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## Minutes of a meeting of the Nelson City Council

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

**On Thursday 16 June 2016, commencing at 9.05am**

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Present: Her Worship the Mayor R Reese (Chairperson), 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), Manager Administration (P Langley), Administration Adviser (S Burgess), and Nelson Youth Councillor (B Rumsey)

Apology: Councillor L Acland

### Opening Prayer

Councillor Davy gave the opening prayer.

#### 1. Apologies

Resolved CL/2016/152

***THAT an apology be received and accepted from  
Councillor Acland.***

Her Worship the Mayor/Copeland

Carried

#### 2. Confirmation of Order of Business

Her Worship the Mayor advised the public Governance Committee minutes for 26 May 2016 did not include the resolutions made in public excluded. She said that as the only business transacted in public excluded was to confirm the minutes and receive the Commercial Subcommittee minutes, this business should have been recorded in the public minutes as no reason for withholding that information from the public existed.

Her Worship the Mayor advised the reason for moving into public excluded for the Akersten Street Hardstand and Travel Lift report would be corrected to Section 7(2)(i): To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

### **3. Interests**

There were no updates to the Interests Register, and no interests with items on the agenda were declared.

### **4. Public Forum**

#### **4.1 Kerry Neal**

Mr Neal raised concerns about not being able to contact Council's external appointees, and suggested that the involvement of non-elected representatives should be limited to working party level. He also suggested that Council's Code of Conduct restricted councillors from expressing views, and that councillors should not put the Council establishment before the community.

Mr Neal asked for an apology for comments made relating to him during the Governance Committee meeting on 21 April 2016. He also asked for an apology to the community for being denied access to the Victory Room at the Trafalgar Centre without appropriate notice.

#### **4.2 Matthew Bouterey - Urban Oyster Bar and Eatery**

Mr Bouterey said the Urban Oyster Bar and Eatery, in conjunction with the Sprig and Fern, and La Gourmandise, would like to install outdoor dining in front of their premises. He said the outdoor dining would make that end of Hardy Street more vibrant and attractive, and offer something new to the community.

#### **4.3 Iain Sheves, General Manager Property - Wakatu Incorporation**

Mr Sheves, from Wakatu Incorporation, gave a PowerPoint presentation (A1564972) about the Ocean Lodge Special Housing Area Amendment, noting that the designs and plans were only indicative.

Mr Sheves answered questions regarding the ownership of land and the proposed use for retail, hospitality and accommodation. He summarised the request for five storeys including carparking, as opposed to the four storeys currently gazetted for the site, and noted the development would still be under the 20 metre height allowance. Mr Sheves added the additional storey would make the development more financially viable.

In response to questions, Mr Sheves advised the development would include a range of competitively priced smaller units, but would not specify ownership type or use. He said the development would aim to retain at least half of the current trees on site.

4.4 Mark Sherlaw

Mr Sherlaw provided detail regarding a proposed comprehensive housing development at 42 Domett Street, showing an image of the site (A1564650) and providing a handout (A1564659).

4.5 NELSON NETBALL CENTRE

JULIE BAXENDINE AND CHELSEA ROUTHAN PROVIDED AND READ FROM A HANDOUT (A1565341) REGARDING LIGHTING AT THE TRAFALGAR CENTRE AND ITS IMPACT ON COSTS FOR NETBALL GAMES.

ATTENDANCE: COUNCILLOR FULTON LEFT THE MEETING AT FROM 9.56AM TO 10.00AM.

IN RESPONSE TO A QUESTION, MS BAXENDINE ADVISED SHE COULD NOT BE MORE SPECIFIC ABOUT A CONTRIBUTION TO THE TRAFALGAR CENTRE UNTIL CAPITAL COSTS WERE KNOWN.

**ATTACHMENTS**

- 1 A1564972 - IAIN SHEVES WAKATU INCORPORATION OCEAN LODGE SPECIAL HOUSING AREA AMENDMENT POWERPOINT
- 2 A1564650 - MARK SHERLAW HOUSING DEVELOPMENT 42 DOMETT STREET AERIAL VIEW
- 3 A1564659 - MARK SHERLAW HOUSING DEVELOPMENT 42 DOMETT STREET HANDOUT
- 4 A1565341 - NELSON NETBALL CENTRE HANDOUT

**5. CONFIRMATION OF MINUTES**

5.1 2 June 2016

Document number M1916, agenda pages 18 - 41 refer.

