



# AGENDA

**Ordinary meeting of the  
Nelson City Council**

**Thursday 19 July 2012  
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 (Co-Portfolio Holder – Infrastructure), Ruth Copeland, Eric Davy (Co-Portfolio Holder – Infrastructure), Kate Fulton, Paul Matheson, Jeff Rackley (Co-Portfolio Holder – Community Services), Pete Rainey (Co-Portfolio Holder – Community Services), Rachel Reese, Derek Shaw and Mike Ward

## **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. Mayor's Report**

## **ADOPTION OF THE LONG TERM PLAN 2012-2022**

### **3. Adoption of the Long term Plan 2012-2022**

Document Number 1238489

#### **3.1 Recommendation**

***THAT Council adopts the following in the Long Term Plan:***

- ***Financial Strategy***
- ***Significance Policy***
- ***Rates Remission Policy including updates to the Clean Heat Warm Homes Policy and Solar Saver Policy***

***AND THAT Council adopts the Resource Consent Fees and Charges (1314369), Liability Management Policy (1314373) and Investment Policy (1314378), which will be published as separate documents;***

***AND THAT Council adopts the Development Contributions Policy (1314366), which will be published as a separate document;***

Note: Copies of the Resource Consent Fees and Charges, Liability Management Policy, Investment Policy and Development Contributions Policy are circulated separately.

### 3.2 Recommendation

***THAT in accordance with Sections 93 and 94 of the Local Government Act 2002, and having considered all submissions the Long Term Plan 2012-2022 (1238489) as amended be adopted.***

Note: A copy of the Long Term Plan 2012-2022 (1238489) is circulated separately.

## 4. Setting of Rates for the 2012/2013 Financial Year

### Recommendation

***THAT the Nelson City Council set the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2012 and ending on 30 June 2013. All figures are GST inclusive.***

***The revenue approved below will be raised by the following rates:***

<b>General Rate</b>	<b>\$29,348,074</b>
<b>Uniform Annual General Charge</b>	<b>\$7,009,470</b>
<b>Separate General Charge</b>	<b>\$3,936,026</b>
<b>Waste Water Charge</b>	<b>\$6,436,225</b>
<b>Water Charge</b>	<b>\$11,013,936</b>
<b>Clean Heat Warm Homes and Solar Saver</b>	<b>\$608,839</b>
<b>Rates and Charges</b>	<b>\$58,352,570</b>
<b>Goods and Services Tax (at the prevailing rates)</b>	<b>\$8,752,886</b>
<b>Total Rates and Charges</b>	<b>\$67,105,456</b>

**(1) General Rate**

**A general rate set under section 13 of the Local Government (Rating) Act 2002, assessed on a differential land value basis as described below:**

- **a rate of 0.62495 cents in the dollar of land value on every rating unit in the "residential" category**
- **a rate of 0.68744 cents in the dollar of land value on every rating unit in the "part non-rateable" category**
- **a rate of 0.68744 cents in the dollar of land value on every rating unit in the "multi residential" category**
- **a rate of 1.33739 cents in the dollar of land value on every rating unit in the "commercial outside the inner city zone" category**
- **a rate of 1.15928 cents in the dollar of land value on every rating unit in the "commercial outside the inner city zone subject to 25% residential and 75% commercial" category**
- **a rate of 0.98117 cents in the dollar of land value on every rating unit in the "commercial outside the inner city zone subject to 50% residential and 50% commercial" category**
- **a rate of 0.80306 cents in the dollar of land value on every rating unit in the "commercial outside the inner city zone subject to 75% residential and 25% commercial" category**
- **a rate of 1.89359 cents in the dollar of land value on every rating unit in the "commercial inside the inner city zone" category**
- **a rate of 1.57675 cents in the dollar of land value on every rating unit in the "commercial inside the inner city zone subject to 25% residential and 75% commercial" category**

