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

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

On Thursday 9 August 2012, commencing at 9.02am

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

In Attendance: Acting Chief Executive (A Louverdis), Executive Manager Strategy and Planning (M Schruer), Acting Executive manager Community Services (R Ball), Acting Executive Manager Regulatory (M Bishop), Chief Financial Officer (N Harrison), Executive Manager Kaihautū/Community Relations (G Mullen), Manager Administration (P Langley), Manager Community Relations (A Ricker), Manager Policy and Planning (N McDonald), Manager Strategic Response (C Ward), Manager Monitoring and Research (M Workman), Principal Adviser Resource Management Planning (M Heale), Planning Advisers (R Peterson, D Bradley and B Hietz), Manager Environmental Inspections Limited (S Lawrence), and Administration Adviser (E-J Ryan)

Apologies: Were received and accepted for Councillor Fulton for lateness.

Opening Prayer

Councillor Davy gave the opening prayer.

1. Conflicts of Interest

There were no updates to the Conflicts of Interest Register.

Councillor Boswijk declared a conflict of interest with regards to agenda item 6: Draft Plan Change 16 – Inner City Noise.

2. Confirmation of Minutes

26 June 2012

Document number 1320464, agenda pages 1-11 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council – Policy and Planning, held on 26 June 2012, be confirmed as a true and correct record.

Ward/Collingwood

Carried

3. Mayor's Report

There was no Mayor's report.

4. Status Report – Policy and Planning

Document number 1034725 v4, agenda pages 12-13 refer.

Attendance: Councillor Fulton joined the meeting at 9.05am

In response to a question, Acting Chief Executive, Mr Louverdis, clarified that Mr Stanton's occupation of Trafalgar Street was included as an item on the Status Report - Infrastructure, and Councillors would receive an update at the next Council – Infrastructure meeting.

Resolved

THAT the Status report – Policy and Planning (1034725 v4) be received.

Mayor/Copeland

Carried

5. Portfolio Holder's Report

Councillor Ward spoke about the Framing our Future Strategy. He complimented staff for their work in running the public workshops, which he said focused on prioritising the different action points that led to the 50 year vision. He added that the report from consultants who had considered the Framing our Future Strategy was very positive.

In response to a question, it was clarified that the consultants involved in externally reviewing the Framing our Future Strategy were commissioned to do so, and were paid.

Councillor Ward also complimented the 'Our City Our Council' campaign, and said it was important that councillors and staff were positive about the work Council was doing.

6. Draft Plan Change 16 – Inner City Noise

Document number 1292769, agenda pages 14-64 refer.

Attendance: Councillor Boswijk declared a conflict of interest, left the room, and did not take part in any discussion relating to this item. She returned to the room following the conclusion of this item.

Planning Adviser, Mr Peterson, introduced Mr Keith Ballagh of Marshall Day Acoustics, who had advised on the project.

Mr Peterson outlined the history of the Inner City Noise project, and the outcome of the Environment Court case in which the Court had noted Council's obligation to enforce its Plan with regards to noise in the Inner City. He explained that the Plan rules were difficult to enforce, and as a result the Plan Change was initiated. He explained that the draft Plan Change was narrow in scope, and he distinguished it from the Resource Consent process considering various issues related to Festivals and Temporary Events, which was currently underway.

Councillors discussed the draft Plan Change, and in particular, whether the working party should commence work now, or whether it should be delayed until the outcome of the current Resource Consent process relating to Festivals and Temporary Events was known. It was suggested that the Resource Consent decision relating to Festivals and Temporary Events may contain useful directions regarding noise, however, it was also suggested that the working group could be convened to begin work on this issue while awaiting the decision relating to Festivals and Temporary Events.

Councillors also briefly discussed issues related to closing times of licensed premises, and Acting Executive Manager Regulatory, Ms Bishop, explained that the current Alcohol Reform Bill would address this issue.

A suggestion was made that the fourth word of the first line of the recommendation be altered from 'adopt' to 'accept' to prevent any misunderstanding relating to the status of the draft Plan Change prior to public feedback, and this was agreed to.