Resolved CL/2016/153

***THAT the minutes of the meeting of the Council, held on 2 June 2016, be confirmed as a true and correct record.***

Davy/McGurk

Carried

5.2 5 May 2016

Document number M1869, agenda pages 42 - 59 refer.

Resolved CL/2016/154

***THAT the minutes of the meeting of the Council, held on 5 May 2016, be confirmed as a true and correct record.***

## 6. Status Report - Council - 16 June 2016

Document number R6041, agenda pages 60 - 72 refer.

The Chief Executive, Clare Hadley, advised of a correction to the action item for the Brook Recreation Reserve Management Plan, in that it referred to a report for the 16 June meeting when it should have been 28 July.

Officers responded to questions regarding cycling workshops, the Brook Recreation Reserve Management Plan, special housing areas, insurance, and the presentation to the District Health Board regarding fluoride.

Attendance: Councillor Copeland left the meeting from 10.10am to 10.13am.

Several elected members provided updates regarding the Saxton Special Housing Area, the draft Marina Strategy, and a travel demand workshop.

Capital Projects Contractor, Richard Kirby, and Manager Capital Projects, Shane Davies, provided an update regarding investigations into the capacity and maintenance of the Trafalgar Centre roof. In response to questions, Mr Kirby explained the context around roof loadings and earthquake risk, and advised that further information would be reported at a future Council meeting.

Resolved CL/2016/155

***THAT the amended Status Report Council 16 June 2016 (R6041) and its attachment (A1168168) be received.***

Barker/Noonan

Carried

Attendance: The meeting adjourned for morning tea from 10.40am to 10.58am.

## 7. Mayor's Report

Document number R5975, agenda pages 73 - 82 refer.

Manager Communications, Paul Shattock, provided an update on the Eelco Boswijk Awards to take place in the coming months. He said the awards would be linked to Council's Nelson 2060 strategy.

Her Worship the Mayor provided a handout on child poverty in New Zealand (A1565482). She asked councillors to keep this matter in mind when making decisions for the future of the community.

Her Worship the Mayor spoke about central government funding for social services, and highlighted changes to emergency housing. She suggested that the matter of emergency housing be the topic of a future report to the Community Services Committee. There was some concern

raised that a strategy would be required if Council was to become involved in the social housing area.

In response to questions about funds from the sale of land such as Bett Carpark being used for social housing, Her Worship the Mayor spoke about her desire for Council to leverage opportunities in this area.

Attendance: Councillor Lawrey left the meeting from 11.31am to 11.33am.

Resolved CL/2016/156

***THAT the Mayor's Report (R5975) and its attachments (A1561963 and A1561996) be received;***

Her Worship the Mayor/McGurk

Carried

**Attachments**

1 A1565482 - Tracking Progress on Reducing Child Poverty in NZ

Attendance: Councillor Fulton left the meeting from 11.43am to 11.45am.

Elected members discussed the Council's Code of Conduct and whether a review of the wording under clauses 5.10 and 5.11 was required. A correction was noted in that the dates referred to in the report recommendation should be 2014 instead of 2016.

Her Worship the Mayor, seconded by Councillor Fulton, moved a motion:

*AND THAT in light of enquiries from Dr Catherine Strong, Council officers review the Elected Members Code of Conduct as adopted on 20 November 2014 to revise wording that has the potential to fetter free speech in a way that is unhelpful to local democracy, and bring a revised version to the next ordinary meeting of Council for adoption;*

Attendance: Councillor Copeland left the meeting from 11.55am to 11.56am.

Several councillors indicated they had no issue with a review of the Code of Conduct. Some raised suggestions of additional aspects which they wanted to be reviewed.

