

Minutes of a meeting of the Nelson City Council

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

On Thursday 30 October 2014, commencing at 9.02am

Present: Her Worship the Mayor (R Reese), Councillors L Acland, I Barker, R Copeland, E Davy, K Fulton, M Lawrey, P Matheson, B McGurk, G Noonan, P Rainey, T Skinner, and M Ward

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Administration (P Langley), Administration Adviser (G Brown) and Youth Councillors (H Malpas and S Stephens)

Opening Prayer

Councillor Fulton gave the opening prayer.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

2.1 Refinery Artspace Update

Resolved

THAT the public excluded item regarding Refinery Artspace Update be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable any issues which arise to be addressed in a timely manner.

Barker/Her Worship the Mayor

Carried

3. Interests

Councillor Rainey declared a conflict of interest with item 12 on the agenda.

4. Public Forum

Julie Baxendine, from Intepeople, provided an update on Gigatown. She advised that more than 500 individuals were required to use Twitter to bring Nelson to fourth position in the competition, and she encouraged councillors to inform family and their business networks to help raise the numbers.

In response to a question, she said that the instagram competition involved a 15 second video competition to illustrate how individuals supported Gigatown.

It was noted that the target market for Twitter was 20-50 year olds, and that there were monetary incentives for sport and community groups. It was suggested that it should be promoted in colleges.

5. Confirmation of Minutes – 9 October 2014

Document number A1260919, agenda pages 8-25 refer.

Resolved

THAT the unconfirmed minutes of the meeting of the Nelson City Council, held on 9 October 2014, be confirmed as a true and correct record.

Her Worship the Mayor/Copeland

Carried

6. Status Report – Council 30 October 2014

Document number A1168168, agenda pages 26-27 refer.

Resolved

THAT the Status Report – Council 30 October 2014 (A1168168) be received

Davy/Copeland

Carried

7. Mayor’s Report

Document number A1260470, agenda pages 28-30 refer.

Her Worship the Mayor indicated that she would provide a more comprehensive update on her visit to Miyazu in Japan at a later date however, she advised that it was a worthwhile visit, and that it was worth noting Miyazu’s population used to be similar to Nelson’s but had

decreased to 20,000 residents. She said that technology was important for communities to keep up with the rest of the world.

Resolved

THAT the Mayor's Report (A1260470) and its attachment (A1265038) be received;

Her Worship the Mayor/Noonan

Carried

8. Adoption of the Annual Report for the year ending 30 June 2014

Document number A1262054, agenda pages 31-34 refer.

Group Manager Corporate Services, Nikki Harrison presented the report.

In response to a question, Ms Harrison explained that the public debt of \$71.8 million included debt from previous years.

In response to a question, Chief Executive, Clare Hadley advised that building and resource consents showing as 'not achieved' on page 50 and 51 of the Annual Report was not a capacity issue and that the percentage of non compliance was due to reaccreditation and Council was working hard to achieve the 100% in the future.

Resolved

THAT the report Adoption of the Annual Report for the year ending 30 June 2014 (A1262054) and its attachment (A484986) be received;

AND THAT the Annual Report for the year ended 30 June 2014 be adopted in accordance with s98 of the Local Government Act 2002;

AND THAT the Mayor and Chief Executive be delegated the authority to make minor changes, including the addition of the Foreword to the Annual Report 2013-14, and any suggested changes by Audit New Zealand.

Davy/Rainey

Carried

9. Rock's Road Walking and Cycling Project – Engagement Summary

Document number A1262602, agenda pages 35-42 refer.

Team Leader Rooding and Solid Waste, Marg Parfitt, Senior Asset Engineer – Transport and Rooding, Rhys Palmer and Lyndon Hammond from New Zealand Transport Agency (NZTA), presented the report.

Rhys Palmer advised councillors that Nelson City Council (NCC) had won an award for the best cycle facility project for the St Vincent separated bicycle lanes at the 2walkandcycle conference.

