

## **Minutes of a meeting of the Nelson City Council**

**Held in the Council Chamber, Civic House, 110 Trafalgar Street,  
Nelson**

**On Thursday 11 June 2015, commencing at 9.04am**

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**Present:** Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, I Barker, R Copeland, E Davy, K Fulton, M Lawrey, P Matheson (Deputy Mayor), 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), Manager Communications (P Shattock), Administration Manager (P Langley), Administration Adviser (G Brown), and Youth Councillors H Malpas and B Shaw

### **Opening Prayer**

Councillor Davy gave the opening prayer.

#### **1. Apologies**

There were no apologies.

#### **2. Confirmation of Order of Business**

Her Worship the Mayor advised that the adjourned items from the Council meeting 9 June 2015 would be considered at the end of the public agenda.

She informed councillors that the proposed date for the Representation Review workshop was Tuesday 30 June 2015.

Her Worship the Mayor explained there was a public excluded late item (Economic Vitality through Events), and that a procedural resolution was required before this item could be considered.

2.1 Late Item - Public Excluded

Resolved CL/2015/001

***THAT the public excluded item regarding the Economic Vitality through Events be considered at this meeting as a minor late item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable a timely decision.***

Ward/Copeland

Carried

**3. Interests**

Councillor Rainey advised that approval had been received from the Office of the Auditor General in relation to his role as Director at Rockquest Promotions Limited.

There were no further updates to the Interests Register and no conflicts with items on the agenda were declared.

**4. Public Forum**

4.1 Christopher St Johanser and Moira Bauer - Brook Valley Community Group

Mr St Johanser advised that he supported vision 2 in the Draft Brook Recreation Reserve Management Plan report. He added that he believed it was important for Council to establish a Board to manage the activities in the reserve.

Ms Bauer provided a summary of the events leading up to the draft Brook Recreation Reserve Management Plan. She said she believed there was an opportunity to have a panel which consisted of a number of affected parties as this would ensure all opinions were heard.

4.2 Nigel Gibbs - Nelson Society of Modellers

Mr Gibbs advised that he supported option 3 in the Modellers' Pond report.

In response to a question, Mr Gibbs said he did not believe changing the Pond into an estuarine environment was an option worth pursuing as he believed Nelson needed a model boat pond.

In response to a further question, Mr Gibbs said that option 3 would mean the Pond would be in better condition than it had been in the past.

Mr Gibbs said he was unaware of who built the Pond but believed it was around 1930 and built by the community.

#### 4.3 Gayle Petch - Keep Victory Safe

Gayle Petch and Marcia Higgs of Keep Victory Safe, spoke about the Local Alcohol Policy (LAP).

Ms Petch spoke to a PowerPoint presentation (A1369452).

In response to a question, Ms Petch said the delay in the draft LAP had been beneficial as there were now examples of good case law to consider.

Attendance: Councillor Copeland left the meeting at 9.42am.

In response to a further question, Ms Petch confirmed that density and proximity needed to be taken into consideration as part of the draft LAP.

#### 4.4 Denis Moriarty

Denis Moriarty spoke about the Tahunanui Modellers' Pond and congratulated Council for the report.

Attendance: Councillor Copeland returned to the meeting at 9.45am.

Mr Moriarty spoke to a PowerPoint presentation (A1369487). He said the Pond served a specific purpose and other venues such as the Monaco Reserve were not appropriate for model pond yachts.

Attendance: Councillor Fulton left the meeting at 9.47am.

Mr Moriarty advised councillors that he was supporting option 3 in the Modellers' Pond report as it was the most cost effective solution.

Attendance: Councillor Fulton returned to the meeting at 9.51am.

### 5. **Petition – Save the Modellers' Pond**

John Gilbertson presented a petition with representatives from the Tahunanui School.

Mr Gilbertson advised that he supported option 3 of the officer's report.

In response to a question, Mr Gilbertson said the wording used in the petition was to clean the community pond. He added that there were 1773 signatures.