Councillor Lawrey, seconded by Council Davy, proposed an amendment to the motion:

*AND THAT in light of enquiries from Dr Catherine Strong, the original Code of Conduct Working Party, with Councillor Skinner as alternate for Councillor Acland (if required), review the Elected Members Code of Conduct as adopted on 20 November 2014 to revise wording that has the potential to fetter free speech in a way that is unhelpful to local democracy, and bring a*

*revised version to the next ordinary meeting of Council for adoption;*

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

Resolved CL/2016/157

***AND THAT in light of enquiries from Dr Catherine Strong, the original Code of Conduct Working Party, with Councillor Skinner as alternate for Councillor Acland (if required), review the Elected Members Code of Conduct as adopted on 20 November 2014 to revise wording that has the potential to fetter free speech in a way that is unhelpful to local democracy, and bring a revised version to the next ordinary meeting of Council for adoption;***

Her Worship the Mayor/Fulton

Carried

Attendance: Councillor Lawrey left the meeting at 12.08pm.

Councillor Davy, seconded by Councillor Ward, moved the recommendation in the report relating to the Local Government Excellence Programme.

In response to a question, the Chief Executive, Clare Hadley, advise the approximate costs of participation in the Programme.

Attendance: Councillor Lawrey returned to the meeting at 12.10pm.

It was noted the Programme required considerable collaboration and raising of professional standards.

Resolved CL/2016/158

***AND THAT Council registers its interest in being a Foundation Council in the Local Government New Zealand Local Government Excellence Programme (subject to further details being acceptable to Council);***

Davy/Ward

Carried

Councillor Davy, seconded by Councillor Matheson, moved a motion:

***AND THAT Council does not proceed with a poll at the Local Body Elections;***

Her Worship the Mayor tabled the poll question to be considered (A1565257). She advised she had spoken with the Mayor of Tasman District Council (TDC), who said TDC would support constructive steps

towards addressing congestion along the region's arterial routes, but that there was insufficient information to inform a poll.

The Chief Executive, Clare Hadley, provided supporting information relating to the poll recommendation in line with the requirements of Part 6 of the Local Government Act 2002, the notes of which were subsequently tabled (A1569258). She highlighted that the subject matter was significant, but the decision to hold a poll was of lesser significance.

Attendance: Councillor Ward left the meeting at 12.22pm.

In response to questions regarding what material would be distributed with the poll, Mrs Hadley advised the Electoral Officer would prepare neutral information and councillors were not able to play a part in determining what information went with the poll.

Attendance: The meeting adjourned for lunch from 12.31pm to 1.04pm.

There were mixed views expressed regarding the usefulness to Council and the community of carrying out a poll on the Nelson Southern Link. It was suggested that Council's role in the project had not yet been defined so it was not the appropriate time to gather community feedback.

Attendance: Councillor Matheson left the meeting from 1.12pm to 1.14pm.

Mrs Hadley explained that the New Zealand Transport Agency had commissioned a statistically robust telephone survey of Nelson.

Concern was raised that previous community-led surveys on the issue may have been misleading. It was emphasised that the community deserved their right to have a say on the matter.

Several councillors felt that a poll would polarise the community, it seemed there was little awareness of alternatives, and the poll could dominate the upcoming election.

The motion was put and a division was called.

Councillor Acland	Apology
Councillor Barker	Aye
Councillor Copeland	Aye
Councillor Davy	Aye
Councillor Fulton	Aye
Councillor Lawrey	No
Councillor Matheson	Aye
Councillor McGurk	Aye
Councillor Noonan	Aye
Councillor Rainey	No
Councillor Skinner	Aye
Councillor Ward	Aye

Her Worship the Mayor	Aye
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The motion was passed, 10-2.

Resolved CL/2016/159

**AND THAT Council does not proceed with a poll at the Local Body Elections.**

Davy/Matheson

Carried

**Attachments**

- 1 A1565257 - Mayor's Report - Poll question for Southern Link
- 2 A1569258 - Mayor's Report - Assessment of Poll Information under Part 6 of LGA

**8. Notice of Motion - A Poll on Nelson's Traffic Issues**

Document number R6074, agenda pages 83 - 85 refer.

Councillor Rainey advised that the notice of motion would be withdrawn from the agenda.

**9. Works and Infrastructure 31 March 2016 - Toi Toi Grove - Transport Connection**

Document number R6069, agenda pages 86 - 87 refer.

Senior Asset Engineer – Transport and Roading, Rhys Palmer, presented the report and displayed a related map (A1520124).

