

Minutes of a meeting of the Nelson City Council

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

On Thursday 27 February 2014, commencing at 12.00pm

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

In Attendance: Chief Executive (C Hadley), Chief Financial Officer (N Harrison), Acting Group Manager Strategy (N McDonald), Group Manager Support Services/Acting Group Manager Community Services (H Kettlewell), Acting Group Manager Environment (G Carlyon), Kaihautū/Acting Manager Community Partnerships (G Mullen), Manager Communications (A Ricker), Manager Administration (P Langley), Manager Operations (S Davies), Senior Accountant (T Hughes), and Administration Adviser (E-J Ruthven)

Apologies: Councillors R Copeland and E Davy for early departure.

Opening Prayer

Her Worship the Mayor gave the opening prayer.

1. Apologies

Resolved

THAT apologies be received and accepted from Councillors Copeland and Davy, for early departure.

Her Worship the Mayor/Davy

Carried

2. Interests

There were no updates to the Interests Register.

Councillor Matheson declared an interest in relation to Item 4, Mayor's Report (Relay for Life).

Councillor Barker noted an interest in relation to an item on the public excluded agenda.

3. Confirmation of Order of Business

Her Worship the Mayor explained that item 9, Community Services Committee meeting minutes – 28 January 2014, would be taken following Item 3, Council meeting minutes – 12 and 19 December 2013.

4. Confirmation of Minutes

4.1 Council – 12 December 2013

Document number A1116869, agenda pages 12-28 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council, held on 12 December 2013, be confirmed as a true and correct record.

McGurk/Noonan

Carried

4.2 Council – 19 December 2013

Document number A1123211, agenda pages 29-31 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council, held on 19 December 2013, be confirmed as a true and correct record.

Rainey/Lawrey

Carried

REPORTS FROM COMMITTEES

5. Community Services Committee – 28 January 2014

Document number A1135727, agenda pages 94-98 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Community Services Committee, held on 28 January 2014, be received.

Rainey/Noonan

Carried

6. Mayor's Report

Document number A1145259, agenda pages 32-34 refer.

Resolved

THAT the Mayor's Report (A1145259) be received.

Her Worship the Mayor/Davy

Carried

6.1 Resource Consent Fees – Relay for Life

Attendance: Councillor Matheson declared a conflict of interest and departed the meeting for the duration of this item.

Councillors discussed the proposal to use the Mayor's discretionary fund to cover the cost of the resource consent fees for the Relay for Life event.

In response to questions, the Chief Executive explained that, since the last Relay for Life had taken place, the requirement for resource consents for amplified sound at Council venues had been introduced. She added that the actual cost of processing the resource consent fees was significantly less than \$1300.

A concern was expressed that funding this resource consent may set a precedent for the Mayor's discretionary fund, however in this instance, the Cancer Society could not have contemplated the need for a resource consent whilst planning for the event.

Resolved

THAT the motion under discussion be put.

Fulton/Her Worship the Mayor

Carried

Resolved

THAT Her Worship the Mayor use the Mayor's discretionary fund to cover the cost of the resource consent fees for use of amplified sound at Relay for Life at Saxton Field in 2014, up to the value of \$1,300.

Davy/Her Worship the Mayor

Carried

6.2 Free WiFi in the City Centre

6.3 In response to questions, Group Manager Support Services, Hugh Kettlewell, said that the on-going costs would be covered by Uniquely Nelson, although Council might consider funding these costs through a grant to Uniquely Nelson provided through the Annual Plan 2014/15.

There was a discussion regarding several 'gaps' in the WiFi coverage, on parts of Bridge and Trafalgar Streets. In response to a question, Mr Kettlewell explained that an additional hot spot could be provided at a minimal extra cost.

It was also clarified that the free WiFi would incorporate some form of capped maximum usage, rendering it unsuitable for business use.

Resolved

THAT the motion under discussion be put.

Fulton/Her Worship the Mayor

Carried

Resolved

THAT up to \$15,000 from the Economic Development Fund be used to provide free WiFi to the city centre.

Davy/Her Worship the Mayor

Carried

7. Annual Plan 2014/15 Workshop Discussion Summary and Proposed Changes

Document number A1143726, agenda pages 35-64 refer.

