



# AGENDA

**Ordinary meeting of the  
Nelson City Council  
Governance and Policy and Planning**

**Thursday 15 December 2011  
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

**Thursday 15 December 2011**

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## **Apologies**

### **Opening Prayer**

#### **1. Conflicts of Interest**

- 1.1 Updates to the Conflicts of Interest Register
- 1.2 Identify any conflicts of interest in the agenda

#### **2. Public Forum**

- 2.1 Proposed Saxton Velodrome

Mr Rob Ford will speak about the Proposed Saxton Velodrome.

- 2.2 Summerset Village Signage

Mr Mark Lile will speak about signage for Summerset Village.

- 2.3 Flow of the Maitai into the Marina

Mr Kerry Neal and Mr Jim Williamson will speak about improving the water flow from the Maitai River into the Marina.

#### **3. Confirmation of Minutes**

- 3.1 22 November 2011

1-5

Document number 1196132

Recommendation

***THAT the minutes of the meeting of the Nelson City Council – Quarterly Chief Executive Report, held on Tuesday 22 November 2011, be confirmed as a true and correct record.***

3.2 24 November 2011 6-20

Document number 1198273

Recommendation

***THAT the minutes of the meeting of the Nelson City Council – Community Services and Infrastructure, held on Thursday 24 November 2011, be confirmed as a true and correct record.***

#### **4. Mayor's Report**

### **GOVERNANCE ITEMS**

During this part of the meeting the Mayor will be joined by the Governance Portfolio Holder, Councillor Barker.

#### **5. Status Report - Governance**

Document number 1034743 21

Recommendation

***THAT the Status Report - Governance (1034743) be received.***

#### **6. Portfolio Holder's Report**

#### **7. Chief Executive Report - Governance**

Document number 1187638 22-23

Recommendation

***THAT the Chief Executive Report - Governance (1187638) be received.***

7.1 Updates to the Delegations Register

Recommendation

***THAT the Chief Executive, or his nominee, be delegated the authority to approve the execution of Deeds of Encumbrance on Council land.***

**8. Legal Advice in respect to Ken Beckett Public Forum Item from 24 November 2011**

Document numbers 1201058 and 1205447 24-33

Camilla Owens from Duncan Cotterill will be in attendance to present the opinion.

Recommendation

***THAT the opinion (1205447) be received.***

**9. Review and Amendment of Procedure for Appointment of Directors/Trustees of CCOs and CCTOs**

Document number 1197387 34-41

Recommendation

***THAT the amended Policy for the Procedure for Appointment of Directors/Trustees of CCOs and CCTOs (1189525) be adopted.***

**REPORTS FROM COMMITTEES**

**10. Audit, Risk and Finance Committee – 22 November 2011**

Document number 1195898 42-45

Recommendation

***THAT the minutes of meeting of the Audit, Risk and Finance Committee, held on Tuesday 22 November 2011, be received.***

**POLICY AND PLANNING ITEMS**

During this part of the meeting the Mayor will be joined by the Policy and Planning Portfolio Holder, Councillor Reese.

**11. Status Report – Policy and Planning**

Document number 1034725 46-48

Recommendation

***THAT the Status Report – Policy and Planning (1034725) be received.***

**12. Portfolio Holder's Report**

**13. Chief Executive Report – Policy and Planning**

Document number 1186127

49-67

Recommendation

***THAT the Chief Executive Report – Policy and Planning (1186127) be received.***

13.1 Proposed Pedestrian Refuge – Rocks Road

Recommendation

***THAT public feedback on the proposal to build a pedestrian refuge on Rocks Road at the base of Days Track be noted;***

***AND THAT work proceed on the design and construction of the pedestrian refuge in the 2011/12 financial year as a matter of priority.***

13.2 Thematic Historical Overview of Nelson City

Recommendation

***THAT the Thematic Historical Overview of Nelson City (1176578) be received by Council.***

Note: Copies of the Thematic Historical Overview of Nelson City have been bound and left in the Councillors' Lounge for Councillors' perusal. Please contact an Administration Adviser if you would like to receive a copy.