Resolved CL/2016/160

**THAT the report Works and Infrastructure 31 March 2016 - Toi Toi Grove - Transport Connection (R6069) be received;**

Davy/Barker

Carried

**Attachments**

- 1 A1520124 - Toi Toi Grove Development Map

Councillor Fulton, seconded by Councillor McGurk, moved a motion:

*AND THAT, recognising the connectivity and resilience benefits to the city, that Council propose via the Annual Plan consultation process in 2017/18 to include an amendment to the Long Term Plan 2015/25 (and consequently the Development Contributions Policy) to include the construction of the Princes Drive/Montreal Heights intersection for a cost of \$1 Million.*



Concern was raised regarding the high cost of Council's contribution towards the project.

The Chief Executive, Mrs Hadley, provided background information on the project and emphasised the advantages to Nelson City in the areas of connectivity and resilience.

There was general support for including the project in the 2017/18 consultation process to obtain community feedback.

Resolved CL/2016/161

***AND THAT, recognising the connectivity and resilience benefits to the city, that Council propose via the Annual Plan consultation process in 2017/18 to include an amendment to the Long Term Plan 2015/25 (and consequently the Development Contributions Policy) to include the construction of the Princes Drive/Montreal Heights intersection for a cost of \$1 Million.***

Fulton/McGurk

Carried

Councillor Noonan requested her vote against the motion be recorded.

## **10. Special Housing Areas - Supplementary Recommendations**

Document number R6066, agenda pages 88 - 109 refer.

Development Projects Planner, Lisa Gibellini, and Group Manager Strategy and Environment, Clare Barton, presented the report.

In response to questions, the Chief Executive, Clare Hadley, confirmed that the Tahunanui Drive Special Housing Area was to be considered at a future Council meeting as officers had received new information.

Committee members asked questions relating to the content of the future Council meeting, the Ocean Lodge amendment, liability for Council, timeframes for special housing area applications, and potential use restrictions to be included in deeds with developers.

Attendance: The meeting adjourned from 2.13pm to 2.15pm. Councillor Davy left the meeting at 2.23pm.

Her Worship the Mayor, seconded by Councillor Fulton, moved the recommendation in the officer report.

Attendance: The meeting adjourned from 2.32pm to 2.33pm.

Resolved CL/2016/162

***THAT the report Special Housing Areas - Supplementary Recommendations (R6066) and its attachment (A1562166) be received;***

**AND THAT the following motion, moved and seconded at the Council meeting on 2 June 2016, be left to lie on the table until another meeting of Council:**

**THAT Council approve 19 & 21 Beach Road (A1548015) as a potential Special Housing Area;**

**AND THAT the following motion, left to lie on the table at the Council meeting on 2 June 2016, be left to lie on the table until another meeting of Council:**

**AND THAT Her Worship the Mayor recommend those potential areas (Tahunanui Drive and Beach Road) and the amendment to Ocean Lodge SHA to the Minister of Building and Housing for consideration as Special Housing Areas under the Housing Accord and Special Housing Areas Act 2013.**

**AND THAT Council approve the amendment to the qualifying development criteria for the number of storeys for the Ocean Lodge Special Housing Area (A1548018).**

Her Worship the Mayor/Fulton

Carried

## **11. Crematorium Delivery Review - Supplementary Report**

Document number R5737, agenda pages 110 - 139 refer.

Group Manager Infrastructure, Alec Louverdis, presented the report and advised that clause 11.6 of the report was to be removed.

It was suggested that information on private cremations should be available at additional locations to the Council website.

Resolved CL/2016/163

**THAT the report Crematorium Delivery Review - Supplementary Report (R5737) and its attachment (A1521528) be received;**

**AND THAT based on the feedback received with respect to pet/animal cremations that pet/animal cremations continue at the Nelson crematorium;**

**AND THAT it be confirmed, at this stage, not to proceed with a new pet/animal cremator and the \$150,000 provision set aside for this in the 2016/17 year be removed;**

**AND THAT the need for a new pet/animal cremator be re-assessed in two years' time allowing officers time to assess the demand for pet/animal cremations in the region;**

**AND THAT services for private cremations continue to be offered and that clear requirements be placed on Council's website;**

**AND THAT to offset any potential risk, that all cremation fees be increased by 5% from 1 July 2016.**

Davy/Matheson

Carried

Attendance: Councillor Rainey left the meeting from 2.37pm to 2.40pm.