There was a discussion that the Regional Transport Committee included the Rocks Road Walking and Cycling Project into the Regional Land Transport Plan (RLTP) as a joint project with NZTA as it was a key component of the walking cycling schools package. It was discussed that this was not about design, it was about prioritisation and it would be a placeholder in the RLTP for the following 3 years.

In response to a question, Mr Palmer advised that Concept 2 a 4.0 metre wide path shared path had been considered however, the steering group believed that faster, confident cyclists would continue to cycle on the road and that a 2.9m shared path was adequate to cater for those who were less confident.

In response to a further question, Mr Palmer said that twice as many people cycled to Tahunanui rather than coming back to the CBD so a higher level of service needed for this route. He advised that consideration was given to increase the width of the shared path however, an emergency corridor of 9m was required through this area. He informed councillors that the design may look different in February as further investigation work to refine Option 1 was underway as well as peer and safety reviews. He confirmed that neither Council or NZ Transport Agency had committed to a final design at this stage.

Mr Palmer advised that a sensitivity analysis was needed to work out the level of service on 2.9m shared path. He also added that option 2 was estimated at \$22.7 million and that this figure did not include the rest of the current design. He advised that an investigation in February would provide the costs of the design which would come back to Council and NZ Transport Agency.

There were discussions that \$16 million of the cost of the project would not be paid by the ratepayer, and that this was only a placeholder which was indicative of what you could purchase for that amount of money.

It was raised that a number of options should be included in consulting with the community.

In response to a question, Mr Palmer indicated that there were narrow shoulders on each side of the road for Option 2 and that Option 2 had a 4m shared path. There was general support for the recommendations, although a 4m shared pathway was the preferred more logical option, however it was appreciated that this would be at a further cost. It was discussed that there was no easy solution for

parking, but it was clear that the RLTP requires that this project needed to be prioritised regardless of the finer details.

Resolved

THAT the motion under debate be now put.

Davy/Noonan

Carried

Resolved

THAT the report *Rocks Road Walking and Cycling Investigation Engagement Summary and Regional Land Transport Plan option. (A1262602) and its attachments (A1263740, A1255562, A1263957) be received;*

AND THAT Council thank the community and stakeholders for their feedback and provide them with a summary of the findings;

AND THAT the Steering Groups interim advice for a 2.9m shared path with on road cycle facilities for a total cost of \$16.8 million is included as a placeholder in the Draft Regional Land Transport Plan.

Her Worship the Mayor/Matheson

Carried

Councillor Barker wanted his vote against the recommendation recorded.

10. Trial of Online Voting

Document number A1255279, agenda pages 43-46 refer.

Administration Manager, Penny Langley and Group Manager Community Services, Chris Ward presented the report.

In response to a question, Ms Langley indicated that the number of Council's who participated in the online voting trial was irrelevant to the costs involved.

In response to questions, Mr Ward informed councillors that the online trial was being promoted by Local Government New Zealand (LGNZ), and there was not a commitment from Central Government. In addition, he advised that there would be extra costs involved in having two election processes, and if Council was to pursue an online voting trial it would require staff resources. He also indicated that there were risks involved in relation to IT systems.

There were discussions around the costs involved with the online trial and that there was no conclusive evidence in relation to voter

participation with online voting. It was also discussed that community engagement was dependent on the big issues facing the community and not in the method of voting and that Council had other priorities at this time.

Concerns were raised about the cost if Council was not involved in the online voting trial, and that any tool which could potentially increase demographic participation should be pursued. It was also mentioned that Council should be a leader in this area, and that online voting would inevitably happen in the future.

A division was called:

Councillor Acland	No
Councillor Barker	Aye
Councillor Copeland	No
Councillor Davy	Aye
Councillor Fulton	No
Councillor Lawrey	No
Councillor Matheson	Aye
Councillor McGurk	Aye
Councillor Noonan	Aye
Councillor Rainey	No
Councillor Skinner	Aye
Councillor Ward	No
Her Worship the Mayor	Aye

The motion was passed, 7-6.