His Worship the Mayor said that the recommendation considered the setting up of a working group. He said that several Councillors had put their names forward for the working group in advance, and he invited other interested Councillors to also put their names forward. It was emphasised that Councillors nominating themselves to take part in working groups should ensure that they have sufficient time to commit to the project. Councillors discussed membership of the proposed working group, and it was agreed that Councillors Fulton, Shaw and Ward take part.

Resolved

THAT the Council accept draft Plan Change 16 – Inner City Noise and the attached draft Plan Change provisions in particular (1249008);

AND THAT public feedback is sought on draft Plan Change 16 - Inner City Noise;

AND THAT a Councillor working group comprised of Councillors Fulton, Shaw, and Ward, be convened to:

- ***consider the public feedback received,***
- ***recommend to the Council a draft Plan Change for public notification.***

His Worship the Mayor/Copeland

Carried

7. Nelson Resource Management Plan – Draft Efficiency and Effectiveness Review

Document number 1331808, agenda pages 65-71 refer.

Principal Adviser Resource Management Planning, Mr Heale, presented the report, and acknowledged the large amount of work that many staff members had contributed to the review. He explained that the map at page 75 of the Review had not copied clearly, and he tabled a new copy (1352353).

Councillors congratulated staff on the large amount of work that had gone into producing the document, and it was noted that the Review would be a useful document to be supplied to any incoming Councillors following the next election.

In response to a question, Mr Heale explained that the Review was a technical document, and that the Resource Management Act did not require it to be put out for public consultation. He said that the recommendation was to seek feedback from interested parties, in particular Plan users and iwi, to ensure that the technical information within the Review was correct. Mr Heale added that the document would be made available to the public, and several Plan Changes were likely as a result of the review, which would allow time for public engagement.

In response to further questions, Mr Heale explained that the work programme arising from the review was scheduled to be completed over the next five years, and that work was already underway on several projects. He added that almost all of the projects in the work programme involved working collaboratively with Tasman District Council and/or Marlborough District Council, and that, where possible, work streams were being planned to feed into more than one project.

Councillors discussed the draft Efficiency and Effectiveness Review, and in particular the aspects of the Review related to landscape values and outstanding natural features. In particular, Councillors discussed the status of the Boffa Miskell Landscape report, and its inclusion within the Review.

In response to a question, Mr Heale explained that the Boffa Miskell report represented the extent of Council's information regarding outstanding natural features, and as a result it was important to

reference it within the Review. He added that landscape was one of the key parts of the work programme identified as a result of the Review.

Councillors then discussed whether uncertainty over the status of the Boffa Miskell report should preclude Council from adopting the draft Efficiency and Effectiveness Review at this time. Councillor Davy, seconded by His Worship the Mayor, moved a resolution to amend the last word of the first paragraph of the recommendation from 'adopted' to 'received', so as to allow staff to start seeking targeted feedback on the Review.

Following further discussion, it was suggested that the draft Efficiency and Effectiveness Review be left to lie on the table, pending a further report to Council regarding the Boffa Miskell report and how to integrate this into the Review. As a result of this discussion, Councillor Davy and His Worship the Mayor withdrew their motion.

Resolved

THAT the report be left to lie on the table, and that it be brought back to the next appropriate Council meeting, with a recommendation as to how to proceed with regards to the Boffa Miskell report and the Efficiency and Effectiveness Review.

Reese/Davy

Carried

Attendance: The meeting adjourned for morning tea from 10.43am – 11.01am, during which time Councillor Davy departed from the meeting.

8. Lee Valley Community Dam

The Hon. Dr Nick Smith, Member of Parliament for Nelson, addressed the Council on the matter of the Lee Valley Community Dam. Dr Smith spoke about the importance of fresh water with regards to economic growth, and said that central Government was trying to encourage efficient water augmentation schemes to fully utilise New Zealand's natural freshwater advantage. He emphasised the importance of local authorities being involved in such projects.