Resolved CL/2015/002

***THAT the petition relating to the Tahunanui Modellers' Pond be received.***

Matheson/Davy

Carried

#### **Attachments**

1 A1371118 - Petition to Clean our Modellers' Pond

## 6. Confirmation of Minutes

6.1 30 April 2015

Document number M1237, agenda pages 13 - 27 refer.

It was highlighted that at the top of page 22 of the agenda the minutes should read 'It was agreed that if councillors had' instead of 'It was agreed that if officers had'.

Resolved CL/2015/003

***THAT the amended minutes of the meeting of the Council, held on 30 April 2015, be confirmed as a true and correct record.***

Barker/Noonan

Carried

## 7. Status Report - Council - 11 June 2015

Document number R4364, agenda pages 28 - 31 refer.

The Chief Executive, Clare Hadley, referred to the Rutherford Park item scheduled for the Council meeting 23 July, and advised that it would now be considered at an earlier Council meeting yet to be confirmed.

Resolved CL/2015/004

***THAT the Status Report Council 11 June 2015 (R4364) and its attachment (A1168168) be received.***

Her Worship the Mayor/Rainey

Carried

## 8. Mayor's Report

Document number R4382, tabled document refers.

Her Worship the Mayor read out the members of the Digital Working Party.

Resolved CL/2015/005

***THAT the Mayor's Report (R4382) be received.***

Her Worship the Mayor/Skinner

Carried

### Attachments

1 R4382 - Tabled Document - Mayor's Report

## **9. Draft Brook Recreation Reserve Management Plan**

Document number R4135, agenda pages 32 - 38 refer.

Group Manager Community Services, Chris Ward, and External Consultant, Rob Greenaway, presented the report.

The draft Brook Recreation Reserve Management Plan Panel terms of reference was tabled (A1368903).

In response to a question, Mr Greenaway advised the draft Brook Reserve Management Plan did not specify the number of carparks related to a tourism activity, but that the carparks would be limited to 160. He added that any tourism activity would require a resource consent.

In response to a further question, Mr Greenaway said there was a statutory requirement for a board to administer the Reserve Management Plan and its powers would depend on how it was structured.

In response to a question, Mr Greenaway said it would be beneficial for the Brook Waimarama Sanctuary to have a cluster of activities on site along with shared services.

Mr Greenaway clarified there would be an increase in traffic if there were additional tourism activities. He advised that an analysis showed that the increase in traffic would be approximately 3%.

In response to a question, Mr Ward advised that Nelson Tasman Tourism had shown support for additional activities to boost tourism.

Attendance: Councillor Acland left the meeting at 10.30am and Councillor Ward left at 10.33am.

In response to a question, Mr Greenaway clarified that the map on page 86 of the draft Brook Reserve Management Plan only illustrated the area for development, and the administrator of the facility would define how the carparking would be incorporated.

Attendance: Councillor Ward returned to the meeting at 10.35am.

Mr Ward clarified that Council was statutorily bound to have a Reserve Management Plan in place for all Council reserves.

Attendance: Councillor Rainey left the meeting at 10.47am and returned to the meeting at 10.49am.

Attendance: The meeting adjourned for morning tea at 10.51am until 11.09am. During this time, Nelson Youth Councillors attended for morning tea, and Councillor Acland returned to the meeting.

Councillor Barker advised he would not take part in debate as he was included in the Panel.

It was noted that the second bullet point in the Terms of Reference (A1368903) should say 'provide' instead of 'providing' and the seventh bullet point should say 'organise and manage' instead of 'organising and managing'.

There was general agreement that vision 1 was the appropriate option as vision 2 would appear to be a step backwards, and it was an opportunity to show leadership.

There was a concern raised that vision 1 could compromise the Brook Waimarama Sanctuary and the uniqueness of the area.

It was highlighted the draft Brook Reserve Management Plan was a well written document therefore a well informed decision could be made. It was discussed that the Brook Waimarama Sanctuary development was an opportunity not to be missed and there was awareness in relation to environmental impacts.