Her Worship the Mayor tabled three additional recommendations (A1150120) to be discussed, relating to Bridge Street, the Maitai River, and resourcing further policy work.

Resolved

THAT the report Annual Plan 2014/15 Workshop Discussion Summary and Proposed Changes (A1143726) and its attachments (A1147252) and A1144015 be received.

Her Worship the Mayor/Acland

Carried

Attendance: The meeting adjourned for lunch from 12.33pm to 1.07pm.

7.1 Rating

Resolved

THAT the additional SUIP (Separately Used or Inhabited Parts of a rating unit) charges for commercial properties for both wastewater and the UAGC (Uniform Annual General Charge) be reduced by 50% in the draft Annual Plan 2014/15.

Rainey/Ward

Carried

7.2 Transport – Church Street

Resolved

THAT the project to enhance pedestrian connections through improvements to Church Street not be included in the draft Annual Plan 2014/15.

Davy/Barker

Carried

7.3 Transport - Waimea Road/Market Road Intersection Upgrade and Waimea Road Widening/Snows Hill

Resolved

THAT funding for the Waimea Road/Market Road intersection upgrade and the Waimea Road widening/Snows Hill projects be considered in the draft Long Term Plan 2015/25.

Matheson/Lawrey

Carried

7.4 Transport - Halifax Street Cycle Lane

In response to a question, Senior Asset Engineer Transport and Roading, Rhys Palmer, explained that investigations were currently underway for an integrated cycle link from St Vincent Street to the central business district via Gloucester Street, and that this project would be eligible for NZTA subsidies, whereas a Halifax Street cycle link would not be.

Councillors in favour of removing the Halifax Street cycle lane noted the importance of linking the central business district with St Vincent Street in a subsidised manner if possible. Councillors against removing the Halifax Street cycle lane suggested placing a cycle lane in Gloucester Street would not assist cyclists who had to navigate busy intersections on Halifax Street.

Resolved

THAT the Halifax Street cycle lane be removed from the draft Annual Plan 2014/15 and from Council's project list.

Her Worship the Mayor/Davy

Carried

7.5 Water - Maitai Pipeline

Resolved

THAT \$100,000 for the design of the replacement pipeline from the water treatment plant to Westbrook Terrace be included in the draft Annual Plan 2014/15.

Davy/Skinner

Carried

7.6 Flood Protection – Orphanage Stream

Resolved

THAT \$100,000 be allocated in the draft Annual Plan 2014/15 to complete flood protection works in the Orphanage Stream.

Matheson/McGurk

Carried

7.7 Social – School of Music

In response to a question, the Chief Executive explained that the final clause of the recommendation had been shared with the Chair of the Nelson School of Music Board, but that no feedback from the Board had been received to date.

It was noted that there would be opportunities for Council to further discuss a potential joint entity between the Theatre Royal and the Nelson School of Music at future Council meetings.

Resolved

THAT an allocation of \$150,000 be made in the draft Annual Plan 2014/15 to contribute to the investigation and design of concept plans for the School of Music earthquake strengthening and refurbishment project;

AND THAT the Canterbury Community Trust be requested to partner this work with Council and allow its grant to the School of Music to be drawn on for a contribution to the investigation and design of concept plans;

AND THAT additional operational funding of \$75,000 allocated to support a new joint entity between the Nelson School of Music and Theatre Royal be removed from the draft Annual Plan 2014/15 due to the entity not being established;

AND THAT the operational grant for the School of Music be set at \$40,000 for 2014/15 in light of the closure of the auditorium and the consequent reduction in community outcomes provided.

Davy/Rainey

Carried

7.8 Social – Arts Funding

Councillor Copeland, seconded by Councillor Ward, moved a motion

THAT \$100,000 be allocated in the draft Annual Plan 2014/2015, intended as match fund for community initiated arts projects with a particular focus on using local artists and enhancing the Nelson CBD.

Councillors discussed the proposed motion, and a variety of views were expressed. Those in favour noted that a match fund would encourage local artists to develop creative projects for the betterment of the city, while those against questioned whether a match fund was an appropriate mechanism for encouraging art in the city.

