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**Minutes of a meeting of the Nelson City Council – Policy and Planning and Governance**

**Held in the Council Chamber, Civic House, Trafalgar Street, Nelson**

**On Thursday 11 August 2011, commencing at 9.00am**

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

In Attendance: Chief Executive (K Marshall), Executive Manager Support Services (H Kettlewell), Executive Manager Network Services (A Louverdis), Executive Manager Strategy and Planning (M Schruer), Executive Manager Regulatory (R Johnson), Chief Financial Officer (N Harrison), Executive Manager Community Services (S Coleman) and Administration Adviser (L Laird)

Apologies: Apologies were received and accepted from Councillor E Davy for lateness

**Opening Prayer**

**1. Conflicts of Interest**

Councillor Boswijk declared an interest with item 4 on the agenda, the Arterial Traffic Study.

**2. Confirmation of Minutes**

21 July 2011

Resolved

***THAT the minutes of a meeting of the Nelson City Council – Community Services and Infrastructure, held on Thursday 21 July 2011, be confirmed as a true and correct record.***

Reese/His Worship the Mayor

Carried

### **3. Mayors Report**

His Worship the Mayor spoke about an upcoming visit by delegates from Huangshi. He noted this was an important economic visit for Nelson businesses as the delegates represent organisations looking to invest in the region.

## **CROSS COUNCIL ITEMS**

### **4. Arterial Traffic Study – Final Recommendations**

Document No. 1050802, agenda pages 11-70 refer.

Conflict of Interest: Councillor Boswijk declared an interest and withdrew from the table for the discussion on this item.

Councillor Matheson, seconded by Councillor Rackley moved the recommendation in the report.

The Manager Strategic Response, Chris Ward, the Manager Monitoring and Research, Martin Workman, and Phil Peet from MWH joined the meeting and presented the report. Mr Ward provided a background and re-iterated the process to date through the different stages of the Arterial Traffic Study.

The Chief Executive spoke about the risk of potential conflicts of interest in terms of predetermination. He provided a summary of the legal advice contained in the report and re-iterated to Councillors that they needed to approach this decision with a totally open mind and should declare a conflict of interest if they felt they could not commit to this position.

His Worship the Mayor reminded the Council of the legal advice they had received in respect to potential conflicts of interest, endorsed the advice given and formally asked Councillors to declare any conflicts.

The Council then entered into an extensive period of questions about the Stage 4 report and the final recommendations from staff.

In response to a question, Mr Peet outlined the process of analysis that was used to arrive at the final BCR rating for each option. He confirmed that Option B (Southern Arterial transport corridor) was preferable to Option A (Rocks Road clearway) however when quantified by national statistics it was still not a priority for central government funding at this stage.

Mr Ward clarified for the Council that the recommendation allows for more decision points by the Council in the future and that, in any event, formal public consultation would be required to give effect to any later actions that might arise.

The Council discussed the impacts of the recommendation on St Vincent Street around protecting the ability to possibly implement the Southern Arterial transport corridor at some point in the future.

It was confirmed that nothing will be done to St Vincent Street that will impede an arterial route in the future and that development would continue in line with all possibilities for the long term use of the street. His Worship the Mayor said this issue will be considered by the Council as part of the issues definition report.

The Council sought clarification about what would be included in the issues definition report. Mr Workman confirmed that the report would primarily focus on how to protect the options for future development. He said other issues will be dealt with through the Transport Activity Management Plan as a part of the 2012 Long Term Plan and other significant Council Policies and Plans. For this reason, he said, this detail did not need to be included in the final resolution.

In response to a question, Mr Peet confirmed that the consultant team had not completed any specific earthquake modelling as part of the report but did assess the impacts of the known fault lines.

Lyndon Hammond from the New Zealand Transport Agency re-iterated to the Council that the Transport Agency has every intention to work with the Council to spend its 'R' funding before it expires.

Attendance: the meeting adjourned for morning tea from 10.20 to 10.38am and during this time Councillor Davy joined the meeting.

The Council discussed the importance of the cycleway/walkway as mentioned in the recommendation. It was acknowledged that there were economic incentives to develop the cycleway/walkway along Rocks Road. However, the Council also agreed that it was important to develop a safe commuting system along Tahunanui Road from the Bisley Avenue intersection to the Annesbrook Drive intersection.

