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**Minutes of an ordinary meeting of the Nelson City Council –  
Community Services and Infrastructure**

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

**On Thursday 1 September 2011, commencing at 9.06am**

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Present: His Worship the Mayor A Miccio (Chairperson), Councillors I Barker, A Boswijk (Deputy Mayor), G Collingwood, R Copeland, E Davy, P Matheson, J Rackley, 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), Acting Executive Manager Regulatory (M Bishop), Chief Financial Officer (N Harrison) Executive Manager Community Services (S Coleman), Brittany Benson (Youth Councillor) and Administration Adviser (A Rose)

Apologies: Apologies were received and accepted from Councillors K Fulton and P Rainey

### **Opening Prayer**

The opening prayer was given by Councillor Davy.

### **1. 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  
11 August 2011***

*Reasons:*

*To carry out negotiations; and*

*To protect information that is subject to an obligation of confidence; and*

*To maintain legal professional privilege; and*

*To carry out commercial activities.*

**ii) Remuneration Review Committee Public Excluded Minutes 18 August 2011**

*Reasons:*

*To protect the privacy of natural persons; and*

*To carry out negotiations.*

**iii) Public Excluded Status Report - Infrastructure**

*Reasons:*

*To carry out negotiations; and*

*To carry out commercial activities.*

**iv) Public Excluded Chief Executive Report - Infrastructure**

*Reasons:*

*To protect the privacy of natural persons; and*

*To carry out negotiations; and*

*To maintain legal professional privilege.*

Barker/Collingwood

Carried

The meeting went into public excluded at 9.10am and resumed in public session at 10.40am at which time the meeting adjourned for morning tea until 10.49am.

**1. Public Forum**

**1.1 Tasman Bays Heritage Trust – Museum Storage Facility Building at Isel Park**

Ms Sara Chapman, Chairperson of Nelson Tasman Heritage Trust, and Mr Peter Millward, Chief Executive, joined the meeting and addressed Council regarding item 11 on the agenda, Museum Storage Facility in Isel Park, document number 1126112.

Ms Chapman tabled a paper (document number 1151966) which she read parts of. She said it was the Trust's preferred option to extend and refurbish the Isel Park facility to bring the total area to 1980m<sup>2</sup> at an estimated cost of \$5,787,600. This was Option 3 in the OCTA Centralised Collection and Research Facility Feasibility Study (document number 1150954).

Ms Chapman went on to say if the Trust was unable to use Isel Park then the remaining option would be to purchase or lease a new site and construct a purpose built 1980m<sup>2</sup> facility at an estimated cost of \$7,407,000 which was Option 1 in the OCTA report.

She also pointed out that the collections storage facility has to be fully funded by the joint Councils given that Government funding is prohibited for this project and given that the Trust is currently at its debt threshold.

The Mayor thanked Ms Chapman and Mr Millward for the presentation.

## 1.2 Phantom Bill Stickers Limited

The Executive Manager Network Services introduced Mr Jamie Holloway, General Manager of Phantom Bill Stickers Limited, and Mr Gary Moore.

Mr Moore spoke in support of the work done by Phantom Bill Stickers Limited based on his experience of the company operating in Christchurch when he was Mayor of Christchurch City.

Mr Holloway explained to Council how Phantom Bill Stickers Limited operated and the benefits it could bring to Nelson City in managing the 8 poster towers in the CBD.

In answer to questions, Mr Holloway said priority would be given to local events and there was at least 10% of space dedicated free to community groups and this would be audited.

His Worship the Mayor thanked Mr Holloway and Mr Moore for their presentation to Council.

## 2. Confirmation of Minutes

11 August 2011, Document No. 1139084, agenda pages 1-12 refer.

There was considerable debate regarding the content and accuracy of the minutes in regard to item 4, the Arterial Traffic Study – Final Recommendation. It was agreed that the minutes should be expanded to include the following reasons for the motion given at the meeting by Councillor Reese:-

1. The opportunity cost of preserving two options was too high.
2. Preserving two options left unnecessary uncertainty that would discourage investment.

3. Preserving the clearway option would limit the benefits to the city of enhancing the waterfront.
4. 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.
5. The Benefit Cost Ratio (-0.5 vs +1.3) was more favourable for the Southern Arterial Corridor

The meeting then turned its attention to the resolution passed at the previous meeting, and in particular, the last paragraph of that resolution. There was considerable debate as to whether the phrase 'existing arterial routes and' had been included in the resolution that had been passed, with the majority of Councillors believing that it had not been incorporated in the resolution and a minority of Councillors believing that it had.

The Chief Executive reminded Councillors of the legal advice that was contained in his Chief Executive Report, in the public excluded agenda, and asked Councillors to note the legal implications of making the change to the resolution that had been suggested. Council noted that it had taken the advice and accepted the implications raised.