## **12. Trafalgar Centre - Lift and Lighting Business Case Update**

Document number R5935, agenda pages 140 - 144 refer.

Attendance: The meeting adjourned from 2.45pm to 2.46pm, during which time Councillor Fulton left the meeting.

Attendance: Councillor Rainey declared an interest and moved to the public gallery, and Councillor Fulton returned to the meeting, at 2.47pm.

The Chief Executive, Clare Hadley, presented the report.

Resolved CL/2016/164

**THAT the report Trafalgar Centre - Lift and Lighting Business Case Update (R5935) and its attachments (A1550731 and A1550732) be received;**

**AND THAT Council request the business cases be considered separately, by members of the group with delegated authority who have no interest or conflict in the matter, to ensure sound decision making on the provision of a lift, and sport lighting at the Trafalgar Centre.**

Her Worship the Mayor/Davy

Carried

Attendance: Councillor Rainey returned to the meeting at 2.57pm.

### 13. Revoking the Moratorium on New Outdoor Dining Spaces

Document number R5921, agenda pages 145 - 160 refer.

Asset Engineer – Transport, Chris Pawson, and Community Partnerships Adviser, Gabrielle Thorpe, presented the report. They advised of two updates to the report in that under clause 5.4, an additional quote of \$1500 had been received to remove outdoor dining sites, and clause 11.1 the words 'prepare Council reports' were to be removed.

Attendance: Councillor Barker left the meeting at 3.01pm.

Councillor Lawrey, seconded by Councillor Copeland, moved a motion:

*THAT the report Revoking the Moratorium on New Outdoor Dining Spaces (R5921) and its attachments (A1526853 and A1553144) be received;*

*AND THAT the moratorium on using any additional public car parking spaces for outdoor dining be revoked;*

Attendance: Councillor Copeland and Councillor Ward left the meeting from 3.04pm to 3.06pm.

There was discussion regarding the loss of carparks in a concentrated area.

Resolved CL/2016/165

***THAT the report Revoking the Moratorium on New Outdoor Dining Spaces (R5921) and its attachments (A1526853 and A1553144) be received;***

***AND THAT the moratorium on using any additional public car parking spaces for outdoor dining be revoked;***

Lawrey/Copeland

Carried

It was suggested that the outdoor dining spaces be smokefree.

Councillor Noonan, seconded by Councillor Skinner, moved a motion:

*AND THAT that the total number of public car parking spaces made available for outdoor dining be capped at thirty-three public car parking spaces to be reviewed by mid-2019;*

*AND THAT approval of new applications for outdoor dining on public car parking spaces be delegated to the Hearings Panel – Other;*

*AND THAT updated delegations for the Hearings Panel – Other be presented to a future Council meeting for approval.*

The Chief Executive, Clare Hadley, advised that additional administration and public advertisement would be required if applications were considered by the Hearings Panel – Other.

Attendance: The meeting adjourned from 3.18pm to 3.22pm.

Resolved CL/2016/166

***THAT, in accordance with Standing Order 3.3.7, the meeting continue beyond six hours.***

Her Worship the Mayor/Noonan

Carried

There was further discussion on whether the licensees of outdoor dining spaces could be encouraged to make the areas smokefree.

Councillors agreed on several amendments to the motion, all with the approval of the mover and seconder.

*AND THAT that the total number of public car parking spaces made available for outdoor dining be capped at thirty-three public car parking spaces to be reviewed by mid-2019;*

*AND THAT approval of new applications for outdoor dining on public car parking spaces be delegated to the Chief Executive;*

*AND THAT the outcome of the exercise of delegated authority be reported to the Works and Infrastructure Committee;*

*AND THAT licensees of outdoor dining spaces be encouraged to make these spaces smokefree.*

It was noted that several councillors wished the policy on Licenses for Street Stalls and Outdoor Dining to be reviewed as soon as possible. It was agreed that the Chair and Deputy Chair of the Works and Infrastructure Committee would consider this request.

Concern was raised that the number of outdoor dining spaces was to be capped and had an extended review date.

The motion was taken clause by clause. The first clause was put and lost. Councillor Noonan wished her vote for the clause to be recorded. The remaining clauses were put and carried.