In response to a question, Mr Peet confirmed that there were options for developing the cycleway/walkway along Rocks Road without impeding a clearways system in the future. He did note however that Council needs to be aware of the costs associated with doing this before choosing how to develop the cycleway/walkway.

Councillor Fulton, seconded by Councillor Copeland moved an amendment to the motion that sought to include into the Regional Land Transport Programme 2012 – 2015:

*Council support for the further investigation into a walkway/cycleway connecting the waterfront to commuter corridor linkages near Annesbrook Drive roundabout.*

The Council discussed the merits of the amendment. It was noted that the Council should avoid picking up individual issues at this early stage

however it was also noted that this is potentially the biggest issue that will come out of the final decision.

The amendment was put and it was carried and became the substantive motion.

Councillor Reese, seconded by Councillor Davy moved a further amendment to the motion.

*AND THAT Council confirms that the best configuration between Annesbrook Drive and QEII/Haven Rd Roundabout that would improve the City as a whole is determined to be the Southern Arterial Corridor*

The Council discussed the merits of the motion. Councillor Reese said that leaving two options open (both the Rocks Road clearways and the Southern Arterial transport corridor) left a huge amount of long term uncertainty for the community. She added that based on the weighting and analysis of each option (as detailed in the Stage 1 – 4 reports), the Southern Arterial transport corridor was the better option for the City. This was because:-

- The opportunity cost of preserving two options was too high.
- Preserving two options left unnecessary uncertainty that would discourage investment.
- Preserving the clearway option would limit the benefits to the city of enhancing the waterfront.
- Preserving the southern arterial corridor was necessary due to concerns over the future security of the current state highway from climate change and storm surge.
- The Benefit Cost Ratio (-0.5 vs +1.3) was more favourable for the Southern Arterial Corridor

The amendment was put and carried and it became the substantive motion. A division was called (1042470).

Councillor Barker	Aye
Councillor Boswijk	Abstain
Councillor Collingwood	Aye
Councillor Copeland	No
Councillor Davy	Aye
Councillor Fulton	No
Councillor Matheson	Aye
Councillor Rackley	Aye
Councillor Rainey	No
Councillor Reese	Aye
Councillor Shaw	No
Councillor Ward	No
The Mayor	Aye

Resolved

**THAT the substantive motion be put.**

Davy/Matheson

Carried

Resolved

**THAT the recommendations of the Arterial Traffic Study be received (ref 2.7 of the Stage 4 report 1120417);**

**AND THAT Council confirms that the best configuration between Annesbrook Drive and QEII/Haven Rd Roundabout that would improve the City as a whole is determined to be the Southern Arterial Corridor;**

**AND THAT the relevant elements of the recommendations and the implementation plan be given effect by their incorporation into:**

- **The Transport Activity Management Plan 2011;**
- **The draft Long Term Plan 2012/22;**
- **The next review of the Regional Land Transport Strategy;**
- **A review of the modelling data following the 2013 census (in partnership with the New Zealand Transport Authority);**

**AND THAT the Regional Transport Committee (RTC) should note within the Regional Land Transport Programme (RLTP) 2012 - 2015:**

- **The outcomes and recommendations of the Arterial Traffic Study;**
- **Council support for the allocation of funding towards implementing the recommendations from the Arterial Traffic Study;**

- ***Council support for further investigation into a walkway/cycleway around the waterfront;***
- ***Council support for the further investigation into a walkway/cycleway connecting the waterfront to commuter corridor linkages near Annesbrook Drive roundabout;***

***AND THAT staff be directed to prepare an issues definition report to the Council assessing the options available for the Southern Arterial Transport Corridor.***

Matheson/Rackley

Carried

## **5. Nelson – Tasman Union Submission**

Document No. 1132515, agenda pages 71-84 refer.

The Council discussed the proposed transition timetable by the Local Government Commission particularly regarding the timeframe for electing the new Council. There was discussion that there was not enough time allowed before the new Council was elected.

The Council was advised that a shorter period between the poll and the elections was favourable as in the meantime the organisation risks losing key staff.

In response to a question, the Chief Executive said to the best of his knowledge, the Local Government Commission will be in Nelson to hear submissions. The Chief Executive also confirmed that a resolution supporting the Council submission was passed at the Kotahitanga Hui on 3 August 2011.