### 3. 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) Public Excluded Chief Executive Report - Infrastructure***

*Reasons:*

*To protect the privacy of natural persons; and*

*To carry out negotiations; and*

*To maintain legal professional privilege.*

Reese/Rackley

Carried

The meeting went into public excluded session at 12.25pm and resumed in public session at 12.45pm.

#### 4. Re-admittance of the Public

Resolved

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

Matheson/Davy

Carried

#### Confirmation of Minutes (Contd.)

Resolved

***THAT the minutes of the meeting of the Nelson City Council - Governance and Policy and Planning, held on Thursday 11 August 2011, be confirmed as a true and correct record, subject to the following wording giving the reasons for the motion being inserted at the end of paragraph five on page four of the minutes.***

***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***

***AND THAT the final part of the resolution on pages 4 and 5 of the minutes be amended to read:-***

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

Reese/Matheson

Carried

Attendance: The meeting adjourned for lunch from 12.45pm until 1.18pm.

**Confirmation of Minutes (Contd.)**

28 June 2011 (Social Wellbeing Policy hearings), Document No. 1118596, agenda pages 13-16 refer.

Resolved

***THAT the minutes of the meeting of the Nelson City Council to hear submissions to adopt the Social Wellbeing Policy, held on Tuesday 28 June 2011, be confirmed as a true and correct record.***

**5. Prior Notice of Notice of Motion**

Councillor Matheson gave notice that he would be bringing a Notice of Motion to the Council meeting on 13 October 2011 regarding the decision passed at the meeting 11 August 2011, to build a skatepark in Stoke.

Boswijk/Collingwood

Carried

**6. Mayor's Report**

His Worship said that the Department of Internal Affairs was investigating the issues surrounding conflicts of interest in Local Government and invited Councillors to put in submissions. He said that any Councillor interested in making a submission should contact the Executive Manager Strategy and Planning, Michael Schruer.

His Worship announced that Nelson Tasman had been designated a Safer Community and had received a plaque from the Karalinska Institute, the World Health Organisation and the Safer Communities Foundation to mark this event.

He further advised that \$95,000 had been received by Council from central government for education in water, in particular improving the health of streams.

He reminded Councillors that there were only 8 days to go before the events of Rugby World Cup 2011 began and he urged all Councillors to do their best as hosts for the City.

## COMMUNITY SERVICES ITEMS

### 7. Status Report – Community Services

Document No. 1034860, agenda page 17 refers.

Resolved

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

Boswijk/Barker

Carried

### 8. Rugby World Cup 2011-Police Thanks to Council Staff

Councillor Davy, in his role as Senior Sergeant for the NZ Police, addressed the Council giving acknowledgement of the assistance received by the NZ Police for the organisation of Rugby World Cup 2011 events in the City.

He thanked Council staff for their able assistance with all the various traffic matters that needed to be put in place.

### 9. Portfolio Holder's Report

Councillor Boswijk said her recent visit to Queenstown had shown her that there were lots of visitors in Queenstown who had come for the Rugby World Cup 2011 and most of the ones she had spoken to planned to come to Nelson.

She also thought that Council needed to consider recording devices and a webcam for Council meetings.

### 10. Chief Executive Report – Community Services

Document No. 1132901, agenda pages 18-24 refer.

#### 10.1 Risk to Council Regarding the New Downloading from the Internet Legislation

In answer to a question from Councillor Barker that, in view of the new legislation, whether there were any risks to the Council from people using the Libraries' free Wi-Fi service to download from the internet, the Executive Manager Community Services said that the question would be answered in the next Chief Executive Report.

Resolved

***THAT the Chief Executive Report – Community Services (1132901) be received.***

Boswijk/Rackley

Carried

## **11. Museum's Storage Facility in Isel Park**

Document No. 1126112, agenda pages 25-33 refer.

The Executive Manager Support Services, Hugh Kettlewell, together with Planning Adviser, Britta Hietz, and Arts and Heritage Adviser, Debbie Daniell-Smith, joined the meeting and presented the report.

His Worship the Mayor said during discussion of the report the Council would also discuss the presentation made earlier in the Public Forum by the Chairperson of Nelson Bays Heritage Trust.

It was explained that the report only considered the Council's role as land owner in any proposal to extend the Museum's storage facility in Isel Park and in that light had considered the Isel Park facility an inappropriate use of the Park.

The Council, during discussion of the report, was of the view that the Museum's storage facility building at Isel Park could be extended as an option for a collection facility if it were approved through the LTP process. Council noted that this had been a difficult matter extending over many years and that a number of parties other than Council needed to be involved if a lasting solution was to be found, including in relation to funding whatever that solution might be.

Resolved

***THAT the Tasman Bays Heritage Trust be advised that the current Museum's storage facility building may be extended as an option for a collection facility if it is approved through the LTP process,***

***AND THAT staff be requested to bring back a proposal to both Nelson City Council and Tasman District Council in time for inclusion in those Council's respective LTPs.***

Collingwood/Copeland

Carried

## **REPORTS FROM COMMITTEES**

### **12. Youth Council update**

Brittany Benson, from the Youth Council, provided an update to Council on recent Youth Council activities.