- ***a rate of 1.25927 cents in the dollar of land value on every rating unit in the "commercial inside the inner city zone subject to 50% residential and 50% commercial" category***
- ***a rate of 0.94242 cents in the dollar of land value on every rating unit in the "commercial inside the inner city zone subject to 75% residential and 25% commercial" category***
- ***a rate of 0.40622 cents in the dollar of land value on every rating unit in the "rural" category***
- ***a rate of 0.56245 cents in the dollar of land value on every rating unit in the "small holding" category***

***(2) Uniform Annual General Charge***

***A uniform annual general charge under section 15 of the Local Government (Rating) Act 2002 of \$363.90 per separately used or habitable portion of a rating unit, (excluding properties subject to statutory declarations for unoccupied or second residential units not being used as separate units).***

***(3) Separate General Charge - Stormwater***

***A targeted rate under section 16 of the Local Government (Rating Act) 2002 of \$225.40 per rating unit, (excluding rural category, small holding category east of Gentle Annie, residential properties east of Gentle Annie Saddle, Saxton's Island and properties subject to statutory declarations for unoccupied or second residential units not being used as separate units).***

***(4) Waste Water Charge***

***A targeted rate for waste water disposal under section 16 of the Local Government (Rating) Act 2002 of:***



- **For properties levied the Clean Heat Warm Homes as a result of agreements entered into prior to 1 July 2011 the targeted rate of:**

<b>Installation Completed</b>	<b>After 30 Sept 2010</b>	<b>Prior to 30 Sept 2010</b>
<b>Loan assistance range: \$1,400 to \$1,599:</b>	<b>\$140.00</b>	<b>\$143.11</b>
<b>Loan assistance range: \$1,600 to \$1,799</b>	<b>\$160.00</b>	<b>\$163.56</b>
<b>Loan assistance range: \$1,800 to \$1,999</b>	<b>\$180.00</b>	<b>\$184.00</b>
<b>Loan assistance range: \$2,000 to \$2,199</b>	<b>\$200.00</b>	<b>\$204.44</b>
<b>Loan assistance range: \$2,200 to \$2,399</b>	<b>\$220.00</b>	<b>\$224.89</b>
<b>Loan assistance range: \$2,400 to \$2,599</b>	<b>\$240.00</b>	<b>\$245.34</b>
<b>Loan assistance range: \$2,600 to \$2,799</b>	<b>\$260.00</b>	<b>\$265.78</b>
<b>Loan assistance range: \$2,800 to \$2,999</b>	<b>\$280.00</b>	<b>\$286.22</b>
<b>Loan assistance range: \$3,000 to \$3,199</b>	<b>\$300.00</b>	<b>\$306.67</b>
<b>Loan assistance range: \$3,200 to \$3,399</b>	<b>\$320.00</b>	<b>\$327.11</b>
<b>Loan assistance range: \$3,400 to \$3,599</b>	<b>\$340.00</b>	<b>\$347.56</b>
<b>Loan assistance range: \$3,600 to \$3,799</b>	<b>\$360.00</b>	<b>\$368.00</b>
<b>Loan assistance range: \$3,800 to \$3,999</b>	<b>\$380.00</b>	<b>\$388.44</b>
<b>Loan assistance range: \$4,000 to \$4,199</b>	<b>\$400.00</b>	<b>\$408.89</b>
<b>Loan assistance range: \$4,200 to \$4,399</b>	<b>\$420.00</b>	<b>\$429.34</b>





#### **(10) Differential Categories**

**The Nelson City Council adopts the following as its definition for its differential categories for the 2012/13 financial year:**

##### **General Rate**

- **Residential – all rating units that are used primarily for residential purposes**
- **Multi Residential – all rating units that contain more than one residential dwelling that are capable of being used primarily for residential purposes**
- **Commercial – any rating unit which is used primarily for commercial use. Properties that have a portion of residential use shall have a reduced commercial differential**
- **Commercial Inner City Zone – any rating unit which is used primarily for commercial use that is located within the Inner City Zone. Properties that have a portion of residential use shall have a reduced inner city commercial differential**
- **Rural – any rating unit having an area greater than 15 hectares which is used primarily for dairy, fattening and grazing, quarries, forestry or horticultural use and is recorded as rural on the District Valuation Roll**
- **Small Holding – any rating unit which is primarily used as a small holding and having an area greater than 5,000m<sup>2</sup> but is less than 15 hectares and is recorded as a small holding on the District Valuation Roll**

