



AGENDA

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

**Thursday 3 November 2011
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson 7010**

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

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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 Name of the All-Weather Athletics Track

Mr Vernon Mardon will speak about naming the all-weather athletics track "The Harold Nelson Athletics Track".

3. Hearings – Parking and Vehicle Control Bylaw Review

- 3.1 Hugh Briggs

Mr Briggs will speak to Council as a part of the hearings for the review of the Parking and Vehicle Control Bylaw.

4. Confirmation of Minutes

1-15

13 October 2011

Document number 1174066

Recommendation

THAT the minutes of the meeting of the Nelson City Council – Infrastructure and Community Services, held on Thursday 13 October 2011, be confirmed as a true and correct record.

5. Mayor's Report

16-17

Document number 1172093

Recommendation

THAT Council retrospectively approves travel and transport costs for Councillor Collingwood to attend the tour of Christchurch central business district on 19 October 2001;

AND THAT Council approves for the Mayor to attend a summit of territorial and regional Mayors/chairs from across central New Zealand in Wellington on 16 November 2011.

6. Notice of Motion regarding the Montgomery Square Upgrade Project

18-30

Document number 1179666

Notice of Motion from Councillor Rainey, and signed by Councillors Boswijk, Fulton, Ward, Shaw, Collingwood and His Worship the Mayor A Miccio, to revoke the Council Resolution of Thursday 1 September 2011, received on Tuesday 25 October 2011.

Recommendation

THAT the resolution passed at the Council meeting 1 September 2011:

THAT the Montgomery Square upgrade project not proceed as a Heart of Nelson initiative and no further work be undertaken in this regard;

AND THAT Council do not commit the funds allocated for this work;

be revoked;

AND THAT the process and recommendations set out in document 1143200 (Montgomery Square/Bank Lane – Way Forward) be adopted in order to progress the upgrade of Montgomery Square and Bank Lane.

A copy of the 'Montgomery Square/Bank Lane – Way Forward' report (1143200) has been included in the agenda for information.

POLICY AND PLANNING ITEMS

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

7. Status Report – Policy and Planning 31-33

Document number 1034725

Recommendation

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

8. Portfolio Holder’s Report

9. Chief Executive Report – Policy and Planning 34-38

Document number 1165632

Recommendation

THAT the Chief Executive Report – Policy and Planning (1165632) be received.

9.1 Review of Tasman-Nelson Regional Pest Management Strategy

Recommendation

THAT the commencement of a minimal review of the Tasman-Nelson Regional Pest Management Strategy occurs before June 2012 by notifying the existing RPMS and then a second in-depth review is undertaken following the promulgation of the Biosecurity Amendment Bill and the release of the National Policy Direction.

9.2 Plan Change 17

Recommendation

AND THAT an independent Commissioner be appointed to hear and make recommendations decisions on submissions to Proposed Plan Change 17 (Enner Glynn and Upper Brook Valley).

- 9.3 Independent Commissioner's Decisions on Plan Changes 19, 22, 23, 24, 25, 26 and A1

Recommendation

THAT the Council receive the information relating to decisions for Plan Changes 19, 22, 23, 24, 25, 26 and A1.

- 10. Parking and Vehicle Control Bylaw 2011 (No 207) – Assessment and Decisions on Submissions 39-121**

Document number 1170763

Recommendation

THAT the submissions to draft Parking and Vehicle Control Bylaw 2011 (No 207) be received (1171599);

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 THAT Council officers be instructed to develop and consult on a policy relating to exclusive use parking spaces (clause 7 of the Bylaw) as a priority.

- 11. Regional Public Transport Plan 122-168**

Document number 1164279

Recommendation

THAT Council adopt the Regional Public Transport Plan.

- 12. Wastewater Asset Management Plan 2012 – 2022 169-171**

Document number 1162924

Recommendation

THAT the Wastewater Asset Management Plan 2012-2022 (RAD1159591) be adopted as the version that will inform the Long Term Plan 2012-2022.

Note: the Wastewater Asset Management Plan was circulated to Councillors prior to the distribution of this agenda. Please contact an Administration Adviser if you require another copy.