Resolved CL/2016/167

***AND THAT approval of new applications for outdoor dining on public car parking spaces be delegated to the Chief Executive;***

***AND THAT the outcome of the exercise of delegated authority be reported to the Works and Infrastructure Committee;***

***AND THAT licensees of outdoor dining spaces be encouraged to make these spaces smokefree.***

Noonan/Skinner

Carried

**14. Addition to delegations relating to activities under the Housing Accord and Special Housing Areas Act 2013**

Document number R5799, agenda pages 161 - 165 refer.

Manager Consents and Compliance, Mandy Bishop, and Group Manager Strategy and Environment, Clare Barton, presented the report.

Her Worship the Mayor, seconded by Councillor Ward, moved the recommendation in the officer report.

The motion was put and a division was called

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

The motion was carried, 9-2.

Resolved CL/2016/168

***THAT the report Addition to delegations relating to activities under the Housing Accord and Special Housing Areas Act 2013 (R5799) and its attachment (A1525766) be received;***

***AND THAT Council delegate powers to the Chief Executive under the Housing Accord and Special Housing Areas Act 2013 (section 23) to consider applications and issue consents.***

Her Worship the Mayor/Ward

Carried

## **15. Preparation for the 2016 Local Elections**

Document number R5383, agenda pages 166 - 168 refer.

Manager Administration, Penny Langley, presented the report.

Resolved CL/2016/169

***THAT the report Preparation for the 2016 Local Elections (R5383) be received;***

***AND THAT in accordance with Regulation 31(2) of the Local Electoral Regulations 2001, the candidates' names on voting documents for the 2016 triennial local election be in computerised random order.***

Ward/Lawrey

Carried

## **16. Administrative Matters**

Document number R5836, agenda pages 169 - 193 refer.

Manager Administration, Penny Langley, presented the report.

Resolved CL/2016/170

***THAT the report Administrative Matters (R5836) and its attachments (A1551006, A1103850, A1550897, A1551189, A1509979, A1181155) be received;***

Her Worship the Mayor/Matheson

Carried

Councillor Ward, seconded by Councillor McGurk, moved a motion:

*AND THAT Council approves approximately \$924 of funding from the additional funding pool to enable Councillor Lawrey to attend the Local Government New Zealand Conference in 2016;*

*AND THAT Council approves approximately \$309 of funding from the additional funding pool to enable Councillor Fulton to attend the Local Government New Zealand Conference in 2016;*

*AND THAT the Delegations Register be updated to reflect the appointments to the Regional Pest Management Committee, and the resignation of Councillor Acland from the Youth and Community Facilities Trust.*

Mixed views were expressed regarding whether additional funding for Councillors Lawrey and Fulton to attend the Local Government New Zealand Conference was justified as extenuating circumstances under the criteria set for applications.

The motion was put and a division was called.

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

The motion was carried, 7-4.

Resolved CL/2016/171

***AND THAT Council approves approximately \$924 of funding from the additional funding pool to enable Councillor Lawrey to attend the Local Government New Zealand Conference in 2016;***

***AND THAT Council approves approximately \$309***



***of funding from the additional funding pool to enable Councillor Fulton to attend the Local Government New Zealand Conference in 2016;***

***AND THAT the Delegations Register be updated to reflect the appointments to the Regional Pest Management Committee, and the resignation of Councillor Acland from the Youth and Community Facilities Trust.***

Ward/McGurk

Carried

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

Document number R5965, agenda pages 194 - 200 refer.

Manager Administration, Penny Langley, presented the report.

Attendance: Councillor Davy left the meeting from 3.54pm to 3.56pm.

Resolved CL/2016/172

***THAT the report Local Government New Zealand Annual General Meeting (R5965) and its attachment (A1552098) be received;***

***AND THAT the following constitute Council representation at the 2016 Annual General Meeting:***

***Presiding Delegate: Her Worship the Mayor***

***Other Delegates: Councillor Skinner***

***Chief Executive***

***Observers: Councillor Fulton***

***Councillor Lawrey***

Matheson/Noonan

Carried

## **REPORTS FROM COMMITTEES**

### **18. Hearings Panel - 11 April 2016**

Document number A1531240, agenda pages 201 - 205 refer.