#### **(11) Due Dates for Payment of Rates**

**The above rates (excluding water charges) are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson and shall be payable in four instalments on the following dates:**

<b>Instalment Date</b>	<b>Instalment Date</b>	<b>Penalty Date</b>
<b>Instalment 1:</b>	<b>1 August 2012</b>	<b>27 August 2012</b>
<b>Instalment:</b>	<b>1 November 2012</b>	<b>27 November 2012</b>
<b>Instalment 3:</b>	<b>1 February 2013</b>	<b>27 February 2013</b>
<b>Instalment 4:</b>	<b>1 May 2013</b>	<b>27 May 2013</b>

**(12) Due Dates for Payment of Water Rates**

**Residential water rates are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson and shall be payable on the following dates:**

<b>Billing Month:</b>	<b>Penalty Date:</b>
<b>July 2012</b>	<b>15 September 2012</b>
<b>August 2012</b>	<b>15 September 2012</b>
<b>September 2012</b>	<b>15 October 2012</b>
<b>October 2012</b>	<b>15 December 2012</b>
<b>November 2012</b>	<b>15 December 2012</b>
<b>December 2012</b>	<b>15 January 2013</b>
<b>January 2013</b>	<b>15 March 2013</b>
<b>February 2013</b>	<b>15 March 2013</b>
<b>March 2013</b>	<b>15 April 2013</b>
<b>April 2013</b>	<b>15 June 2013</b>
<b>May 2013</b>	<b>15 June 2013</b>
<b>June 2013</b>	<b>15 July 2013</b>

**Special (final) water rates will be due and payable 14 days from the date of the special (final) water reading.**

**Commercial water rates are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson on the 20th of the month following the date shown on the water invoice.**

**(13) Penalty on Rates**

**Pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002, the Council delegates authority to the Chief Financial Officer to apply the following penalties on unpaid rates (including water accounts) at their discretion:**

- **a first additional charge of 10% of the amount of each rate instalment remaining unpaid on the penalty date as shown on each rate instalment notice**
- **a second additional charge of 10% will be added to any balance remaining outstanding from a previous rating year (including penalties previously charged) as at 31 December 2012**
- **a further additional charge of 10% will be added to any balance remaining outstanding from a previous rating year (including penalties previously charged) as at 30 June 2013**
- **The above penalties will not be charged where Council has agreed to a program for payment of outstanding rates.**

**(14) Penalty Remission**

**In accordance with Council's Rates Remission Policy, the council will approve the remission of the penalty levied on instalment one due to late payment provided the total annual rates are paid in full by 27 November 2012. If full payment of the annual rates is not paid by 27 November 2012 the penalties relating to the first instalment outlined above will apply.**

**(15) Discount on Rates**

***Pursuant to Section 55 of the Local Government (Rating) Act 2002, the Council will allow a discount of 2.0 percent of the total rates (excluding water charges) where a ratepayer pays the year's rates in full on or before the penalty date for instalment one being 27 August 2012.***

**(16) Payment of Rates**

***The rates shall be payable at the Council offices, Civic House, 110 Trafalgar Street, Nelson between the hours of 8.30am to 5.00pm Monday to Friday. Where any payment is made by a ratepayer that is less than the amount now payable, the Council will apply the payment firstly to any rates outstanding from previous rating years and then proportionately across all current year rates due.***

**COMMUNITY SERVICES ITEMS**

**5. Confirmation of Minutes**

5.1 5 June 2012 1-8

Document number 1308621

Recommendation

***THAT the minutes of the meeting of the Nelson City Council – Community Services, held on 5 June 2012, be confirmed as a true and correct record.***

5.2 3 May 2012 9-15

Document number 1285507

Recommendation

***THAT the minutes of the meeting of the Nelson City Council to consider submissions to the draft Dog Control Policy and Bylaw Review 2012, held on 3 May 2012, be confirmed as a true and correct record.***

**6. Status Report – Community Services 16**

Document number 1034860 v3

Recommendation

***THAT the Status Report – Community Services (1034860 v3) be received.***

**7. Portfolio Holder’s Report**

During this part of the meeting the Mayor will be joined by the Community Services Co-Portfolio Holder, Councillor Rainey.

