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## Minutes of a meeting of the Nelson City Council – Community Services

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

**On Tuesday 19 February 2013, commencing at 9.00am**

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

In Attendance: Chief Executive (C Hadley), Acting Executive Manager Community Services (R Ball), Executive Manager Support Services (H Kettlewell), Chief Financial Officer (N Harrison), Executive Manager Kaihautū/Community Relations (G Mullen), Executive Manager Network Services (A Louverdis), Executive Manager Regulatory (R Johnson), Executive Manager Strategy and Planning (M Schruer), Manager Community Relations (A Ricker), Manager Community Development (K Inwood), Policy Adviser (S Yarrow), Planning Adviser (D Bradley), Manager Environmental Inspections Limited (S Lawrence), Principal Adviser Community (J Hawes), Manager Strategic Response (C Ward), Planning Adviser (P Rawson), Principal Adviser Utilities (P Ruffell), Planning Adviser (R Peterson), Principal Adviser Resource Management Plan (M Heale), Youth Councillors (P Higgins and B Hornblow), and Administration Adviser (L Canton)

Apologies: Councillor P Matheson, and Councillor M Ward for lateness

### Opening Prayer

Councillor Davy gave the opening prayer.

#### 1. Apologies

Resolved

***THAT apologies be received and accepted from Councillor Matheson, and Councillor Ward for lateness.***

His Worship the Mayor/Davy

Carried

Attendance: Councillor Barker joined the meeting at 9.04am.

## **2. Conflicts of Interest**

Councillors Boswijk and Copeland declared a conflict with Agenda item 16 Plan Change 16 Inner City Noise Working Group.

## **3. Public Forum**

### **3.1 Friends of Nelson Library**

Jill Blechynden, Friends of the Library Committee Member and Coordinator of Booksales, presented Council with a \$5,000 donation, comprised of funds raised from speaker events and proceeds from the sale of the Libraries' cancelled collection items. On behalf of the Council, His Worship the Mayor expressed appreciation for the hard work and contribution of the Friends of the Library.

Attendance: Councillor Ward joined the meeting at 9.08am.

### **3.2 The Truck (formerly The New Hub)**

Stephen Stiles and Matt Shipman of the Youth and Community Facility Trust outlined the services offered by the Trust's mobile recreation service, The Truck. They tabled a document detailing the service (1462255). In response to questions, Mr Stiles said that the mobile nature of the new service meant it reached more young people than the previous The NewHub service, and provided a wider variety of outdoor activities. He added that there was potential to generate income from hiring The Truck to event organisers in future.

### **3.3 Local Alcohol Policy**

Mr Ken Beckett spoke about the potential development of a draft Local Alcohol Policy. He suggested that a joint alcohol policy for the Top of the South Councils was not appropriate, as Nelson City Council's policy should meet the needs of the local Nelson residents only. He added that a joint policy could create complications for public consultation, and in the event that one local authority required changes to the policy at a future time. In response to a question, Mr Beckett said he supported the sharing of ideas between local authorities, but not a joint policy.

## **4. Confirmation of Minutes**

### **4.1 20 November 2012**

Document number 1412992, agenda pages 1-16 refer.

Resolved

***THAT the minutes of a meeting of the Nelson City Council – Community Services, held on 20 November 2012, be confirmed as a true and correct record.***

Boswijk/Fulton

Carried

## **5. Mayor's Report**

There was no Mayor's Report.

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

Document number 1034860 v8, agenda pages 17 refer.

Resolved

***THAT the Status Report – Community Services (1034860 v8) be received.***

His Worship the Mayor/Rainey

Carried

## **7. Portfolio Holder's Report**

Co-Portfolio Holder, Councillor Rainey, gave a Portfolio Holders report. In relation to the Opera in the Park event, he suggested that Councillors consider capitalising on the fixed cost of building the temporary stage in Trafalgar Park by promoting the park nationally as a summer event destination.

## **8. Review of Tasman Nelson Environment Awards**

Document number 1430196, agenda pages 18-55 refer.

Manager Community Development, Kath Inwood joined the meeting and presented the report.

In response to a question the Chief Executive reminded Councillors that they had previously agreed that the Environment Awards were in line with the new purpose of local government, as they supported Council's regulatory obligations and the Framing our Future strategy outcomes.

In response to further questions, Ms Inwood said that she did not expect that staff time required to support the Awards would exceed that already approved in the Long Term Plan 2012-2022. Ms Inwood also clarified that Māori stakeholders had been consulted as part of the review.

Resolved

**THAT the Tasman Nelson Environment Awards Strategic Review 2012 be received;**

**AND THAT the recommendations of the Review be implemented:**

- **The Awards be held biennially from the 2013/14 year, in partnership with Tasman District Council;**
- **The number of categories are reduced to schools, primary production, business, individual, group, sustainable design, and people's choice; with prizes for these categories to be provided by sponsors;**
- **The judging process is standardised and streamlined to involve a moderator, a councillor and a specialist for each category;**
- **An improved higher value sponsor package is developed;**
- **A marketing plan is developed to improve coverage about the Awards in the community subject to sponsorship;**

**AND THAT the Tasman Nelson Environment Awards be reviewed in 2018.**

Rainey/Reese

Carried

## **REPORTS FROM COMMITTEES**

### **9. Civil Defence Emergency Management Group – 23 November 2012**

Document number 1420149, agenda pages 56-57 refer.

