010

TARDIS 1002443

Page No.

APOLOGIES

OPENING PRAYER

1. Public Forum

1.1 Rating issue at 21 Arapiki Rd 1-4

Geoff and Kay Gudsell will speak to Council about this issue.

2. Confirmation of Minutes – 28 October and 4 November 2010 5-17

Document numbers 1001177 and 1006223

Recommendation

THAT the minutes of the meetings of the Nelson City Council, held on Thursday 28 October and Thursday 4 November 2010, be confirmed as a true and correct record.

REPORTS POLICY

3. Credits for Excess Water arising from Leaks 18-37

Document number 993846

Recommendation

THAT Council grant requests for water credits based on the following criteria:

- ***Leaks from pipes or fittings on farms, commercial, industrial properties and un-occupied properties (regardless of temporary or long term) or reserves or from irrigation, stock water, swimming pools, ponds, landscaping, or similar systems on occupied properties. No credit;***
- ***Leaks from pipes that are, or should be visible, such as header tanks, overflows from WC's, above ground pipes or fittings and attached to raised flooring or in walls or ceilings. No credit;***
- ***Where the leak is a previously unknown underground leak on the main lateral between the water meter and a residential dwelling or under the concrete floor of a residential dwelling. Credit the lost water where the leak has been repaired with due diligence. Only one leak per property, and maximum two consecutive water supply invoices covering the leak, per five year rolling timeframe will be credited. Credit will be based on Council's assessment of the property owner's usual usage for the period;***

AND THAT define due diligence as within two weeks of the earliest of the following:

- ***The date of the first invoice to identify a higher than usual usage or the date of discovery or when it could have reasonably been discovered. Usual being the amount used in the same period as last year, these amounts are shown on every water account;***

AND THAT the leak must be repaired by a Licensed or Certifying plumber with a brief report on the leak by that person to establish where on the line the leak was found, dates and an opinion, if possible, as to how long the leak had been occurring;

AND THAT extraordinary circumstances outside of the above, which could lead to cases of genuine financial hardship for owner / occupier, could be granted at the discretion of the Council's Chief Financial Officer;

AND THAT the Statement of Proposal in document 1001578 be approved and advertised using the Special Consultative Procedure (section 83 of the Local Government Act 2002).

4. Dog Control Activity Report 2009-2010 38-40

Document number 984850

Recommendation

THAT the Council adopt Appendix 1 (984870) to Report No. 984850 as the Nelson City Council Dog Control Activity Report for the year 2009-2010.

AND THAT the Council publicly notify the Report by way of newspaper notices, and send the Report to the Secretary for Local Government, as required under the Dog Control Act 1996, s.10A(3) and (4).

5. Public Forum Discussion

REPORTS POLICY (Continued)

6. Chief Executives Report 41-90

Document number 1002446

6.1 Changes to The Bus in response to GST and SuperGold card subsidy changes

Recommendation 1

THAT, in response to the GST rate increase and decreased SuperGold Card subsidy, fares on 'The Bus' and 'The Late Late Bus' be increased from 1 December 2010 as follows:

The Bus adult fares increase from \$2.00 to \$2.20

The Bus concession fares increase from \$1.50 to \$1.70

The Bus child fares increase from \$1.00 to \$1.10

The Late Late Bus fares increase from \$3.00 to \$3.30.

6.2 Over budget Transport Capital Projects

Recommendation 2

THAT to enable Locking St, Jenner Rd/ St. Vincent St, Will Watch Way walkway and Seymour Ave projects to progress to tender stage, these projects be delayed as follows:

Construction of the traffic signals at Waimea Rd/Motueka St be delayed to 2011/12;

Design of Scotia St be delayed to 2011/12;

Construction of Scotia St be delayed for reconsideration through the 2012/13 Long Term Plan (LTP) process; and

Construction of the Marsden Rd upgrade be delayed for reconsideration through the 2012/13 LTP process.

6.3 Reduction of Speed Limit on QEII Drive

Recommendation 3

THAT the NZTA be advised Council agrees with its proposal to reduce the speed limit on QEII Drive from 100km/hr to 50km/hr from the intersection with Wildman Ave to a point 200m north of the Trafalgar St roundabout, and a letter be sent authorising this change to NZTA.

6.4 Update on Land Transport Rule: Vehicle Dimensions and Mass Amendment 2010

Recommendation 4

THAT approval be granted for the use of Nayland Road and, subject to further investigations proving to be satisfactory, the use of the Port roads be approved for 'high productivity vehicles', which are longer and heavier trucks.

6.5 Founders Stormwater Project Stage II

Recommendation 5

THAT construction of the Founders Stormwater Stage II project proceeds in conjunction with the Iwa Road project and be funded from the following budgets: Founders Stage I savings (\$60,000), piping ditches (\$100,000), freshwater improvements (\$250,000), Orchard Creek savings (\$24,000), and Orphanage Creek savings (an estimated \$180,000).

6.6 Marina Toilet/Shower Facility

Recommendation 6

THAT only the planning and design work for the Marina Toilet/ Shower Facility project, estimated at \$38,000, be undertaken in the current financial year; ***AND THAT*** \$342,000 for construction be deferred to the 2011/12 year.

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

Recommendation 7

THAT the following alterations to the Schedules of Bylaw No 207, Parking and Vehicle Control (2004) be approved:

Schedule 4: Special Parking Areas

Schedule 8: Time Limited Parking Areas

Schedule 9: No Stopping

6.8 Supplementary Reports

Recommendation 8

THAT the status reports attached to this Chief Executive report 1002446 be received;

AND THAT the Schedule of Documents Sealed from 26 August to 11 October 2010, document 996546 be received.

7. Funding Options for Saxton Cricket/Athletics/Football Pavilion

91-100

Document number 1000857

Recommendation

THAT work not begin on the construction of the pavilion until Council is satisfied that all of the sports codes' share of the funding is attainable;

AND THAT the Saxton Field Pavilion Charitable Trust be authorised to continue naming rights negotiations only until the end of 2010 and only involving the two potential sponsors it has already entered into discussions with;

AND THAT the principle that code contributions to Council facilities not be considered equity be reaffirmed.

8. Mayors Report

This report is being finalised. It is intended to circulate the report prior to the meeting.

Public Excluded Business

9. Exclusion of the Public

Recommendation

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 Minutes – 4 November 2010

Reasons:

To enable the Council to carry out negotiations without prejudice or disadvantage; or

To protect the privacy of natural persons.

ii) Chief Executives Report

Reasons:

To enable the Council to carry out negotiations without prejudice or disadvantage; or

To protect the privacy of natural persons.

iii) Port Nelson Limited – Exchange of Land

Reasons:

To enable the Council to carry out negotiations without prejudice or disadvantage; or

To protect the privacy of natural persons.

iv) Airport and Port Nelson Appointment of Directors

Reasons:

To enable the Council to carry out negotiations without prejudice or disadvantage; or

To protect the privacy of natural persons.

10. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note: Lunch will be provided at 12.30pm