It was noted that the minutes were for the Hearings Panel, not the Hearings Panel – Other as shown on the agenda.

Resolved CL/2016/173

***THAT the minutes of a meeting of the Hearings Panel, held on 11 April 2016, be received.***

Davy/McGurk

Carried

**19. Hearings Panel - Other - 5 May 2016**

Document number A1545372, agenda pages 206 - 207 refer.

Resolved CL/2016/174

***THAT the minutes of a meeting of the Hearings Panel – Other, held on 5 May 2016, be received.***

McGurk/Matheson

Carried

**20. Works and Infrastructure Committee - 10 May 2016**

Document number M1876, agenda pages 208 - 215 refer.

Resolved CL/2016/175

***THAT the unconfirmed minutes of a meeting of the Works and Infrastructure Committee, held on 10 May 2016, be received.***

Davy/Lawrey

Carried

20.1 Capital Project Budget Status Report

Resolved CL/2016/176

***THAT with respect to the Montcalm/ Arrow/Washington Valley/Hastings stormwater upgrade project that \$116,000 be transferred from the current provision in 2016/17 to 2015/16 to maintain continuity of this multi-year project.***

Davy/Lawrey

Carried

20.2 Future of Green Waste

Resolved CL/2016/177

***THAT following a review of green waste services at the request of Council:***

***THAT Nelson City Council partner with Tasman District Council to call for public tenders with respect to their green waste in June 2016;***

***AND THAT failing success with this approach with Tasman District Council, that officers be authorised to negotiate a contract with a commercial operator to accept Nelson City Council's green waste;***

***AND THAT in the interim, Council continues to take green waste at the Pascoe Street transfer station;***

***AND THAT the outcome of the tendering process, either in partnership with Tasman District Council, or with a commercial operator, be reported back to the Works and Infrastructure Committee for a decision.***

Davy/Lawrey

Carried

**21. Planning and Regulatory Committee - 19 May 2016**

Document number M1892, Hearing of Submissions, agenda pages 216 - 217 refer.

Resolved CL/2016/178

***THAT the minutes of a meeting of the Planning and Regulatory Committee, held on 19 May 2016, be received.***

McGurk/Fulton

Carried

**22. Planning and Regulatory Committee - 19 May 2016**

Document number M1893, agenda pages 218 - 221 refer.

Resolved CL/2016/179

***THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 19 May 2016, be received.***

McGurk/Fulton

Carried

**23. Chief Executive Employment Committee - 23 May 2016**

Document number M1899, agenda pages 222 - 224 refer.

Resolved CL/2016/180

***THAT the unconfirmed minutes of a meeting of the Chief Executive Employment Committee, held on 23 May 2016, be received.***

Her Worship the Mayor/Matheson

Carried

## **24. Community Services Committee - 26 May 2016**

Document number M1907, agenda pages 225 - 232 refer.

Resolved CL/2016/181

***THAT the unconfirmed minutes of a meeting of the Community Services Committee, held on 26 May 2016, be received.***

Rainey/Noonan

Carried

### **24.1 Funding Reallocation for Youth Activities in 2016/17**

Resolved CL/2016/182

***THAT the \$100,000 allocated to the Youth and Community Facilities Trust in the 2016/17 draft Annual Plan be reallocated to youth activities for 2016/17 only, in alignment with Community Investment Fund processes;***

***AND THAT the funding be allocated in line with the Youth section of Council's Social Wellbeing Policy 2011 and the Community Assistance Policy 2015 with consideration given to resulting gaps in the services provided by Youth and Community Facilities Trust;***

***AND THAT Council engages with stakeholders in the youth sector to develop a Youth Strategy to guide future Council support for youth development and activities.***

Rainey/Noonan

Carried

## **25. Governance Committee - 26 May 2016**

Document number M1911, agenda pages 233 - 240 refer.

Corrected minutes of the Governance Committee 26 May 2016 were tabled (M1911). These included the resolutions made in public excluded,

as well as a correction to the Civic Assurance recommendation to Council from that shown on the agenda.