Resolved CL/2015/006

**THAT the report Draft Brook Recreation Reserve Management Plan (R4135) and its attachments (A1340667 and A1365018) be received;**

**AND THAT vision 1 (of report R4135) is stated as Council's preferred vision in the draft Brook Recreation Reserve Management Plan;**

**AND THAT the Draft Brook Recreation Reserve Management Plan (A1365018) be released for consultation;**

**AND THAT a panel consisting of an independent chair (Peter Reaburn) and two Councillors hear submissions and make recommendations to Council;**

**AND THAT those two Councillors be selected from Deputy Mayor Matheson, Councillors Noonan, Barker and McGurk, by Her Worship the Mayor or the Chief Executive based on availability of members when the meetings are scheduled;**

**AND THAT the Brook Recreation Reserve Management Plan Panel Terms of Reference (A1368903) be adopted.**

Her Worship the Mayor /Fulton

Carried

#### **Attachments**

- 1 A1368903 - Tabled Document - Brook Recreation Reserve Management Plan Panel Terms of Reference

## 10. Housing Accord

Document number R4250, agenda pages 39 - 64 refer.

Group Manager Strategy and Environment, Clare Barton, and Senior Planning Adviser, Lisa Gibellini, presented the report.

The Nelson Housing Accord without tracked changes, attachment 2 of the officer's report was tabled (A1314265).

In response to a question, Ms Barton advised that design controls would be defined by the Nelson Resource Management Plan (NRMP) for special housing areas.

In response to a question, Ms Gibellini said the Housing Accord did not define affordable housing.

Attendance: Councillor Lawrey left the meeting at 11.33am.

In response to a question, Ms Gibellini advised that infrastructure for special housing areas either needed to already be in existence or be planned for these areas.

In response to a question, Ms Barton clarified that the Steering Group could meet as frequently as needed.

Attendance: Councillor Davy left the meeting at 11.47am.

Ms Gibellini advised that a further benefit of the Housing Accord was that the landowner would be fast-tracked through the resource consent process and a limited number of parties would need notification. She clarified that applicants could not override NRMP rules.

Attendance: Councillor Davy returned to the meeting at 11.52am.

In response to a question, Ms Barton said that Council would work with developers when identifying special housing areas. She informed councillors that if a developer wished to have a special housing area then there would be an agreement between Council and Central Government. She added that developers could withdraw from a special housing area if they required.

Attendance: Councillor Lawrey returned to the meeting at 11.55am.

Ms Barton advised the only difference in Tasman's Housing Accord was in relation to the number of housing lots.

There was a concern raised that it could increase the likelihood of low quality housing.

Attendance: The meeting adjourned from 12.11pm until 12.17pm.

Building and Housing Minister, Dr Nick Smith, joined the meeting.

Dr Smith advised there was a ratio in relation to income and house prices with 4 being desirable and 5 unaffordable. He said that Nelson’s ratio was 6.8 and census data showed that since 2001 home ownership for those aged under 40 years had declined by 30%.

He informed councillors of the home start initiative scheme which would provide 2,500 people on low incomes with grants for houses costing less than \$450,000. He advised that few homes were being built under \$450,000 due to land values.

In response to a question, Dr Smith said that under the Housing Accord it could be regulated that developers delivered housing within a particular price range. Dr Smith added that councils needed to be careful not to over regulate as this reduced flexibility for developments.

In response to a further question, Dr Smith advised that he would not override Nelson City Council’s decision not to sign the Housing Accord but he said he believed this would be a missed opportunity.

Dr Smith clarified that the Building Act 2004 specified that houses needed to be insulated and doubled glazed. He said there was a risk from an amenity point of view from the NRMP as regulations made new houses unaffordable.

Concerns were raised that Council was already proactive in encouraging housing supply and affordability, therefore it was difficult to identify the benefits signing the Housing Accord would bring.

There was general agreement to sign the Housing Accord as Council remained in control and collaboration with developers could mean good urban design.

Attendance: Councillor Davy left the meeting at 1.00pm.

Resolved CL/2015/007

***THAT the report Housing Accord (R4250) and its attachments (A1303852, A1314265) be received;***

***AND THAT the Nelson City Council confirm that the revised wording for the attached (A1314265) Housing Accord with the Minister of Building and Housing can be signed;***

***AND THAT Mayor Reese signs the Housing Accord on behalf of Nelson City Council with the Minister of Building and Housing.***

Barker/Ward

Carried

**Attachments**

- 1 A1314265 - Tabled Document - Housing Accord Attachment 2



Attendance: The meeting adjourned for lunch from 1.02pm until 1.36pm. During this time Councillor Acland left the meeting and Councillor Davy returned to the meeting.