With the agreement of the meeting, the motion was withdrawn.

It was suggested that including a larger sum for art projects would provide a challenge to the arts community to respond with submissions including suggestions for artworks.

Resolved

THAT \$125,000 be allocated in the draft Annual Plan 2014/15 for arts projects.

Rainey/Fulton

Carried

7.9 Parks and Active Recreation – Trafalgar Centre

Attendance: Councillor Copeland declared an interest and took no part in the discussion or decision-making on this item.

Resolved

THAT \$3million be allocated in the Annual Plan 2014/15 to address issues at the Trafalgar Centre, \$2.25million of which is carried forward from 2013/14.

Davy/McGurk

Carried

7.10 Parks and Active Recreation – Modellers Pond

Councillors discussed whether to allocate \$500,000 in the Annual Plan for a solution for cleaning the Modellers Pond, and a variety of views were expressed. Councillors in favour of funding a solution noted the community use of the pond, and its importance to Nelson. Councillors against favoured funding being included to fill in the pond instead. Councillor Lawrey tabled a 1987 media report outlining past proposed solutions to the Modellers Pond (A1150122).

Councillor Matheson, seconded by Councillor Davy, moved the recommendation in the officer report.

Councillor Lawrey, seconded by Councillor Noonan moved an amendment

THAT \$260,000 be allocated in the draft Annual Plan 2014/15 for the filling in of the Modeller's Pond.

During discussion, the importance of receiving submissions on this topic was noted, and it was suggested that including \$500,000 to fund a solution would be more likely to attract clear submissions as to whether this outcome was favoured by the community.

The amendment was put and lost, and the meeting returned to consider the original motion.

Resolved

THAT \$500,000 be allocated in the draft Annual Plan 2014/15 for implementation of a solution to the ongoing problems at the Tahunanui Modellers Pond;

AND THAT funding be provided for ongoing annual operational costs of \$93,000.

Matheson/Davy

Carried

7.11 Parks and Active Recreation – Marina

Resolved

THAT \$50,000 be allocated in the draft Annual Plan 2014/15 to meet resource consent conditions at the marina.

Ward/Her Worship the Mayor

Carried

7.12 Parks and Active Recreation - WWI Commemorations

Resolved

THAT \$10,000 be included in the draft Annual Plan 2014/15 to support WWI commemorations, in addition to the existing financial and staff resource allocations.

Barker/Davy

Carried

7.13 Parks and Active Recreation - Stoke Community and Sports Facility (Greenmeadows) and Stoke Youth Park

There was a discussion regarding the proposed Stoke Community and Sports Facility at Greenmeadows, and how this fit with the provision of a Stoke Youth Plan, to be considered through the Long Term Plan. There was general agreement that these two projects were linked and should be integrated if possible.

Resolved

THAT \$200,000 for investigation and design of a community and sports facility at Greenmeadows be included in the draft Annual Plan 2014/15.

AND THAT funding for the Stoke Youth Park be deferred for consideration in the Long Term Plan 2015/25 as part of this or a wider development in Stoke centre.

Matheson/Rainey

Carried

7.14 Parks and Active Recreation – Tahunanui Reserve Management Plan Implementation

In response to a question, Parks and Facilities Asset Planner, Andrew Petheram, explained the activities of the Tahunanui Reserve Management Plan yet to be completed.

Resolved

THAT the \$128,000 for Tahunanui Reserve Management Plan implementation deferred from 2014/15 should be included in the draft Long Term Plan for consideration.

Matheson/Rainey

Carried

Attendance: Councillor Copeland left the meeting at 2.13pm.

7.15 Economic – WiFi for the City Centre

It was noted that the amount was slightly higher than in the officer recommendation, reflecting the resolution of Council earlier in the meeting to increase the funding available for WiFi in the city centre, in order to provide for further hot spots.

Resolved

THAT the annual grant to Uniquely Nelson be increased by up to \$7000 to cover additional work needed to manage the free WiFi network in the City Centre.

Davy/Fulton

Carried

7.16 Corporate – Property Assets Review

Resolved

THAT \$100,000 be allocated for a review of Council's property assets during the first part of the 2014/15 financial year.

