

**MINUTES OF A MEETING OF THE INFRASTRUCTURE COMMITTEE HELD AT THE BROADGREEN CENTRE, BROADGREEN HOUSE, NAYLAND ROAD, NELSON ON THURSDAY 8 MAY 2008 COMMENCING AT 10.05AM**

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**PRESENT:** Councillor M Holmes (Chairperson), His Worship the Mayor K Marshall, Councillors G Collingwood, M Cotton (Deputy Chairperson), D Henigan, P Rainey, R Reese, D Shaw and G Thomas

**IN ATTENDANCE:** P Dougherty (Deputy Chief Executive), F Galloway (Divisional Manager Infrastructure), A Louverdis (Manager Technical Services), M Schruer (Manager Infrastructural Assets) and R Palmer (Administration Adviser)

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## **1.0 PUBLIC FORUM**

### **1.1 Nelson Marlborough Cycle Paths**

Bill Gilbertson spoke to the Committee outlining the work which was being undertaken by a new group of cyclists in developing Nelson as a tourist destination for cyclists by investigating the possibility of safe cycling routes through Marlborough, over the Whangamoas and south from Nelson.

He also advised that the group had identified that there was a lack of signage to assist cyclists in finding their way to the Information Centre from the north and also finding their way to the cycleway leading to the south. He explained that one or two backpacker accommodation houses had also expressed concern that they were unable to direct their clients to the Nelson cycleways.

Mr Gilbertson also explained that the group was looking at the possibility of establishing a Rail Trail on the old Nelson to Kawatiri railway line where land was available or adjacent low volume roads could be utilised.

### **1.2 International Charter for Walking**

Judy Cox from Walk Nelson/Tasman and Richard Butler spoke to the Committee regarding their wish for the Council to become a signatory to the Walk 21 International Charter for Walking. Judy explained that from Walk Nelson/Tasman's point of view walking needed to be at the centre of the Council's transport strategy as it had a much higher efficiency rating than any other form of transport.

She also requested that when new infrastructure was designed, that Council ensured that it made provision to a high standard for pedestrians, and urged the Council to review its walkway signage to ensure that the location of walkways and other shortcuts were clearly identified for all pedestrians.

The Committee noted that a review of the Central City Strategy was presently underway and that this would include provision for pedestrians within the CBD.

### **1.3 Mr J. McLaughlin and Ashley Trust**

Tony Quickfall spoke to the Committee in response to the report on the agenda relating to Solitaire Investments' development contributions in Ngawhatu and Marsden Valleys.

He explained that the McLaughlins were in a similar position to that of Solitaire as both parties shared a common interest in infrastructure upgrades to serve a future development in the Marsden Valley.

He advised that the McLaughlins endorsed the support for recommendations 3 and 4 of the staff report, but in addition requested additional provision in the event that the upgrades were not included in the final 2009 LTCCP.

In backgrounding the situation, Mr Quickfall explained that the Council had known since 1995 that the Stoke sewer line had insufficient capacity but had done nothing to include the necessary works within its LTCCP either in 2006 or via a subsequent change, and this had proved very frustrating for Mr McLaughlin.

In conclusion, Mr Quickfall drew the Council's attention to a legal opinion which had been provided by the Council's solicitors in July 2007 which among other things made it very clear that the Council had the ability to amend its LTCCP at any time and therefore could have included the work in respect of which development contributions could be sought well before now.

#### **1.4 Solitaire Investments Limited**

Camilla Owen, Solicitor for Solitaire Investments, Kathryn Randle and Jackie McNae spoke to the Committee in relation to the report on the agenda. Ms Owen outlined the background to the plan changes which were undertaken in 2006 to rezone land in Marsden and Ngawhatu Valleys for residential development, pointing out that at that time, no provision had been made in the LTCCP for the additional infrastructure which would be required to enable that land to connect to the existing Council sewer.