Dr Smith noted that there was generally broad community support for the Lee Valley Community Dam. He said that it was one of the most advanced water augmentation projects nationally, that it was the subject of a favourable cost-benefit analysis, and accordingly, that it had a good chance of benefitting from the capital funding available from central Government.

Dr Smith also spoke about the desirability of securing an alternative water supply for Nelson City, and suggested that Nelson City Council should support the Lee Valley Community Dam, with negotiated rights to take water from the Dam in the event that the Maitai water supply be

rendered unavailable for any reason. He challenged Nelson City Councillors to work together with Tasman District Council to progress the Lee Valley Community Dam project.

In response to a question, Dr Smith indicated that there were several other water augmentation projects progressing around the country, and that the window of opportunity for Nelson City Council/Tasman District Council to receive central Government funding for the Lee Valley Community Dam was around 3-4 years. He added that the criteria for Government investment was still being considered, but that it was likely that there would be some environmental criteria. He said further that some sort of commercial holding group would likely be the preferred ownership model for such an asset.

In response to further questions, Dr Smith spoke about the importance of integrated land planning across Council boundaries, and the need to ensure that productive land was used for productive purposes. He added that the proposed Lee Valley Community Dam should increase the productivity of the land, thereby leading to the most efficient use of productive land.

His Worship the Mayor thanked Dr Smith for his presentation.

9. Bridge Street Upgrade

Document number 1311593, agenda pages 112-126 refer.

Manager Policy and Planning, Ms McDonald, and Planning Adviser, Ms Hietz, joined the meeting and, along with Luke Porter (Canopy) and Jorgen Andersen (Arthouse Architecture), presented the report and gave a power point presentation (1350454).

Mr Porter and Mr Andersen spoke about the design brief, to utilise the design of Bridge Street to encourage socially acceptable behaviour, and they outlined the extensive engagement that had taken place with building owners, businesses and groups based in or regularly utilising Bridge Street. They explained that the focus of the design was in creating an entertainment 'node' at the Collingwood Street end of Bridge Street, with a pedestrian-friendly environment, trees and street furniture providing a softened streetscape, and extensive new lighting.

Mr Porter and Mr Andersen explained that Stage 1 of the Bridge Street development was likely to encourage building owners and businesses to invest in the street facade of buildings.

Mr Porter and Mr Andersen also spoke briefly about the proposed Buxton Square toilets upgrade, within the context of the Bridge Street upgrade. They explained that the design of the toilet block had been altered to improve security, with increased lighting and the use of glass incorporating local artwork.

Ms McDonald explained that \$250,000 had been set aside within the Long term Plan 2012-2022 towards the Bridge Street upgrade, and that a separate budget had also been included for the upgrade to the Buxton Square toilets.

Councillors discussed the proposed upgrade, and general support was indicated for both the Stage 1 and Stage 2 designs. The discussion also considered the types of buildings currently on Bridge Street, and the heritage values of some of the buildings towards the Collingwood Street end were noted. The discussion also considered whether any of the buildings on Bridge Street were likely to be designated as earthquake-prone buildings and whether any such designation would affect Council's investment into the area.

Attendance: Councillor Rackley departed the meeting at 12.24pm.

A map detailing the Bridge Street area was tabled (1351636). Acting Chief Executive, Mr Louverdis, explained that the buildings identified on the map provided were all subject to condition 1451, and that several had been issued with section 124 notices, which were at various stages of investigation. He also emphasised that the title on the map was incorrect, and emphasised that the identified buildings were not necessarily considered to be earthquake-prone at this time, and, as a result, he asked Councillors to bear this in mind.

Attendance: Councillor Rainey departed the meeting at 12.32pm

A discussion followed regarding the proposed redevelopment of the Buxton Square toilets. A view was expressed that the toilet cubicles appeared to be large, and in response to a question, Ms McDonald explained that the design provided accessible public toilets.

Attendance: Councillor Matheson departed the meeting at 12.40pm

A question was raised as to whether some of the space within the toilet block could be redeveloped as a safe, warm 'youth outreach' area or similar, to assist with improving socially acceptable behaviour around the Buxton Square toilets. A suggestion was made that feedback from the Street Ambassadors had indicated that such a space may be useful.