Matheson/McGurk

Carried

7.17 Corporate – Delivery of Capital Programme

In response to a question, the Chief Executive explained that increasing resources for the capital programme would have a flow-on effect through to further years, but that the amount provided in future years could be reconsidered through the Long Term Plan process.

Resolved

THAT an allocation of \$120,000 be provided in the draft Annual Plan 2014/15 and \$240,000 annually thereafter, to provide increased resource for the purpose delivering an additional capital works programme each year.

Davy/Noonan

Carried

7.18 Corporate – Disaster Recovery Fund

It was noted that, as the cost of recent extreme weather events had been higher than expected, the Disaster Recovery Fund was not expected to start accumulating funds until year 9 of the Long Term Plan 2012-2022, and accordingly, an additional \$500,000 was being inserted into the Annual Plan 2014/15 to boost the fund.

Resolved

THAT \$500,000 be allocated in the Annual Plan 2014/15 for the Disaster Recovery Fund.

Her Worship the Mayor/Matheson

Carried

- 7.19 Corporate – Earthquake Prone Buildings Remediation
Resolved

THAT \$538,800 be allocated to Council-owned earthquake prone buildings remediation in the Annual Plan 2014/15.

Rainey/Fulton

Carried

- 7.20 Bridge Street

Resolved

THAT it is noted the further work on Bridge Street is proceeding as programmed in the 2013/14 year to a value of \$218,000;

AND THAT a project to undertake additional improvements, particularly to address daytime amenity, be included in the draft Annual Plan 2014/15 with funding of \$200,000;

AND THAT issues of street space amenity and design affecting Bridge Street (between Trafalgar Street and Collingwood St) be addressed through the development of the Long Term Plan.

Rainey/Acland

Carried

- 7.21 Policy Work

In response to a question, Acting Group Manager Strategy, Nicky McDonald outlined examples of the policy work that would be resourced in order to prepare for the Long Term Plan 2015-2025, and a request was made for the projects to be listed in the draft Annual Plan 2014/15.

Resolved

THAT in order to inform development of the Long Term Plan in several priority areas that an additional \$55,000 be allocated in the draft Annual Plan 2014/15 to progress items of policy currently marked as without resources in the document A1144015.

Matheson/Her Worship the Mayor

7.22 Maitai River

Acting Group Manager Environment, Greg Carlyon, outlined the proposed work programme relating to the Maitai River, and noted that an upcoming workshop with Council would focus on solutions for the Maitai catchment.

In response to a question, Mr Carlyon explained that the proposed amount was an appropriate amount in terms of the work that could be delivered within 12 months. He added that further funding may be required in future years.

Resolved

THAT recognising the level of community concern over the health of the Maitai and the urgency of Council taking steps to improve water quality that provision be made for up to \$200,000 funding for capital expenditure in the draft Annual Plan 2014/15;

AND THAT provision for up to an additional \$200,000 of operational expenditure for projects related to the health of the Maitai be made in the draft Annual Plan 2014/15 by reducing the amount allocated to plan change budgets by \$100,000 and allowing a carry forward of \$100,000 of underexpenditure in plan change budgets from 2013/14.

McGurk/Noonan

Carried

7.23 Corporate – Annual Plan Financials

Her Worship the Mayor explained that this item would be considered following the public excluded agenda, as discussions held during the public excluded part of the meeting might influence the Total Costs for Year 3 Capital Programme spreadsheet.

8. Fees and Charges: Resource Consents and Resource Management Act Planning Documents

Document number A1139532, agenda pages 65-79 refer.

Resolved

THAT the report Fees and Charges: Resource Consents and Resource Management Act Planning Documents (A1139532) and its attachment (A1139974) be received;

AND THAT the Fees and Charges Resource Consents and Resource Management Act Planning Documents be approved for public consultation and notification within the Nelson City Council Annual Plan 2014/15 Special Consultative Procedure (section 83 of the Local Government Act 2002).

McGurk/Davy

Carried

9. Alteration to Resolution – Trafalgar Centre Follow-Up Report

Document number A1142944, agenda pages 80-81 refer.