## **11. Modellers' Pond – Detailed Assessment of Options**

Document number R4199, agenda pages 76 - 115 refer.

Consulting Engineer, Richard Kirby, presented the report.

Resolved CL/2015/008

***THAT the report Modellers' Pond - Detailed Assessment of Options (R4199) and its attachment (A1340871) be received;***

Noonan/Lawrey

Carried

Mr Kirby answered questions which he had received from councillors in relation to design costs, an estuary coastline option, user numbers, financial assistance, and the possibility of volunteers helping to maintain the Modellers' Pond.

Attendance: Councillor Acland returned to the meeting at 1.41pm.

In response to a question, Mr Kirby advised there was the possibility of interested benefactors, however they would need more certainty in relation to the project direction.

In response to a question, the Chief Executive, Clare Hadley advised that lining the pond with concrete would be a change in the structure of the pond so this would be a capital cost.

In response to questions, Mr Kirby advised there was between 40-50 members of the Nelson Modellers' Society and that Council owned the reserve where the Modellers' Pond was located.

It was noted that Mrs Hadley would investigate the level of capital funding which had been spent on the Modellers' Pond.

Attendance: Councillor Acland left the meeting at 1.59pm.

In response to a question, Mr Kirby advised that if the Pond was converted to an estuarine environment the current consent for dealing with discharge would need a variation and the copper sulphate would need to be dealt with.

In response to a further question, Mr Kirby advised that it would take approximately 1400-1500 cubic metres of concrete to line the Modellers' Pond.

Attendance: The meeting adjourned at 2.10pm until 2.14pm.

Councillor Rainey, seconded by Councillor Fulton, moved a motion

*AND THAT further information be sought based on questions raised at today's Council meeting 11 June 2015;*

*AND THAT further clarification of community support for option 3 be sought;*

*AND THAT Council signals a cap of its contribution to option 3 of \$400,000 capital expenditure, and \$15,000 operational expenditure per annum, for the duration of the Long Term Plan 2015-25;*

*AND THAT the outcome of this work be included in a report, by way of a Business Case, and reported back to the Council to determine a final course of action.*

There was discussion that Council should not be paying for the costs of the Modellers' Pond in its entirety and that an estuarine environment should be investigated as a long term solution.

Attendance: Councillor Davy left the meeting at 2.26pm.

Councillor Lawrey, seconded by Councillor Copeland, moved an amendment to add an additional clause

*AND THAT the option of returning the pond to an estuarine environment be investigated in the event of community funding not being achieved;*

It was discussed that the detailed design in the officer's report was required to consult with users and to gain commitment. It was highlighted that Council consulted on this and there was a strong message in favour of fixing the Pond.

With the agreement of the meeting the amendment was withdrawn.

Attendance: The meeting adjourned from 2.45pm until 2.54pm.

Her Worship the Mayor, seconded by Councillor Ward moved a further amendment

*AND THAT further information be sought based on questions raised at today's Council meeting 11 June 2015;*

*AND THAT the detailed design of Option 3 – Modify Pond be undertaken and (in report R4199) be consulted on;*

*AND THAT Council invite the Nelson Society of Modellers to confirm community support and funding for option 3;*

*AND THAT the option to return the pond to an estuarine environment be investigated;*

*AND THAT Council signals that whilst it has a \$1million provision for capital expenditure in its Long Term Plan 2015-25, this be capped at \$600,000, for option 3 (modify pond) and that operational expenditure be \$15,000 per annum.*

Councillor Fulton, seconded by Councillor Copeland moved the following procedural motion

**Closure Motion**

Resolved CL/2015/009

***THAT pursuant to Standing Order 3.12.1, the motion under debate now be put.***

Fulton/Copeland

Carried

The amendment was put and carried and became the substantive motion.