Attendance: Councillor Barker departed the meeting at 12.51pm.

Resolved

THAT the concept plans for the upgrade of Bridge Street between Trafalgar Street and Collingwood Street (Attachment 1 RAD 1320546 and Attachment 2 RAD 1336629), be approved in principle, to enable the preparation of the detailed design.

Collingwood/Boswijk

Carried

Attendance: Councillor Boswijk departed the meeting at 12.55pm.

Councillor Fulton foreshadowed an additional motion regarding provision of a safe space within the re-development of the Buxton Square toilets.

Attendance: Councillor Reese left the room at 12.56pm.

His Worship the Mayor advised that with Councillor Reese's departure, quorum had lapsed, and accordingly directed that the meeting would adjourn for lunch.

Attendance: The meeting adjourned for lunch from 12.57pm – 1.33pm, during which time both Councillor Reese and Councillor Barker re-joined the meeting.

Councillors returned to the discussion regarding the Buxton Square toilets, and whether redevelopment of the toilets provided an opportunity for incorporating a safe, warm space within the design, that could be utilised by Street Ambassadors or similar groups as a youth outreach area. It was noted that it was currently unclear whether there was a need for such a space, and if so, whether the Buxton Square toilets was the appropriate space. It was also noted that the idea of volunteer Street Ambassadors throughout the winter months had also not been brought to Council as yet.

In response to a question, Ms McDonald advised that the redevelopment of the Buxton Square toilets was included within the current financial year within the Long term Plan 2012-2022, and that design work was underway. She said that the toilets were very well used, and staff considered that the number of toilets should not be decreased. She added that any changes at this stage could result in implications to the budget or to staff time, which may result in a delay to the project.

Resolved

THAT the outcome of the Street Ambassadors' Review be reported to Council and used to inform the Buxton Square Toilet concept plans.

Collingwood/Fulton

Carried

10. Parking Restriction Policy

Document number 1327297, agenda pages 103-111 refer.

Resolved

THAT Council adopt the following as a basis for formulating a draft Parking Restrictions Policy:

- ***decline requests for restrictions where prohibition is already in place under the Land Transport (Road User) Rule 2004,***

- ***decline requests for restrictions on unclassified (local and sub-collector) roads except where necessary for traffic safety, and***
- ***decline requests for restrictions on classified (arterial, principal and collector) roads except where necessary for traffic safety and to ensure two-way traffic flow.***

His Worship the Mayor/Copeland

Carried

11. National Policy Statement for Freshwater Management

Document number 1320439, agenda pages 72-102 refer.

Planning Adviser, Ms Bradley, joined the meeting.

Councillors discussed the recommendation to carry out informal consultation with Iwi and key stakeholders.

Ms Bradley explained that it was necessary to carry out early consultation with key stakeholders involved in fresh water management to discuss the proposed progressive implementation programme, particularly because it included the establishment of a collaborative stakeholder group. She also explained that further research was required with regards to particular freshwater areas, to identify practical options to achieve improved water quality in degraded streams with D and E water quality classifications. Principal Adviser Resource Management Planning, Mr Heale, also noted that a Plan Change would likely be necessary following the outcomes of the research and collaborative stakeholder group phases of the project.

Councillor Fulton, seconded by Councillor Copeland, moved that the motion be left to lie on the table. The motion was lost.

Resolved

THAT the Council adopt the progressive implementation programme for giving effect to the National Policy Statement for Freshwater Management (Document 1320684);

AND THAT informal consultation is carried out with iwi and key stakeholders on the progressive implementation programme prior to November 2012;

AND THAT the results of that informal consultation are reported back to the Council.

Shaw/Collingwood

Carried

Several Councillors indicated that they would need to leave the meeting, which would result in a failure of quorum. His Worship the Mayor directed that the meeting be adjourned, with all Public Excluded agenda items to be placed onto the Public Excluded agenda of the next appropriate Council meeting.

The meeting ended at 2.00pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date