Ms Owen stressed that Solitaire was merely wanting to ensure that it paid a fair contribution and in this light would accept the recommendation outlined in the report on the expectation that the upgrade would go into the 2009 LTCCP.

She pointed out that the Council could have made a change to its LTCCP in 2006 but this had not been proceeded with.

In conclusion the Committee was advised that when the Council was preparing its Annual Plan each year it should make use of the opportunity to also review its LTCCP in relation to any infrastructural work which needed to be undertaken in support of its Development Contributions Policy.

#### **1.5 Southern Corridor**

Michael Lincoln spoke to the Committee outlining his concerns regarding the Regional Land Transport Committee which in his opinion looked to be losing its focus on the interests of motorists in favour of cyclists.

Mr Lincoln expressed the opinion that the motor vehicle played an important part in the local community and the Regional Land Transport Committee seemed to be losing sight of the fact that for this reason there was a need to put emphasis on the Southern Connection.

He advised that in his opinion the Council needed to take a holistic view of Nelson rather than concentrating on just one segment of the city which might be

inconvenienced by the construction of the road concerned as cars were here to stay and should be recognised and provided for.

Mr Lincoln also raised concerns regarding the present lack of use which was made of The Bus urging that serious consideration be given to its operation.

## 2.0 CONFIRMATION OF MINUTES

20 March 2008

Resolved

***THAT** the minutes of the meeting of Infrastructure Committee, held on Thursday 20 March 2008, be confirmed as a true and correct record.*

Thomas/Rainey

Carried

## 3.0 STATUS REPORT – MAY 2008

Agenda pages 16-17 refer.

Concern was expressed that although the status report indicated that no further action was required in relation to Beatson Road it would seem appropriate that the matter be retained on the Status Report as this might merely be an interim decision.

It was agreed that the Status Report related to specific decisions rather than to the subject matter of those decisions and therefore while the subject might be revisited in the future the decision only remained on the Status Report while it still required action.

Resolved

***THAT** the Infrastructure Committee Status Report to May 2008 be received.*

Holmes/His Worship the Mayor

Carried

## 4.0 MAJOR INFRASTRUCTURE PROJECTS 2007/08

Document No 647115, dated 22 April 2008, agenda pages 18-22 refer.

The meeting was advised that the blessing and formal opening of the Normanby Bridge was scheduled for Thursday 5 June 2008 and appropriate publicity and press releases would be made in due course.

It was also noted that publicity in relation to the completion of the Nelson North Wastewater Treatment Plant would also be given in Live Nelson.

Resolved

***THAT** the information regarding progress on major infrastructural projects be received.*

Holmes/Reese

Carried

## 5.0 SOLITAIRE INVESTMENTS LIMITED

Michael Schruer (Manager Infrastructural Assets) made a presentation to the Committee outlining the basis of financial contributions, and the way they were levied.

Mr Schruer explained that only works for land zoned for residential development were included within the LTCCP as projects and only projects identified in the LTCCP were included in the development contributions policy.

He explained that while Solitaire requested that the Marsden and Ngawhatu areas be included within the development contributions this was rejected by the Council because the land at that stage was not fully zoned for residential development.

Now that the land was rezoned, the recommendation was that the infrastructure upgrade projects required for growth in the Marsden Valley and Ngawhatu Valley be included in the 2009 LTCCP and Development Contributions Policy.

Mr Schruer explained that the shortfall of capacity within the Stoke sewer line raised by Mr Quickfall referred to when all the land which was presently zoned residential was developed and at the present time this was not the case so there was no shortfall.

Mr Schruer explained that the issue was one of anticipating potential future development which was certain to take place and the Council needed to be careful in making provision for any work which might pre-empt a future change to the Nelson Resource Management Plan.

Concern was expressed that the Committee had not been provided with all the information available and particularly referred to the legal opinion tabled by Mr Quickfall. Members were therefore in no position to make any firm recommendation.