It was noted that the submission was generally an accurate account of what was discussed at the workshop on 6 July 2011 and Councillors can make individual submissions where their opinion differs to that in the submission.

It was noted that the words 'to turn its mind to' (paragraph 5.6 on page 81 of the agenda) would be replaced with 'consider'. It was also noted that the word 'suggests' (paragraph 4.1 on page 79 of the agenda) be replaced with 'requests'.

Councillor Rainey, seconded by Councillor Shaw moved the recommendation in the report with an amendment to the name of the new Council proposed in the submission (page 79 of the agenda).

Resolved

***THAT the draft submission attached to report 1132515 on the Local Government Commission's***

***Reorganisation Scheme for the union of Nelson City and Tasman District be approved with any agreed changes;***

***AND THAT 'Nelson Council' be put forward to the Local Government Commission for the name of the new Council, rather than 'Nelson-Tasman Council'.***

Rainey/Shaw

Carried

Attendance: the meeting adjourned for lunch from 12.15 to 1.00pm.

## **6. Stoke Skatepark Options**

Document No. 1132515, agenda pages 85-129 refer.

The Planning Adviser, Britta Hietz, and the Principal Adviser Reserves and Community Facilities, Andrew Petheram, joined the meeting and presented the report.

There was extensive discussion as to the merits of not only the Greenmeadows site but all sites that had been investigated.

Councillor Reese, seconded by Councillor Boswijk, moved the recommendation in the report.

There was considerable support for the Isel Park location as it was located off the main road and was a larger site. Ms Hietz confirmed that the Church was supportive of this area becoming a skatepark and a general area for youth to congregate.

Ms Hietz noted that there would need to be consultation with the Disc-Golf Course as a skatepark would impede their operation and part of their course would have to be moved.

Councillor Fulton, seconded by Councillor Copeland, moved an amendment.

*THAT the Isel Park site be the preferred site for a skatepark in Stoke.*

The motion was put and it was lost 4 to 9.

The Council then debated Councillor Reese's motion (the recommendation in the report).

In response to a question, Ms Hietz said staff would work with the NZ Police about their concerns, especially over how to mitigate the safety issues which would be addressed during the design phase of the project.

The Council also discussed the benefits of this site in terms of visibility and how this would assist in integrating young people into the community. It

was also noted that access to this site was better than Isel Park as it was closer to the centre of Stoke township.

The motion was put and carried. A division was called (1042472).

Councillor Barker	Aye
Councillor Boswijk	Aye
Councillor Collingwood	Aye
Councillor Copeland	No
Councillor Davy	No
Councillor Fulton	No
Councillor Matheson	No
Councillor Rackley	No
Councillor Rainey	Aye
Councillor Reese	Aye
Councillor Shaw	Aye
Councillor Ward	Aye
The Mayor	Aye

Resolved

***THAT the Greenmeadows site on the corner of Main Road Stoke and Songer Street be the preferred site for a skatepark in Stoke.***

Reese/Boswijk

Carried

Councillor Rainey noted that the explanation from the NZ Police regarding their preferred site being Saxton Field because it was 'easy to police' (as stated in the report) and said this was not how a youth facility should be viewed.

It was also noted that staff would focus on working with the Police concerning safety at the site and get their input during the detailed design work.

## **7. Reports from annual surveys of customers and residents**

Document No. 1129840, agenda pages 130-131 refer.

The Manager Monitoring and Research, Martin Workman, and the Monitoring and Research Adviser, Jacqui Irwin, joined the meeting and presented the report.

The Council discussed their involvement in the design of the next resident's survey, particularly regarding the structure of the questions.

Mr Workman reminded the Council that the aim of the survey was to be an independent analysis of our service in the eyes of Nelson residents. The Chief Executive said the survey could include Council involvement at a certain stage whilst retaining its impartiality.

Resolved



***THAT the attached reports 1123024 and 1129698 on the results of the annual surveys of customers and residents, respectively, be received.***

Barker/Rackley

Carried

## **POLICY AND PLANNING ITEMS**

### **8. Status Report – Policy and Planning**

Document No. 1034725, agenda pages 132-135 refer.