Resolved

THAT the report Trial of Online Voting (A1255279) be received;

AND THAT after making further enquiries, and given the increased risk and cost, Council not pursue the possibility of being involved in a trial of online voting for the 2016 local body elections any further.

Davy/Skinner

Carried

11. Waimea Community Dam – Submission to Tasman District Council

Document number A1264246, agenda pages 69-72 refer.

Senior Assets Engineer – Utilities, Phil Ruffell presented the report.

In response to a question, Chief Executive, Clare Hadley advised councillors that Council had no position on the Waimea Community Dam and that a report would be considered on 20 November 2014 Council meeting as the Statement of Proposal closed on 14 November 2014 from Tasman District Council (TDC). It was advised that the submission would be brief.

Mr Ruffell reminded councillors of the workshop where TDC's resource consent was discussed and that the workshop supported Nelson City Council (NCC) making a submission on the resource consent for the construction of the Waimea Community Dam.

He advised that the development of the Waimea Community Dam affected both TDC and NCC, and that NCC received economic benefits from the ongoing success of the Waimea Plains, Port Nelson and Nelson Airport. He said that the Dam needed to be seen by the wider community to recognise this link, and if NCC were to be silent and not submit then this would send a confusing message to TDC.

In response to a question, Mr Ruffell explained that if NCC were to sign funding for the Dam then NCC needed to be represented on the Board of Directors. In addition, he advised that the submission could include general matters and a view about the Governance arrangements however, he indicated that further comments could be given during the Long Term Plan (LTP) process.

Concerns were raised that not enough attention had been given on alternative and more sustainable options.

Mrs Hadley explained that on page 29 of the LTP it commented on the importance of the Waimea Community Dam, however no position was stated. She advised that TDC would be consulting with the community, and that the same process would happen at NCC, there was no commitment to funding at this time.

Attendance: The meeting adjourned from 11.03am until 11.05am, during which time Her Worship the Mayor left the meeting and Deputy Mayor Matheson assumed the Chair. The meeting then adjourned for morning tea from 11.05am until 11.16am

Attendance: Councillor Davy declared a conflict of interest with item 11 of the agenda, and left the meeting for the remainder of the item.

There was a discussion that further information was required on the content of the submission before a decision could be made.

Mr Ruffell indicated it had been suggested that TDC bulk bill NCC for water who would then distribute the bills accordingly.

Attendance: Councillor McGurk left the meeting at 11.22am

There were concerns that NCC would not be able to influence how the land was used in relation to TDC Resource Management Plan, therefore it was difficult to decide whether to support the Dam.

Mrs Hadley indicated that Council officers were working with TDC staff on intensification and that NCC could make submissions on plan changes, however negotiations needed to be excluded from the submission.

In response to a question, Mrs Hadley said that if NCC did not lodge a submission then NCC may lose the opportunity for a governance role and therefore TDC would make decisions without knowing NCC's position.

There was general support of the recommendation due to the flow on effect of Tasman's economy and that the finer details would be discussed at the appropriate time.

Resolved

THAT the report Waimea Community Dam-Submission to Tasman District Council (A1264246) be received;

AND THAT the Mayor and Chief Executive be delegated the authority to make a submission to the Tasman District Council on its Statement of Proposal for Funding and Governance of the Waimea Community Dam, provided that the submission is conditional on the two points:

- **THAT the quantum and conditions of any future contribution to the construction of the dam be subject to consultation with the Nelson community through its Long Term Plan 2015-2025**
- **AND THAT if Nelson City Council contributed funding, it would expect the appointment to any board of directors to be in its own right, rather than as part of a second tier grouping;**

AND THAT the submission be reported back to the next Council Meeting.

Barker/Rainey

Carried

12. Nelson School of Music

Document number A1256469, agenda pages 73-78 refer.