REPORTS FROM COMMITTEES

13. Regional Transport Committee Minutes – 6 October 2011 172-179

Document number 1169896

Recommendation

THAT the minutes of a meeting of the Nelson Regional Transport Committee, held on 6 October 2011, be received.

There is a resolution from the Committee for the Council to consider. A staff report about this resolution will be presented to the Council at the 24 November meeting.

14. Resource Management Act Procedures Committee Minutes – 1 September 2011 180-181

Document number 1169060

Recommendation

THAT the minutes of a meeting of the Resource Management Act Procedures Committee, held on 1 September 2011, be received.

GOVERNANCE ITEMS

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

15. Status Report - Governance 182

Document number 1034743

Recommendation

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

16. Portfolio Holder's Report

17. Chief Executive Report - Governance 183

Document number 1177086

Recommendation

THAT the Chief Executive Report - Governance (1177086) be received.

18. Change to Timing of Council Meetings for 2012 184-197

Document number 1165910

Recommendation

THAT the draft calendar (1179791) for 2012 be adopted.

19. Maori Wards

Document number 1177106

Note: this report will be circulated separately prior to the meeting.

REPORTS FROM COMMITTEES

20. Audit Risk and Finance Committee – 18 October 2011 198-201

Document number 1175353

Recommendation

THAT the minutes of a meeting of the Audit Risk and Finance Committee, held on 18 October 2011, be received.

21. Economic Development Committee – 9 August 2011 and 18 October 2011 202-210

Document number 1140418 and 1175408

Recommendation

THAT the minutes of a meeting of the Economic Development Committee, held on 9 August and 18 October 2011, be received.

22. Hearings Panel – 5 October 2011

211-213

Document number 1168363

Recommendation

THAT the minutes of a meeting of the Hearings Panel, held on 5 October 2011, be received.

These minutes contain a recommendation for the Council to consider:

Recommendation to Council

THAT the Hearing Panel recommend to the Council that an interpretation panel at an appropriate location be erected to explain the historical significance of the area and the Te Pa o Pohe site, subject to funding considerations through the Long Term Plan 2012-2022 process.

23. Discussion of public forum items (if required)

PUBLIC EXCLUDED BUSINESS

24. 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 – 13 October 2011	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which	The withholding of the information is necessary: <ul style="list-style-type: none">• Section 7(2)(a) To protect the privacy of natural persons

		good reason exists under section 7	<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
2	<p>Public Excluded Status Report – Policy and Planning</p> <p>The report contains information regarding the future use 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"> • Section 7(2)(i) To carry out negotiations
3	<p>Public Excluded Chief Executive Report – Policy and Planning</p> <p>The report contains information regarding a Contaminated Sites Remediation Fund Application.</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 secrets or the commercial position of a person • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(i) To carry out negotiations
4	<p>Public Excluded Minutes – Resource Management Act Procedures Committee 1 September 2011</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>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"> • Section 7(2)(i) To carry out negotiations

<p>6</p>	<p>Public Excluded Chief Executive Report – Governance</p> <p>This report contains information regarding the Port Nelson Statement of Corporate 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)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
<p>7</p>	<p>Due Diligence Nelson School of Music and Theatre Royal</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
<p>8</p>	<p>2015 FIFA Under 20s World Cup – Hosting Opportunity</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 • Section 7(2)(g) To maintain legal professional privilege
<p>9</p>	<p>Statements of Expectation for Nelmac, The Suter and Tasman Bays Heritage Trust 2012/2013</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)(a) To protect the privacy of natural persons • Section 7(2)(i) To carry out negotiations
<p>10</p>	<p>Due Diligence Report Kahurangi Employment Trust</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)(a) To protect the privacy of natural persons • Section 7(2)(b) To protect information that may disclose a trade secrets or the

			commercial position of a person
11	Audit Risk and Finance Committee Public Excluded Minutes – 18 October 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"> • Section 7(2)(a) To protect the privacy of natural persons • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
12	Economic Development Committee – 9 August and 18 October 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"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations

25. 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**