13.3 Parking and Vehicle Control Bylaw 2011 (No 207)

Recommendation

***AND THAT the Parking and Vehicle Control Bylaw 2011 (No 207) as amended following the hearing of submissions ([1172229](#)) be adopted as a final version of the Bylaw and shall come into force on 15 December 2011.***

#### **14. Review of Gambling Policy 2007**

Document number 1187412

68-72

Recommendation

***THAT Council agree to proceeding with a Special Consultative Procedure under section 83 of the LGA 2002, and to the following process and timeline for reviewing the Council's 2007 Gambling Policy:***

- ***Draft Statement of Proposal and Community Engagement Plan to Council for approval by 23 February 2012;***
- ***Statement of Proposal publicly notified and open for submissions from 1 March 2012 to 5 April 2012;***
- ***Council to hear oral submissions by 15 May 2012;***
- ***Council to make decision by 30 June 2012 (note: further public consultation may be required depending on the outcome of the Special Consultative Procedure).***

#### **15. Parks and Reserves Activity Management Plan 2012 – 2022**

Document number 1193163

73-75

Recommendation

***THAT the Parks and Reserves Activity Management Plan 2012-2022 (RAD1196117; 1197621) be adopted as the version that will inform the Long Term Plan 2012-2022.***

Note: The Parks and Reserves Activity Management Plan 2012-2022 is circulated as a separate document.

#### **16. Consultation on Proposed Changes to Local Bus Routes**

Document number 1193934

76-78

Recommendation

***THAT Councillors \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ be delegated responsibility for hearing submissions and making recommendations to the Council on proposed changes to local bus routes.***

## REPORTS FROM COMMITTEES

### 17. Regional Transport Committee – 1 December 2011

Document number 1202436

79-83

Recommendation

***THAT the minutes of meeting of the Regional Transport Committee, held on Thursday 1 December 2011, be received.***

## CROSS COUNCIL ITEMS

### 18. Saxton Velodrome - Funding

Document number 1197057

84-90

Recommendation

***THAT agreement in principle is given to establishing a velodrome at Saxton Field subject to final design and pricing being acceptable to Council;***

***AND THAT the Saxton Velodrome be adopted as a regional facility;***

***AND THAT the contribution from the Saxton Velodrome Trust be 20% of the total design and construction costs, currently estimated to be in the order of \$2,000,000;***

***AND THAT the remaining 80% be contributed from the Nelson City Council and the Tasman District Council, with Nelson contributing 43% and Tasman 37%;***

***AND THAT Nelson City Council's funding contribution be included for consideration in the 2012-2022 Long Term Plan in 2012/13 with payment being subject to the Saxton Velodrome Trust first meeting its funding contribution;***

***AND THAT the costs of decommissioning of the existing cycling track at Trafalgar Park be considered in the 2012-2022 Long Term Plan in 2013/14.***

Note: Copies of the Saxton Cycle Velodrome & Road Safety Arena – Updated Proposal November 2011 have been bound and left in the

Councillors' Lounge for Councillors' perusal. Please contact an Administration Adviser if you would like to receive a copy.

## 19. Discussion of public forum items

### PUBLIC EXCLUDED BUSINESS

## 20. 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.***

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	Nelson City Council Public Excluded Minutes – 22 November 2011	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"> <li>• Section 7(2)(a) To protect the privacy of natural persons</li> <li>• Section 7(2)(g) To maintain legal professional privilege</li> </ul>
2	Nelson City Council Public Excluded Minutes – 24 November 2011	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"> <li>• Section 7(2)(a) To protect the privacy of natural persons</li> <li>• Section 7(2)(b) To protect information that may disclose a trade secrets or the commercial position</li> </ul>



			<p>of a person</p> <ul style="list-style-type: none"> <li>• Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> <li>• Section 7(2)(g) To maintain legal professional privilege</li> <li>• Section 7(2)(h) To carry out commercial activities</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
<b>3</b>	<p>Public Excluded Status Report – Governance</p> <p>This report contains information regarding the sale and purchase of land</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"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
<b>4</b>	<p>Public Excluded Chief Executive Report – Governance</p> <p>This report contains information regarding the Port Nelson Limited Three Monthly Result</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"> <li>• Section 7(2)(h) To carry out commercial activities</li> </ul>
<b>5</b>	<p>Request for Potential Candidates for Consideration as Directors/Trustees for Council Controlled Organisations</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"> <li>• Section 7(2)(a) To protect the privacy of natural persons</li> <li>• Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> <li>• Section 7(2)(f)(ii) To protect individuals from</li> </ul>

			improper pressure and harassment <ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
<b>6</b>	Public Excluded Status Report – Policy and Planning  The report contains information regarding the future use of land; and an application to the Contaminated Sites Remediation Fund.	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"> <li>• Section 7(2)(b) To protect information that may disclose a trade secrets or the commercial position of a person</li> <li>• Section 7(2)(c) To protect information that is subject to an obligation of confidence</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>

## 21. Re-admittance of the public

Recommendation

**THAT the public be re-admitted to the meeting.**

### Note:

- **Lunch will be provided at 12.30pm**
- **At the conclusion of the meeting a meeting assessment will be conducted**