**8. Chief Executive Report – Community Services 17-30**

Document number 1308212

Recommendation

***THAT the Chief Executive Report – Community Services (1308212) be received.***

**8.1 Council Submission on the Gambling (Gambling Harm Reduction) Amendment Bill**

Recommendation

***THAT Council approves the submission on the Gambling (Gambling Harm Reduction) Amendment Bill in document 1301797.***

**8.2 Youth Development Fund**

Recommendation

***THAT subject to being approved in the draft Long Term Plan 2012-2022, the Youth Development Fund subsidy amount be raised to \$500 per eligible applicant for attendance at Spirit of Adventure, Outward Bound or similar residential leadership courses.***

**9. Dog Control Policy and Bylaw Review – July 2012 31-87**

Document number 1302686

Recommendation

***THAT the proposed Dog Control Policy and Bylaw notified on 4 February 2012 be withdrawn;***

***AND THAT the July 2012 Statement of Proposal in document 1291244 be approved and advertised using the Special Consultative Procedure (section 83 of the Local Government Act 2002);***

***AND THAT full Council hear, consider and make decisions on all submissions on the Proposed Policy and Bylaw;***

***AND THAT a hearing date of 24 and/or 25 September 2012 be scheduled for Council to hear submitters and make decisions on submissions.***

**10. Haulashore Island Sculpture: Request for Extension 88-97**

Document number 1276569

Recommendation

***THAT the request by the Nelson Sculpture Trust for an extension to the timeframe for completion of the Haulashore Island Sculpture project to December 2014 be approved.***

**REPORTS FROM COMMITTEES**

**11. Nelson Youth Council Update**

Allie Tonks and Tomas Krammer-Burns from the Nelson Youth Council will be in attendance to provide an update on Youth council activities.

**12. Nelson Youth Council – 24 May 2012 98-106**

Document number 1308840

Recommendation

***THAT the minutes of a meeting of the Nelson Youth Council, held on 24 May 2012, be received.***

**13. Nelson Tasman Civil Defence Emergency Management Group**

13.1 18 May 2012 – Unconfirmed Public Minutes 107-110

Document number 1326884

Recommendation

***THAT the unconfirmed minutes of a meeting of the Nelson Tasman Civil Defence Emergency Management Group, held on 18 May 2012, be received.***

13.2 18 May 2012 – Unconfirmed Public Excluded Minutes 111-112

Document number 1326891

Recommendation

***THAT the unconfirmed minutes of part of a meeting of the Nelson Tasman Civil Defence Emergency Management Group, held with the public excluded on 18 May 2012, be received.***

Note: The Public Excluded Minutes for this meeting have been included on the Public Agenda as they contain no Public Excluded information.

**INFRASTRUCTURE ITEMS**

**14. Confirmation of Minutes 113-121**

7 June 2012

Document number 1311203

Recommendation

***THAT the minutes of the meeting of the Nelson City Council – Infrastructure, held on 7 June 2012, be confirmed as a true and correct record.***

**15. Status Report – Infrastructure 122-123**

Document number 1034781 v2

Recommendation

***THAT the Status Report – Infrastructure (1034781 v2) be received.***

**16. Portfolio Holder's Report**

During this part of the meeting the Mayor will be joined by the Infrastructure Co-Portfolio Holder, Councillor Collingwood.