12.1 Nelson Youth Council – 16 June 2011 and 15 July 2011

Document No. 111926 and Document No. 1126734, agenda pages 34-41 refer.

Resolved

***THAT the minutes of meetings of the Nelson Youth Council held on 16 June 2011 and 15 July 2011 be received.***

Boswijk/His Worship the Mayor

Carried

Attendance: Councillor Rackley left the meeting at 3pm.

**13. Duration of the Meeting**

Resolved

***THAT in accordance with Standing Orders 3.3.7 the meeting be extended beyond 6 hours.***

Matheson/His Worship the Mayor

Carried

**INFRASTRUCTURE ITEMS**

**14. Montgomery Square / Bank Lane – Way Forward**

Document No. 1143200, agenda pages 52-63 refer.

The Principal Adviser City Development, David Jackson, joined the meeting.

His Worship the Mayor said that Councillors were sufficiently acquainted with issues relating to Montgomery Square and Bank Lane and now it was time for Council to give direction on the way forward regarding the possible upgrade to Montgomery Square / Bank Lane.

Council was equally divided on whether to proceed along the lines of the recommendation in the report or whether to decide not to go ahead with the project.

Councillor Boswijk seconded by Councillor Ward moved the recommendation

***THAT further consultation occur on the proposal for upgrade of Montgomery Square and Bank Lane;***

***AND THAT a four-stage consultation process as set out in Attachment 1 be used;***

*AND THAT the draft objectives and issues in Attachment 2 form the basis to start consultation in Stage 1;*

*AND THAT it be noted that Council consideration and decisions are required at the end of each stage of the process outlined in Attachment 1;*

*AND THAT it be noted that by accepting this consultation process detailed design and construction could not commence this financial year as envisaged in the Annual Plan;*

*AND THAT funding of \$440,974 for the Montgomery Square/Bank Lane project be carried forward to the 2012/13 financial year for consideration as part of the upcoming LTP;*

*AND THAT funding of \$60,000 set aside for the upgrade of the Bank Lane canopy be carried forward to the 2012/13 financial year for consideration as part of the upcoming LTP.*

Councillor Reese called for a division

Councillor Barker	No
Councillor Boswijk	Yes
Councillor Collingwood	Yes
Councillor Copeland	No
Councillor Davy	No
Councillor Fulton	Absent
Councillor Matheson	No
Councillor Rackley	Absent
Councillor Rainey	Absent
Councillor Reese	No
Councillor Shaw	Yes
Councillor Ward	Yes
His Worship the Mayor	Yes

The motion was declared to be lost.

Resolved

***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***

His Worship the Mayor/Davy

Carried

Attendance: Councillors Davy and Matheson left the meeting at 3.20pm.

## **15. Chief Executive Report - Infrastructure**

Document No. 1132897, agenda pages 42-51 refer.

### 15.1 Land Slips

Resolved

***THAT funding in the amount of \$529,935 earmarked for the Princes Drive upgrade project this current financial year be utilised to effect urgent remedial works on the Cleveland Terrace slip and other slips in Nelson;***

***AND THAT the construction of Princes Drive be considered as part of the upcoming LTP.***

Collingwood/Shaw

Carried

Resolved

***THAT the Chief Executive Report – Infrastructure (1132897) be received.***

His Worship the Mayor/Boswijk

Carried

## **REPORTS FROM COMMITTEES**

### **16. Nelson Regional Sewerage Business Unit – 6 May 2011**

Document No.1088511, agenda pages 76-83 refer.

Resolved

***THAT the minutes of the meeting of the Nelson Regional Sewerage Business Unit, held on 6 May 2011, be received.***

Collingwood/Shaw

Carried

### **17. Remuneration Review Committee – 18 August 2011**

Document No.1144481, agenda pages 87-88 refer.

Resolved

***THAT the minutes of the meeting of the Remuneration Review Committee, held on 18 August 2011, be received.***

Boswijk/His Worship the Mayor

Carried

### **18. 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) Public Excluded Status Report - Infrastructure***

*Reasons:*

*To carry out negotiations; and*

*To carry out commercial activities.*

#### ***ii) Public Excluded Chief Executive Report – Infrastructure***

*Reasons:*

*To protect the privacy of natural persons; and*

*To carry out negotiations; and*

*To maintain legal professional privilege.*

Barker/ His worship the Mayor

Carried

The meeting went into public excluded session at 3.28pm and resumed in public session at 3.40pm.

### **19. Re-admittance of the Public**

Resolved

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

Boswijk/Barker

Carried

There being no further business the meeting ended at 3.40pm.

Confirmed as a correct record of proceedings:

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