Resolved

THAT the report Alteration to Resolution – Trafalgar Centre Follow-Up Report (A1142944) be received;

AND THAT the Chief Executive brings a progress report on the action items raised at the meeting on 19 December 2013 to a meeting on 6 March 2014.

Matheson/Skinner

Carried

Attendance: The meeting adjourned for afternoon tea, from 2.42pm to 2.50pm.

10. Theatre Royal – Funding and Other Issues

Document number A1145163, agenda pages 82-93 refer.

In response to a question, the Chief Executive clarified that the purposes for which the annual grant of \$220,000 would be put.

Resolved

THAT the report Theatre Royal – Funding and Other Issues (A1145163) and its attachments (A1146152 and A1146160) be received;

AND THAT \$100,000 of funding set aside for the transition of a new entity proposed for the performing arts be re-allocated and provided to the Nelson Historic Theatre Trust for the operating costs of the Theatre Royal for the remainder of the 2013/14 financial year;

AND THAT the Nelson Historic Theatre Trust be advised that this funding must be applied to debt (overdraft) reduction;

AND THAT the Nelson Historic Theatre Trust further be advised that Council expects it to operate without the need for an overdraft facility;

AND THAT expenditure of \$6,000 be approved to complete the High Court application to allow the transfer of the asset from Nelson Historic Theatre Trust to Council;

AND THAT the response to the minute from the Court be firstly, that Council has already made significant investment in the Theatre Royal, and that whatever the value of the building may be, transferring ownership to Council would provide security to the building's future;

and secondly, it is appropriate to recognise that providing for transfer of ownership maintains the objects of the Trust, and requiring the building to be listed as a strategic asset of Council provides security for future community direction on the building;

AND THAT in recognition of the actual costs of operating the Nelson Historic Theatre Trust over the coming financial year, the annual grant to the Trust is increased in the Draft Annual Plan 2014/15 to \$220,000.

Her Worship the Mayor/Fulton

Carried

PUBLIC EXCLUDED BUSINESS

11. 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	<p>Council– Public Excluded Minutes – 12 December</p> <p>These minutes contain information regarding:</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p>
	<p>Concluding Negotiations for the Suter Redevelopment Programme</p>		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
	<p>Works and Infrastructure Committee – Public Excluded Minutes – 28 November 2013</p>		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
	<p>Appointment of Sister Cities Coordinator 2013</p>		<ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons
	<p>Reappointment of Trustees to the City of Nelson Civic Trust</p>		<ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons
	<p>Funding for Nelson Tasman Tourism</p>		<ul style="list-style-type: none"> • Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person
	<p>Reappointment of Independent Member to the Nelson Regional Sewerage Business Unit</p>		<ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons
	<p>Farmers Trading Company – Redevelopment</p>		<ul style="list-style-type: none"> • Section 7(2)(c) To protect

			information that is subject to an obligation of confidence
2	<p>Council – Public Excluded minutes – 19 December</p> <p>These minutes contain information regarding Trafalgar Centre - Follow Up Report.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
3	<p>Community Services Committee - Public Excluded Minutes – 28 January 2013</p> <p>These minutes contain information regarding:</p> <p>Future Arrangements – City Camping Grounds</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
4	<p>Future Arrangements – City Camping Grounds – Additional Information</p> <p>This report contains information regarding future arrangements for Council-owned camping grounds.</p>		<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
5	<p>Regional Landfill Proposal</p> <p>This report contains information regarding a joint regional landfill proposal and associated potential negotiations.</p>		<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(c) To protect information that is subject to an obligation of confidence • Section 7(2)(h) To carry out commercial activities

			<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
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Her Worship the Mayor/Noonan

Carried

The meeting went into public excluded session at 2.56pm, during which time Councillor Davy departed the meeting at 3.57pm, and resumed in public session at 4.19pm.

12. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Lawrey/Matheson

Carried

13. Corporate – Annual Plan Financials

Resolved

THAT the Total Costs for the Year 3 Capital Programme spreadsheet (A1137252), as amended, be accepted as a basis of changes to the capital programme, as set out in the Long Term Plan 2012-2022.

Her Worship the Mayor/Acland

Carried

There being no further business the meeting ended at 4.22pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date