Resolved CL/2015/010

***AND THAT further information be sought based on questions raised at today's Council meeting 11 June 2015;***

***AND THAT the detailed design of Option 3 – Modify Pond be undertaken and (in report R4199) be consulted on;***

***AND THAT Council invite the Nelson Society of Modellers to confirm community support and funding for option 3;***

***AND THAT the option to return the pond to an estuarine environment be investigated;***

***AND THAT Council signals that whilst it has a \$1million provision for capital expenditure in its Long Term Plan 2015-25, this be capped at \$600,000, for option 3 (modify pond) and that operational expenditure be \$15,000 per annum.***

Rainey / Fulton

Carried

**12. Bringing Expenditure Forward for the Nelson School of Music**

Document number R4152, agenda pages 65 - 68 refer.

Resolved CL/2015/011

***THAT the report Bringing Expenditure Forward for the Nelson School of Music (R4152) be received;***

***AND THAT Council allocate \$235,000, understood to be 50% of the cost of detailed design and preparation of tender documents for the Nelson School of Music Renovation and Reopening project;***

***AND THAT up to \$150,000 be brought forward from 2015/16 to contribute to work on detailed designs undertaken in June 2015.***

Matheson/Her Worship the Mayor

Carried

### **13. Business Case Approach for 2015/16 Projects - Revised Projects Listing**

Document number R4354, agenda pages 69 - 75 refer.

Attendance: Councillor Copeland left the meeting at 3.09pm.

Resolved CL/2015/012

***THAT the report Business Case Approach for 2015/16 Projects - Revised Projects Listing (R4354) and its attachment (A1331113) be received;***

***AND THAT the projects highlighted yellow in document A1331113 follow a business case approach.***

Noonan/Rainey

Carried

### **14. Local Government New Zealand Annual General Meeting**

Document number R4370, agenda pages 116 - 118 refer.

Administration Manager, Penny Langley, presented the report.

In response to a question, Ms Langley advised that the agenda for the Annual General Meeting would be released 10 days before the meeting so councillors would have the ability to discuss beforehand.

Resolved CL/2015/013

**THAT the report Local Government New Zealand Annual General Meeting (R4370) be received;**

**AND THAT the following constitute Council representation at the 2015 Annual General Meeting:**

**Presiding Delegate: Her Worship the Mayor**

**Other Delegates: Councillor McGurk  
Councillor Lawrey**

**Or if Her Worship the Mayor is unavailable**

**Presiding Delegate: Councillor McGurk**

**Other Delegates: Councillor Lawrey  
Chief Executive**

Her Worship the Mayor/Fulton

Carried

## **15. Administrative Matters**

Document number R4315, agenda pages 119 - 135 refer.

Administration Manager, Penny Langley, presented the report.

Ms Langley advised that an amendment to the elected members meeting attendance, Attachment 3 of the officer's report, was required in relation to Councillor Noonan's attendance at Kotahitanga Hui.

Councillor Lawrey advised that he was recorded as an apology for the 28 May Council meeting but did attend the reconvened meetings.

Resolved CL/2015/014

**THAT the report Administrative Matters (R4315) and its attachments (A1365398, A1103850, A1366044, A1364263, and A1364221) be received;**

**AND THAT the leave of absence requested by Her Worship the Mayor, from 25 July 2015 to 22 August 2015 inclusive, be granted;**

**AND THAT Council confirms its approval of the documents and warrants in the Schedule of Documents (A1364221), and the affixing of the seal to those documents and warrants.**

Matheson/Barker

Carried

## REPORTS FROM COMMITTEES

### 16. Planning and Regulatory Committee - 8 May 2014

Document number M1239, agenda pages 136 - 139 refer.

Resolved CL/2015/015

***THAT the confirmed minutes of a meeting of the Planning and Regulatory Committee, held on 8 May 2014, be received.***

McGurk/Fulton

Carried

### 17. Resource Management Act Procedures Committee - 3 October 2014

Document number M1213, agenda pages 140 – 142 refers.

Resolved CL/2015/016

***THAT the confirmed minutes of a meeting of the Resource Management Act Procedures Committee, held on 3 October 2014, be received.***

Matheson/Her Worship the Mayor

Carried

### 18. Works and Infrastructure Committee - 5 May 2015

Document number M1200, agenda pages 143 – 150 refers.