Resolved

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

Reese/Davy

Carried

### **9. Portfolio Holder’s Report**

Councillor Reese mentioned that it was important that Councillors provide feedback and clear direction to staff during the Activity Management Plan process to ensure the Long Term Plan remains consistent with the vision as discussed at the 20 July 2011 workshop, including Framing Our Future.

The Council was supportive of the facilitated workshop session to discuss this vision in relation to the Long Term Plan and Framing Our Future.

### **10. Exclusion of the Public**

Resolved

***THAT the public be excluded from the following parts of the proceedings of this meeting in accordance with section 7 and 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 Public Excluded Minutes 21 July 2011***

*Reasons:*

*To carry out commercial activities; and*

*To carry out negotiations.*

***ii) Public Excluded Status Report – Policy and Planning***

*Reasons:*

To carry out negotiations.

**iii) Public Excluded Status Report – Governance**

Reasons:

To carry out commercial activities; and

To carry out negotiations.

**iv) Audit Risk and Finance Committee Public Excluded Minutes 19 July 2011**

Reasons:

To carry out commercial activities; and

To carry out negotiations.

**v) Sporting Opportunity**

Reason:

To carry out negotiations; and

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

Davy/Matheson

Carried

The meeting went into public excluded session at 2.19 and resumed in public session at 2.35.

**11. Re-admittance of the Public**

Resolved

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

His Worship the Mayor/Barker

Carried

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

Document No. 1123201, agenda pages 136-171 refer.

The Chief Executive advised that the Regional Policy Statement will come back to the Council for direction.

**12.1 Review Control of Dogs Bylaw (Bylaw 209)**

It was mentioned that there is a mixed view in the community as to whether the Council should be controlling dogs more or accepting them as an integral part of the community. The Council encouraged staff to consult with ACC, dog trainers and vets to gauge this view whilst reviewing the Bylaw and Policy.

Attendance: Councillor Copeland left the meeting at 2.47pm.

## 12.2 New Zealand Cycle Trails: Dun Trail Branding

The Council discussed the previous Tasman requests for branding in the naming of these trails.

Resolved

**THAT the Chief Executive Report – Policy and Planning (1123201) be received.**

**AND THAT the information on the allocation of additional funding for the Heritage Project Fund 2011-12, as set out in Attachment 1 of Report 1127687, be received.**

**AND THAT a review of the Control of Dogs Bylaw (209) and Dog Control Policy 2004 be initiated;**

**AND THAT Councillors Fulton and Boswijk form a working party and work with staff to review the policy and bylaw and report back to Council.**

**AND THAT subject to further consultation by the Trust with key regional tourism and marketing contacts the 'Dun Trail' be renamed the 'Dun Mountain Trail';**

**AND THAT signs and publications reflect this new name and brand where appropriate.**

Barker/Rainey

Carried

## REPORTS FROM COMMITTEES

### 13. Regional Land Transport Committee Minutes 26 May 2011 and 28 July 2011

Document No. 1099463 and 1135344, agenda pages 172-181 refer.

Resolved

**THAT the minutes of a meeting of the Nelson Regional Transport Committee, held on Thursday**

**26 May 2011 and Thursday**  
**28 July 2011, be received.**

Collingwood/Barker

Carried

## **GOVERNANCE ITEMS**

### **14. Status Report - Governance**

Document No. 1034743, agenda pages 182 refer.

Resolved

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

Barker/Davy

Carried

### **15. Portfolio Holder Report**

Councillor Barker said social housing was discussed at the Local Government Conference where the Wellington City Council had been fortunate to receive a \$22 million grant to continue the provision of social housing for the community.

It was noted four written reports from Councillors who attended the conference were still to be received.

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

Document No. 1131816, agenda pages 183-184 refer.

The Chief Executive noted that the Delegations Register has now been circulated and that recent issues raised by Councillors regarding earthquake building standards in Civic House, particularly the State Advances Building, had been detailed in the report.

Resolved

***THAT the Chief Executive Report - Governance (1131816) be received.***

Barker/Collingwood

Carried

## **REPORTS FROM COMMITTEES**

### **17. Audit Risk and Finance Committee Minutes 19 July 2011**

Document No. 1128124, agenda pages 185-188 refer.

Resolved

***THAT the minutes of a meeting of the Audit Risk and Finance Committee, held on Tuesday 19 July 2011, be received.***

Barker/Davy

Carried

There being no further business the meeting ended at 2.54pm.

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date