Resolved

**THAT the minutes of the meeting of the Civil Defence Emergency Management Group, held on 23 November 2012, be received.**

Boswijk/Davy

Carried

Attendance: Councillor Rackley left the meeting at 9.45am.

**10. Nelson Youth Council – 23 October 2012**

Document number 1394073, agenda pages 58-62 refer.

Resolved

***THAT the minutes of the meeting of the Nelson Youth Council, held on 23 October 2012, be received.***

Rainey/Davy

Carried

**11. Nelson Youth Council Update**

Petra Higgins and Blake Hornblow of the Nelson Youth Council updated the Council on activities at the recent Youth Council camp, and on the Youth Council's plans for the coming year.

**CROSS COUNCIL ITEMS**

**12. Framing Our Future – Draft Nelson 2060 Strategy Public Consultation**

Document number 1436334, agenda pages 63-66 refer.

Policy Adviser, Sarah Yarrow, joined the meeting and presented the report.

Councillors discussed the draft Nelson 2060 Strategy. Some concerns were expressed about the draft Strategy document content. It was agreed that Councillors should forward any suggested amendments to the Chief Executive for incorporation in the draft Strategy.

It was noted that forecasting as far as 2060 was a difficult task, but it was an essential one for Council and an important part of the new purpose of local government.

Resolved

***THAT subject to final approval by the Mayor and the Deputy Mayor, the Draft Nelson 2060 Strategy (1452447) be approved for public consultation;***

***AND THAT the Framing Our Future Committee hear, consider and make decisions on submissions to the Draft Nelson 2060 Strategy;***

***AND THAT the Framing Our Future Committee recommend to the Council a final version of the Nelson 2060 Strategy for adoption;***

***AND THAT the members of the Mayoral Taskforce be invited to recommend to their respective organisations the adoption of the Strategy.***

Shaw/Boswijk

Carried

**13. Adoption of the Dog Control Policy and Dog Control Bylaw No 221**

Document number 1427076, agenda pages 67-105 refer.

Attendance: Councillors Collingwood and Reese sat back from the table and did not participate in the discussion or voting on this item. Councillor Collingwood declared an interest with this item as she had been a submitter during the consultation period and Councillor Reese had not been present through the hearing and deliberating on submissions and did not feel she could participate in the decision.

Attendance: Councillor Rackley returned to the meeting at 10.25am.

Planning Adviser, Debra Bradley, and Manager Environmental Inspections Limited, Stephen Lawrence, joined the meeting. Ms Bradley presented the report, which she noted was to formalise previous Council instruction.

Councillors discussed the recommendation in the staff report. A minority view was expressed that the Bylaw did not address concerns of residents who wished for specified times during which dogs must be on a lead on shared paths. The majority of Councillors said that the Bylaw represented a reasonable compromise on a difficult issue.

Resolved

***THAT the Dog Control Policy (1191552) and the Dog Control Bylaw No 221 (1191826) be adopted, to take effect from 25 February 2013.***

Boswijk/Fulton

Carried

A division was called.

<b>Councillor</b>	
Councillor Barker	Yes
Councillor Boswijk	Yes
Councillor Collingwood	Did not participate
Councillor Copeland	Yes
Councillor Davy	No

Councillor Fulton	Yes
Councillor Matheson	Apology
Councillor Rackley	Yes
Councillor Rainey	Yes
Councillor Reese	Did not participate
Councillor Shaw	Yes
Councillor Ward	Yes
His Worship the Mayor	Yes

Attendance: The meeting adjourned for morning tea from 10.35am until 10.55am.

#### **14. Local Alcohol Policy**

Document number 1439024, agenda pages 106-115 refer.

Attendance: Councillor Boswijk declared a conflict and sat back from the table and did not participate in the discussion or voting.

Principal Adviser Community, Jenny Hawes, joined the meeting and presented the report.

In response to a question the Executive Manager Regulatory, Richard Johnson, advised that the training process for members of the new District Licensing Committees was currently being developed.

In response to a further question, Ms Hawes confirmed that it was possible to have a joint policy with other local authorities covering common principles, with the addition of schedules for individual communities.

Councillors discussed the recommendation in the staff report and expressed a desire to work collaboratively with Tasman District Council and Marlborough District Council to develop local alcohol policies. The importance of identifying the scope and limitations of any such policy before developing the policy itself was also noted.