Resolved CL/2015/017

***THAT the unconfirmed minutes of a meeting of the Works and Infrastructure Committee, held on 5 May 2015, be received.***

Lawrey/Skinner

Carried

### 19. Planning and Regulatory Committee - 14 May 2015

Document number M1219, agenda pages 151 – 158 refers.

Resolved CL/2015/018

***THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 14 May 2015, be received.***

McGurk/Fulton

Carried

### 20. Community Services Committee - 22 May 2015

Document number M1230, agenda pages 159 – 165 refers.

Resolved CL/2015/019

***THAT the unconfirmed minutes of a meeting of the Community Services Committee, held on 22 May 2015, be received.***

Rainey/Noonan

Carried

## **21. Hearings Panel - Other - 22 May 2015**

Document number M1242, agenda pages 166 refer.

Resolved CL/2015/020

***THAT the minutes of a meeting of the Hearings Panel - Other, held on 22 May 2015, be received.***

Matheson/Barker

Carried

## **22. Governance Committee - 28 May 2015**

Document number M1233, agenda pages 167 – 174 refers.

Resolved CL/2015/021

***THAT the unconfirmed minutes of a meeting of the Governance Committee, held on 28 May 2015, be received.***

Barker/Noonan

Carried

### **22.1 Appointment of Trustee to the Nelson Municipal Band Trust**

Resolved CL/2015/022

***THAT pursuant to the terms of the Trust Deed dated 14th July 2008, the Council hereby appoints David Todd to act as a Trustee for the administration of the Fund.***

Barker/Her Worship the Mayor

Carried

### **22.2 Business case approach for 2015/16 projects - Further Information**

*Please note this recommendation to Council was superseded by the decision made in item 13 of these minutes.*

### **22.3 Events Resource Consent Charging Regime for RM125012 Item from Audit, Risk and Finance Subcommittee meeting - 5/05/2015**

Resolved CL/2015/023

***THAT Council consider the options for the charging regime for the use of Council's Resource Consent RM125012, as detailed in report R4177, and increase the charge to \$500 and apply it only to commercial ticketed events.***

Barker/McGurk

Carried

- 22.4 Corporate Report for the Period Ending 31 March 2015  
*Item from Audit, Risk and Finance Subcommittee meeting - 5/05/2015*

Resolved CL/2015/024

***THAT Council note that ongoing costs of approximately \$11,250 pa will need to be included in the Long Term Plan 2015-25 for live streaming of Council meetings;***

***AND THAT a cost benefit review be undertaken 12 months after commencement of the live streaming of Council meetings.***

Barker/McGurk

Carried

### **Extension of Meeting Time**

Resolved CL/2015/025

***THAT pursuant to Standing Order 3.3.7, the meeting continue beyond six hours.***

Her Worship the Mayor/Matheson

Carried

Attendance: The meeting adjourned at 3.21pm until 3.30pm.

### **23. Exclusion of the Public**

Resolved CL/2015/026

***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:**

Her Worship the Mayor/Matheson

Carried

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	<b>Simpson Grierson Advice</b>	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"> <li>• Section 7(2)(g) To maintain legal professional privilege</li> </ul>

The meeting went into public excluded session at 3.30pm and resumed in public session at 3.48pm. During this time Councillor Skinner left the meeting.

**24 Re-admittance of the Public**

Resolved CL/2015/027

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

Her Worship the Mayor/Rainey

Carried

**25. Deliberations on Submission on the Draft Development and Financial Contributions Policy 2015 (Cont.)**

25.1 Single Catchment

Policy Coordinator, Sarah Holman, spoke to the item. She tabled document A1369857, and advised that Simpson Grierson suggested a slight change in the draft Development and Financial Contributions Policy 2015 (the Policy) wording.