A motion was proposed:

Moved Councillor Cotton/Seconded Councillor Holmes

*THAT the infrastructure upgrade projects required for growth in Marsden Valley and Ngawhatu Valley, be included in the 2009 LTCCP review and Development Contributions Policy;*

*AND THAT when Solitaire Investments proceed with its developments in Marsden Valley and Ngawhatu Valley it pays the Development Contributions and all Financial Contributions payable at the time;*

*AND THAT the Council undertake to refund the difference between the previous contributions made and any revised contributions payable that may arise from the review of the Development Contributions Policy as part of the 2009 LTCCP review, and any other financial contributions payable under the Nelson Resource Management Plan.*

An amendment was proposed:

Moved Councillor Shaw/Seconded Councillor Reese

***THAT the matter be referred to the Council meeting scheduled for Thursday 29 May 2008, without a recommendation.***

The amendment was put and **CARRIED.**

The amendment became the substantive motion and upon being put was **CARRIED.**

It was agreed that staff should provide information to the next Council meeting outlining the background to the legal opinion tabled by Mr Quickfall, together with a copy of the presentation made by Mr Schruer.

**6.0 CLEVELAND TERRACE AND UNDERGROUNDING OF UTILITY SERVICES**

Document No 660958, dated 23 April 2008, agenda pages 51-53 refer.

Attendance: Alec Louverdis (Manager Technical Services) presented the report.

Resolved

***THAT approval be given to proceed with the undergrounding of telephone, electricity and utilities services in Cleveland Terrace and that this additional funding be provided by additional borrowings;***

***AND THAT a submission be made to the Annual Plan so that the final estimates can be adjusted to take into account the additional interest costs required.***

Shaw/His Worship the Mayor

Carried

**7.0 PARKING AND VEHICLE CONTROL BYLAW 2004 – NO 207 – AMENDMENTS TO SCHEDULES**

Document No 655228, dated 18 April 2008, agenda pages 54-56 refer.

Attendance: Alec Louverdis, Manager Technical Services, presented the report.

Recommendation to the Council

***THAT the following alterations be made to the schedules of Bylaw No 207– Parking and Vehicle Control–2004 all as per the attachments to document no 655228;***

***(i) Schedule 9 – No Stopping and No Parking***

Collingwood/Cotton

Carried

**8.0 CONTRACTS ACCEPTED UNDER DELEGATED AUTHORITY**

Document No 657919, dated 10 April 2008, agenda pages 57-48 refer.

Resolved

***THAT** the report outlining contracts accepted under delegated authority in the period 26 February 2008 to 10 April 2008 be received.*

Shaw/Rainey

Carried

**9.0 GENERAL BUSINESS**

**9.1 Public Forum Discussion**

- (i) Nelson Marlborough Cycle Paths

It was raised that the matter could be added to the agenda for the next meeting of the Top of the South Mayors and the group could be invited to the next appropriate meeting of the Active Transport Forum.

It was also agreed that the staff would undertake to review the signage in relation to the cycleways, particularly the shared pedestrian way/cycleways.

The meeting discussed whether the Council should encourage the various cycle groups within Nelson to amalgamate and formally constitute themselves as a charity on the basis that this would assist them in raising funds for any project that they might wish to undertake and also lead to only one approach being made to the authorities concerned.

It was generally accepted that this was something which the groups themselves would need to decide.

- (ii) Walk 21 – International Charter for Walking

Resolved

***THAT** staff provide a report to a future meeting of the Infrastructure Committee on the Charter and its relationship to the Council’s Pedestrian Strategy, Regional Land Transport Strategy and the appropriate Asset Management Plans together with the possible costs to Council should it support the initiative.*

Shaw/Henigan

Carried

- (iii) Mr Michael Lincoln

It was agreed that Mr Lincoln be advised the time of the next meeting of the Regional Land Transport Committee, which was open to the public.

The meeting closed 12.25pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

\_\_\_\_\_ CHAIRPERSON \_\_\_\_\_ DATE