Group Manager Community Services, Chris Ward presented the report, and advised that the Nelson School of Music (NSOM) were going through transitional changes with a new Board and the closure of the auditorium.

In response to a question, Mr Ward indicated that the sum illustrated in 5.6 of the report of \$80,000 included salary costs, but he was unaware of exact figures.

In response to a further question, Mr Ward explained that the four performance events mentioned under Community Outcomes were performed by groups associated with NSOM.

Mr Ward advised that discussions were being had with NSOM in relation to the Winter Festival however, the Chair of the Board had accepted that this may not come to fruition next year. Mr Ward added that Council could choose to support the Winter Festival if that was what the community wanted.

There was a discussion that the Winter Festival was a local event and had been conducted this year in the existing space. Mrs Hadley advised that the Board's priorities were to deliver on remediating and strengthening the auditorium.

Resolved

THAT the report Nelson School of Music Funding 2014 (A1256469) and its attachments (A1259654) be received;

AND THAT the sum of \$80,000 (excluding GST) be granted to the Nelson School of Music for the delivery of outcomes identified in report A1256469

Fulton/Lawrey

Carried

Attendance: Councillor Rainey declared a conflict of interest and moved away from the table.

Resolved

AND THAT the following community assistance grants be confirmed:

- ***Nelson Civic Choir (\$4,150 per annum for four years)***
- ***Nelson Male Voice Choir (\$1,200 per annum for four years)***

- ***Nelson Symphony Orchestra (\$1,600 per annum for two years)***

Matheson/Noonan

Carried

13. Delivery of Projects – Update on Internal Review

Document number A1260612, agenda pages 47-68 refer.

Resolved

THAT the report Delivery of Projects – Update on Internal Review (A1260612) and its attachment (A1261333) be received.

Noonan/Davy

Carried

REPORTS FROM COMMITTEES

14. Joint Shareholders Committee – 7 October 2014

Document number A1259620, agenda pages 79-83 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Tasman District Council Joint Shareholders Committee, held on 7 October 2014, be received.

Barker/Davy

Carried

15. Works and Infrastructure Committee – 16 October 2014

Document number A1263244, agenda pages 84-93 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Works and Infrastructure Committee held on 16 October 2014, be received.

Davy/Lawrey

Carried

Resolved

THAT Council approve unbudgeted operational expenditure of \$50,000 to demolish the building and make good the site currently occupied by the Highland Pipe Band Hall this financial year.

Noonan/Davy

Carried

PUBLIC EXCLUDED BUSINESS

16. Exclusion of the Public

Resolved

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:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council minutes Public Excluded – 9 October 2014	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: <ul style="list-style-type: none">• Section 7(2)(h) To carry out commercial activities• Section 7(2)(i) To carry out negotiations• Section 7(2)(a) To protect the privacy of natural persons
2	Public Excluded Status Report - 30 October 2014 This report contains information regarding : Plan Change 18 Appeals	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: <ul style="list-style-type: none">• Section 7(2)(j) To prevent improper gain or advantage

Nelson City Council Minutes
30 October 2014

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
3	Refinery Artspace Update	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: <ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
4	Joint Shareholders Committee Public Excluded Minutes – 7 October 2014 These minutes contain information regarding:	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: <ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations Section 7(2)(a) To protect the privacy of natural persons
5	Works and Infrastructure Committee - Public Excluded Minutes – 16 October 2014 These minutes contain information regarding:	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: <ul style="list-style-type: none"> Section 7(2)(h) To carry out commercial activities Section 7(2)(i) To carry out negotiations

Her Worship the Mayor/Copeland

Carried

Attendance: The meeting adjourned for lunch from 12.32pm until 12.50pm, during which time Councillor Acland left the meeting and Her Worship the Mayor assumed the position of Chair.

The meeting went into public excluded session at 12.55pm and resumed in public session at 2.10pm.

17. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/McGurk

Carried

There being no further business the meeting ended at 2.10pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date