Resolved CL/2015/028

***THAT Council confirm that Nelson City operate a one catchment for development contributions, and that the policy be amended as in document (A1369857).***

Barker/McGurk

Carried

**Attachments**

1 A1369857 - Tabled Document - Single catchment revision Council meeting 11June2015 Development Contributions Policy

25.2 Land value to Calculate Development Contribution Policy

Resolved CL/2015/029

***THAT land value does not replace the method of calculations in the Development and Financial Contributions Policy.***

Fulton/Barker

Carried

25.3 Historic Growth

Resolved CL/2015/030

***THAT historic growth related infrastructure remains within the schedules in Table 10 of the policy.***

Fulton/Matheson

Carried

25.4 Capital Expenditure

Resolved CL/2015/031

***THAT integrated transportation projects remain in the Schedule of Projects in Table 10 of the Development and Financial Contributions Policy;***

***AND THAT flood protection projects be removed from the Schedule of Projects in Table 10 of the Development and Financial Contributions Policy.***

Barker/Matheson

Carried

25.5 Cap on Financial Contributions For Pre 2006 Sites

In response to a question, Manager Consents and Compliance, Mandy Bishop, advised that contributions for reserves remained the same percentage of the land value for both the financial contributions and development contributions regime.

Concern was raised around fairness should the cap be added as pre 2007 completed developments would be paying more than developments that started at the same time but took longer to complete.

In response to a question, Ms Bishop advised there had never been a policy where developers would pay the lower contribution. She said that the reserve financial contribution was stated in the NRMP and could only be changed through a

resource consent process or a Plan change process.

Ms Bishop advised that a cap could not be added to the Policy that overrode the NRMP, and it was suggested that the submitter be told this information.

Resolved CL/2015/032

***THAT no cap is added to the Development and Financial Contributions Policy for the level of financial contributions for pre 2006 sites.***

Barker/Ward

Carried

Attendance: Councillor Skinner returned to the meeting at 4.06pm.

#### 25.6 Extend Inner City Waiver

There was concern raised around the number of commercial buildings currently empty in the Nelson City Centre, and it was suggested that the Development Contributions (DC's) waiver should be extended to apply to commercial development within the Inner City Zone in addition to residential activities as proposed in the Policy.

There was a discussion about whether this should apply to all commercial development or just commercial development that also had a residential component with it.

Senior Planning Adviser, Lisa Gibellini, advised that the NRMP did not permit residential dwellings on the ground floor of commercial buildings within the Inner City Zone, on the main streets, therefore it was likely that any residential development in the Inner City Zone would have a commercial component to it on the ground floor.

Resolved CL/2015/033

***THAT the waiver be confirmed in the Development and Financial Contributions Policy for contributions for the first 30 HUDs per year for five years in the City Centre Zone be available for developments entailing residential and/or residential with commercial, and in the City Fringe Zone the waiver be available for residential developments only, for the zones as defined in the Nelson Resource Management Plan.***

Her Worship the Mayor/Fulton

Carried

25.7 New Residential Units on One Title

Resolved CL/2015/034

***THAT the Development and Financial Contributions Policy allow additional one bedroom units on a single title to pay a reduced contribution of 0.5 HUD, two bedroom units 0.75 of a HUD.***

Noonan / Fulton

Carried

25.8 Second Dwelling

Resolved CL/2015/035

***THAT development contributions for second dwellings are not waived in the Development and Financial Contributions Policy but that officers be directed to explicitly address further incentives and policies for intensification during Nelson Plan development.***

Barker/Davy

Carried

25.9 Exemptions

In response to a question, Senior Planning Adviser, Lisa Gibellini, advised that Nelson Marlborough Institute of Technology (NMIT) had three types of land holdings, and clarified that the recommendation did not define a specific type of land holding.

In response to a further question, Ms Gibellini, said that the NMIT submission referred to all NMIT developments and specifically mentioned the Brook NMIT education facilities.

Policy Coordinator, Sarah Holman, advised the previous Policy listed the groups who were exempt from development contributions and this included NMIT.

Resolved CL/2015/036

***THAT the Nelson Marlborough Institute of Technology be exempt from development contributions.***

Noonan/Acland

Carried

25.10 Iwi, Hapu and Whanau Land

Councillor Matheson, seconded by Councillor Fulton moved the recommendation in the officer's report.