Resolved

***THAT a draft Local Alcohol Policy be developed on the basis of the significant benefits, including:***

- ***communities having a greater say on local alcohol licensing policy***

- **guidance and greater certainty for all those involved in the liquor licensing process**
- **a fit for purpose policy on the sale and supply of alcohol**

**AND THAT the scope of the draft Local Alcohol Policy should cover all of the matters permitted under s77 of the Sale and Supply of Alcohol Act 2012;**

**AND THAT Nelson City Council indicates a desire to work with other Councils on the development of Local Alcohol Policy(ies) and the Mayor be requested to seek agreement from the Mayors of Tasman District Council and Marlborough District Council to work collaboratively to develop Local Alcohol Policy(ies) for the Top of the South Councils.**

Reese/Davy

Carried

## **15. Council Submissions on 'Towards Better Regulation' and 'Building Seismic Performance'**

Document number 1439006, agenda pages 116-156 refer.

Manager Strategic Response, Chris Ward, Planning Adviser, Peter Rawson, and Principal Adviser Utilities, Phil Ruffell, joined the meeting.

During discussion, some Councillors expressed concerns that the draft Towards Better Regulation submission supported a central government policy change that was inconsistent with Council's current policy. Councillors also expressed a view that the submission should be made by Council rather than staff, but that due to the number of amendments required, further discussions were required outside of this meeting.

During discussion about the Building Seismic Performance submission, there was agreement that significant amendments were required to the draft. The Chief Executive advised that if Councillors did not agree with the proposed staff submission, they must consider whether it was an effective use of their time to redevelop it. Councillors discussed this and decided against making a submission on Building Seismic Performance.

Resolved

**THAT the submission on Towards Better Regulation (1445682) is confirmed after review by Councillors Reese, Fulton, Ward, and Copeland, and subject to the amendments made by them;**



**AND THAT the submission on Building Seismic Performance (1441156) is not made.**

Reese/His Worship the Mayor

Carried

**16. Proposed Changes to Nelson City Council's Annual Plan 2012/13 Work Programme**

Document number 1385476, agenda pages 157-160 refer.

The Chief Executive explained that the list of proposed deferrals had been developed in response to Councillor direction at the December 2012 Council Workshop. She added that deferral indicated that an item would not be considered in the Annual Plan 2013/14, although it would remain in the current Long Term Plan for reconsideration in the Annual Plan 2014/2015.

Following a discussion, the Chief Executive suggested that the item be left to lie on the table until the Council – Infrastructure meeting on 21 February 2013, for consideration in conjunction with the Annual Plan 2013/2014 Workshop Discussion Summary report.

Resolved

**THAT the item Proposed Changes to Nelson City Council's Annual Plan 2012/13 Work Programme be left to lie on the table, to be considered at the Council – Infrastructure meeting on Thursday 21 February 2013.**

His Worship the Mayor/Boswijk

Carried

**17. Plan Change 16 Inner City Noise Working Group**

Document number 1437680, agenda pages 161-162 refer.

Attendance: Councillors Boswijk and Copeland declared a conflict and did not participate in the discussion or voting.

Planning Adviser, Reuben Peterson, and Principal Advisor Resource Management Plan, Matt Heale, joined the meeting and presented the report.

In response to questions about a potential conflict of interest for Councillors, Mr Peterson advised that the affected zone covered approximately 1000 properties in the central city and surrounds. He said that all potentially affected property owners had been invited to make a submission.

Mr Heale added that the guidelines on conflicts of interest in a plan change process under the Resource Management Act 1991 were that Councillors should not make decisions where they had a pecuniary

interest, where they were competitors or submitters, or where they had personal or business relationships with submitters or applicants.

Councillors discussed whether a possible conflict meant they could not participate in the Working Group. It was noted that the Working Group was to provide advice to the Council and was not able to make any decisions. Councillor Rackley agreed to be considered for appointment to the Working Group.

Attendance: Councillor Copeland left the meeting at 12.40pm.

Resolved

***THAT Councillor Rackley be appointed to the existing Plan Change 16 Inner City Noise Working Group consisting of Councillors Ward and Fulton to:***

- ***Consider the public feedback received***
- ***Recommend to the Council a draft Plan Change for public notification.***

Davy/Barker

Carried

## **18. 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>	Public Excluded Minutes – Nelson City Council Community Services – 20 November 2012  These minutes confirm the public excluded minutes of	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for	The withholding of the information is necessary:

	the Community Services meeting of 28 August 2012 and the Infrastructure meeting of 11 October 2012, and also contain information regarding:	which good reason exists under section 7	
	Marina Hardstand		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Regional Pipeline Upgrade Liquidated Damages		<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> </ul>
	Kahurangi Employment Trust – Council Relationships		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Natureland Expressions of Interest		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
<b>2</b>	Public Excluded Status Report – Community Services – 19 February 2013  This report contains information relating to:	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:
	Kahurangi Employment Trust – Council Relationships		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>
	Natureland Expressions of Interest		<ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>

His Worship the Mayor/Davy

Carried

The meeting went into public excluded session at 12.44pm and resumed in public session at 12.48pm.

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

Resolved

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

His Worship the Mayor/Boswijk

Carried

There being no further business the meeting ended at 12.48pm.

Confirmed as a correct record of proceedings:

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