Resolved CL/2016/183

***THAT the amended unconfirmed minutes of an extraordinary meeting of the Governance Committee, held on 26 May 2016, be received.***

Davy/Noonan

Carried

**Attachments**

1 M1911 - Governance Committee Minutes 26May2016

25.1 Uniquely Nelson - Memorandum of Understanding

Resolved CL/2016/184

***THAT the Memorandum of Understanding (MoU) between Uniquely Nelson and Nelson City Council (A1380525) be approved as the MoU for the 2016/17 year.***

Davy/McGurk

Carried

25.2 Civic Assurance Directors' Remuneration and Reappointments

Resolved CL/2016/185

***THAT in the matter of remuneration of directors of the New Zealand Local Government Insurance Corporation Ltd that Nelson City Council submit a proxy vote against the proposal to increase fees by 15%.***

***THAT in the matter of reappointment of Directors Messrs MA Butcher and AJ Marryatt that Nelson City Council submit a proxy vote against.***

Davy/Skinner

Carried

25.3 Internal Audit Report to 31 March 2016  
Item from Audit, Risk and Finance Subcommittee meeting - 10/05/2016

Resolved CL/2016/186

***THAT Council note the internal audit findings, recommendations and status of action plans up to 31 March 2016 (R5793).***

McGurk/Her Worship the Mayor

Carried

- 25.4 Corporate Report to 31 March 2016  
*Item from Audit, Risk and Finance Subcommittee meeting - 10/05/2016*

Resolved CL/2016/187

**THAT the transfer of legal budget from the Corporate activity to the Planning activity in 2015/16 in order to obtain economic and traffic evidence for the submission to Tasman District Council on the proposed Progressive Enterprises Ltd Private Plan Change be noted.**

McGurk/Her Worship the Mayor

Carried

## 26. Planning and Regulatory Committee - 2 June 2016

Document number M1914, agenda pages 241 - 243 refer.

Resolved CL/2016/188

**THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 2 June 2016, be received.**

McGurk/Fulton

Carried

- 26.1 Deliberations on Fees and Charges for Resource Consent, Food Act and Fencing of Swimming Pools Act activities commencing 1 July 2016

Resolved CL/2016/189

**THAT the amended table in Section 5 of this report (R5876) be used as the basis of providing responses to submitters on the matters raised in submissions;**

**AND THAT the amended draft Fees and Charges Resource Consents and Resource Management Act Planning Documents as detailed in Attachment 1 (A1546954) be adopted;**

**AND THAT the draft Food Act 2014 Fees and Charges as detailed in Attachment 2 (A1546317) be adopted;**

**AND THAT the draft Building Unit Fees and Charges Swimming Pools monitoring fee as detailed in Attachment 3 (A1547270) be adopted.**

McGurk/Fulton

Carried

## 27. Exclusion of the Public

It was noted that item 8, Extraordinary Governance Committee Meeting - Public Excluded Minutes for 26 May 2016, had been discussed in public. It was also noted that as per the Order of Business, the reason for the Akersten Street Hardstand and Travel Lift report would be corrected to Section 7(2)(i): To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Resolved CL/2016/190

***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>Council Meeting - Public Excluded Minutes - 2 June 2016</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)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</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,</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)
			negotiations (including commercial and industrial negotiations).
2	<b>Confirmation of Minutes - 5 May 2016</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>
3	<b>Status Report - Council - 16 June 2016</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> <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>Winding up of Nelson Regional Economic Development Agency and Tourism Nelson Tasman Ltd</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>



Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
5	<p><b>Akersten Street Hardstand and Travel Lift</b></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"> <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>
6	<p><b>Chief Executive Employment Committee Meeting - Public Excluded Minutes - 23 May 2016</b></p> <p>These minutes contain no recommendations to Council</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"> <li>• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.</li> </ul>
7	<p><b>Community Services Committee Meeting - Public Excluded Minutes - 26 May 2016</b></p> <p>These minutes contain recommendations to Council regarding</p> <ul style="list-style-type: none"> <li>• Stoke Community and Sports Facility – User Agreements</li> <li>• Community Lease – Get Moving, Saxton Field</li> <li>• Community Lease – Tahunanui Community Centre</li> </ul>	<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"> <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>

The meeting went into public excluded session at 4.07pm and resumed in public session at 4.21pm.

**28. Re-admittance of the Public**

Resolved CL/2016/191

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

Her Worship the Mayor/Davy

Carried

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

Confirmed as a correct record of proceedings:

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