*THAT kaumatua flats at the Whakatu Marae be exempted from development contributions.*

Her Worship the Mayor, seconded by Councillor Ward moved an amendment to remove the words 'the kaumatua flats at'

The amendment was passed and became the substantive motion.

Resolved CL/2015/037

***THAT the Whakatu Marae be exempted from development contributions.***

Matheson/Fulton

Carried

Attendance: Councillor Rainey left the meeting at 4.28pm

25.11 Delayed Payments

Resolved CL/2015/038

***THAT the policy on delayed payment of development contributions be retained in the Development and Financial Contributions Policy and that there be no allowance for delayed payment.***

Her Worship the Mayor/Matheson

Carried

25.12 Objection Costs (section 6.2 Policy)

Resolved CL/2015/039

***THAT the Development and Financial Contributions Policy be altered to provide that Council remit costs as directed by the Commissioner in an objections hearing.***

Her Worship the Mayor/Matheson

Carried

25.13 Deliberations on Submissions on the Draft Development and Financial Contributions Policy 2015 (Cont.)

Resolved CL/2015/040

***AND THAT the Development and Financial Contributions Policy 2015 be provisionally***

***adopted with amendments to be confirmed alongside the Long Term Plan 2015-25.***

Ward/Davy

Carried

- 25.14 Deliberations on Submissions on the Draft Development and Financial Contributions Policy 2015 (Cont.)

Resolved CL/2015/041

***AND THAT following final adoption of the Policy, Council requests officers disseminate information on the projects and calculations sitting behind the Development Contributions Policy to the development community, and provide feedback to Council on the responses from that, no later than 30 September 2015.***

Her Worship the Mayor/Matheson

Carried

- 25.15 Integrated Ticketing

Resolved CL/2015/042

***THAT integrated ticketing be removed in the Schedule of Projects in Table 10 of the Development and Financial Contributions Policy.***

Her Worship the Mayor/Davy

Carried

## **26. Exclusion of the public**

Resolved CL/2015/043

***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:***

Matheson/Her Worship the Mayor

Carried

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	<b>Council Meeting - Public Excluded - 30 April 2015</b>	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"> <li>• Section 7(2)(g) To maintain legal professional privilege</li> <li>• Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</li> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
2	<b>Status Report - Council - 11 June 2015</b>	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"> <li>• Section 7(2)(g) To maintain legal professional privilege</li> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
3	<b>Environmental Inspections Ltd Contract Renewal for period 2015 - 2018</b>	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"> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</li> </ul>
4	<b>Resource Management Act Procedures Committee Meeting - Public Excluded - 3 October 2014</b>	Section 48(1)(a)  The public conduct of this matter would be likely to result in disclosure of information for which	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>• Section 7(2)(i) To enable the local authority to carry on, without prejudice or</li> </ul>

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		good reason exists under section 7.	disadvantage, negotiations (including commercial and industrial negotiations)
5	<b>Works and Infrastructure Committee Meeting - Public Excluded - 5 May 2015</b>	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"> <li>Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</li> </ul>
6	<b>Community Services Committee Meeting - Public Excluded - 22 May 2015</b>	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"> <li>Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.</li> <li>Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> </ul>
7	<b>Governance Committee Meeting - Public Excluded - 28 May 2015</b>	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"> <li>Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.</li> <li>Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</li> </ul>
8	<b>Update on Farmers Trading Company</b>	Section 48(1)(a) The public conduct of	The withholding of the information is necessary: <ul style="list-style-type: none"> <li>Section 7(2)(h)</li> </ul>



Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		this matter would be likely to result in disclosure of information for which good reason exists under section 7	To carry out commercial activities <ul style="list-style-type: none"> <li>Section 7(2)(i)</li> </ul> To carry out negotiations
9	<b>Economic Vitality through Events</b>	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"> <li>Section 7(2)(c)(i)</li> </ul> To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where To prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied

The meeting went into public excluded session at 4.42pm and resumed in public session at 5.10pm.

## 27. Re-admittance of the Public

Resolved CL/2015/044

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

Her Worship the Mayor/McGurk

Carried

There being no further business the meeting ended at 5.10pm.

Confirmed as a correct record of proceedings:

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