**17. Chief Executive Report – Infrastructure 124-135**

Document number 1302946

Recommendation

***THAT the Chief Executive Report – Infrastructure (1302946) be received.***

17.1 Parking and Vehicle Control Bylaw 2011, No. 207 Amendments to Schedules

Recommendation

***THAT the following alterations to the Schedules of Bylaw No 207, Parking and Vehicle Control (2011) be approved:***

***Schedule 9: No stopping and No Parking Areas;***

***Schedule 14: Give Way signs.***

17.2 Earthquake Prone Building Update

Recommendation

***THAT Council provide for a loss in rental in the 2012/13 financial year in the amount of \$75,000 for the vacant Hunting and Fishing building.***

**18. REPORTS FROM COMMITTEES**

**19. Nelson Regional Transport Committee – 21 June 2012 136-140**

Document number 1317398

Recommendation

***THAT the minutes of the meeting of the Nelson Regional Transport Committee, held on 21 June 2012, be received.***



**20. Nelson Regional Sewerage Business Unit – 20 April 2012** **141-147**

Document number 1277777

Recommendation

***THAT the minutes of the meeting of the Nelson Regional Sewerage Business Unit, held on 20 April 2012, be received.***

**CROSS COUNCIL ITEMS**

**21. Joint Shareholder Committee – 18 May 2012** **148-149**

Document number 1295462

Recommendation

***THAT the minutes of the meeting of the Joint Shareholders Committee, held on 18 May 2012, be received.***

21.1 These minutes contain a recommendation to the Nelson City Council.

Recommendation

***THAT the Port Nelson Ltd Statement of Corporate Intent 2011/2012 (1314691) be approved for signing.***

Note: A copy of the Port Nelson Ltd Statement of Corporate Intent 2011/12 (1314691) is circulated separately.

**PUBLIC EXCLUDED BUSINESS**

**22. Exclusion of the Public**

Recommendation

***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:**

<b>Item</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Particular interests protected (where applicable)</b>
<b>1</b>	<p>Public Excluded Community Services Minutes – 5 June 2012</p> <p>These minutes confirmed the public excluded minutes of the Community Services meeting of 24 April 2012, and also contain information regarding:</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>
	<p>The Nelson City Council bid for the FIFA Under-20 World Cup</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)(h) To carry out commercial activities</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	<p>Negotiations relating to a potential naming-rights sponsor for Saxton Field facilities.</p>		<ul style="list-style-type: none"> <li>• Section 7(2)(h) To carry out commercial activities</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
<b>2</b>	<p>Public Excluded Status Report – Community Services</p> <p>This report contains information regarding:</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>
	<p>Negotiations relating to a potential naming-rights sponsor for Saxton Field facilities.</p>		<ul style="list-style-type: none"> <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>	Public Excluded Infrastructure Minutes – 7 June 2012  These minutes confirmed the public excluded minutes of the Infrastructure meeting of 26 April 2012, and also contain information regarding:	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:
	Issues arising as a result of the review of the Boulder Bank Culvert Agreement		<ul style="list-style-type: none"> <li>• Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	Options for Council owned heritage buildings.		<ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	Issues relating to the proposed purchase of land for a footpath		<ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	Negotiations with Airlie Street residents relating to remedial works.		<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> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	Occupation of a footpath by Mr Lewis Stanton. Council decided to move the discussion relating to this matter into the public part of the meeting.		<ul style="list-style-type: none"> <li>• Section 7(2)(g) To maintain legal professional privilege</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>

<b>4</b>	Public Excluded Status Report – Infrastructure	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:
	This report contains information regarding:		
	Review of the Boulder Bank Culvert Agreement		<ul style="list-style-type: none"> <li>• Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
	Airlie Street Slip Repairs		<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> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
<b>5</b>	Public Excluded Chief Executive Report – Infrastructure	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:
	This report contains:		
	An information update regarding legal issues regarding the Nelson Wastewater Treatment Plant		<ul style="list-style-type: none"> <li>• Section 7(2)(g) To maintain legal professional privilege</li> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>

6	Public Excluded Nelson Sewerage Business Unit Minutes – 20 April 2012  These minutes confirmed the public excluded minutes of the Nelson Regional Sewerage Business Unit meeting of 9 March 2012, and also contain information regarding:	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:
	A request for the review of fees for the Primary Clarifier Upgrade project.		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>

### 23. Re-admittance of the public

Recommendation

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

#### Note:

- **Lunch will be provided at 12.30pm**
- **Allie Tonks and Tomas Krammer-Burns will be representing the Nelson Youth Council at the meeting.**