

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

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

**On Thursday 2 March 2017, commencing at 9.09am**

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**Present:** Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, I Barker, M Courtney, B Dahlberg, K Fulton, M Lawrey, P Matheson, B McGurk, G Noonan, M Rutledge, T Skinner and S Walker

**In Attendance:** Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Corporate Services (N Harrison), Group Manager Community Services (C Ward), Senior Strategic Adviser (N McDonald), Manager Administration (P Langley), Manager Communications (P Shattock), Administration Adviser (E-J Ruthven), and Nelson Youth Councillors (E Rais and J Stallard)

### **Opening Prayer**

Councillor Skinner gave the opening prayer.

#### **1. Apologies**

There were no apologies.

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

There was no change to the order of business.

Her Worship the Mayor noted that Mark Rawson, Chief Executive of the Nelson Regional Development Agency, would be present during the public excluded part of the meeting, and that the appropriate procedural resolution would be passed when the meeting moved into public excluded session.

#### **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 Jim Hilton**

Jim Hilton spoke about the Brook Waimarama Sanctuary Trust's resource consent application to drop Brodifacoum poison into the Brook Valley for pest control purposes.

Attendance: The meeting adjourned from 9.15am to 9.18am.

Her Worship the Mayor drew Mr Hilton's attention to the Standing Orders governing public forum presentations, including that the Mayor may terminate any public forum that is disrespectful. She asked Mr Hilton to refrain from making allegations regarding officer actions in relation to the resource consent process.

Her Worship the Mayor explained further that the resource consent process was a statutory process, and Council had no jurisdiction to intervene in it. She noted the appropriate forums for raising concerns if members of the public disagreed with the outcome of regulatory processes.

In continuing his public forum presentation, Mr Hilton expressed his frustration that members of the public had felt excluded from the resource consent process, and explained his concerns regarding the environmental consequences of using poisonous chemicals as pest control.

## **5. Notice of Motion - 250 Haven Road**

Document number R7226, agenda pages 5 - 9 refer.

The Chief Executive, Clare Hadley, explained the Notice of Motion and drew Council's attention to the background information provided by officers, as attached to the report.

Mrs Hadley answered questions regarding whether the Elected Member who had proposed the Notice of Motion had an interest in the matter greater than the public at large, how elected members should handle the declaration of interests at the Council table, the consequences for the capital works programme should the Notice of Motion be passed, the status of information discussed during Council workshops and whether workshops were open for attendance by members of the public.

Group Manager Infrastructure, Alec Louverdis, answered further questions regarding the number of carparks that could be gained on the site of 250 Haven Road, whether asbestos was present in the building at 250 Haven Road, whether there was a record of complaints to Council regarding the level of parking available in the area, the potential number of carparks available in the land between the Anchor and Customhouse Buildings, and between 250 Haven Road and the Reliance Building, and whether New Zealand Transport Agency input would be required prior to the formation of any new carpark along the State Highway.

Councillor Courtney, seconded by Councillor Walker, moved the recommendation contained in the Notice of Motion.

A Point of Order was raised in accordance with Standing Order 3.13.4(e), that Councillor Courtney was in breach of Standing Order 3.8.5 by reading a speech without permission of the Chairperson. Following discussion, Her Worship the Mayor granted permission to Councillor Courtney to continue reading his speech.

Councillors discussed the motion, and a variety of views were expressed. During the discussion, it was noted that, if the Notice of Motion were successful, this may impinge on the outcome of a previous public excluded resolution of the Governance Committee, for which negotiations were still ongoing.

Attendance: The meeting adjourned from 10.28am to 10.55am.

It was noted that the meeting would move into public excluded session in order for councillors to be briefed on what the potential implications of passing the Notice of Motion were for the previous public excluded Governance Committee resolution for which negotiations were ongoing.

## 6. Exclusion of the Public

Resolved CL/2017/001

***That the Council***

***Excludes the public 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/Barker

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>Notice of Motion – 250 Haven Road</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	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</li> </ul>

		under section 7	commercial and industrial negotiations)
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The meeting went into public excluded session at 11.05am and resumed in public session at 11.25am.

## 7. Re-admittance of the Public

Resolved CL/2017/002

***That the Committee***

***Re-admits the public to the meeting***

Her Worship the Mayor/Rutledge

Carried

Attendance: The meeting adjourned from 11.27am to 12.10pm, during which time Councillor Skinner left the meeting.

The meeting returned to consider the motion under debate.

Attendance: Councillor Skinner returned to the meeting at 12.12pm.

Councillors discussed the motion and a variety of views for and against were expressed.

The motion was put and a division was called:

Councillor Acland	Yes
Councillor Barker	No
Councillor Courtney	Yes
Councillor Dahlberg	No
Councillor Fulton	Yes
Councillor Lawrey	Yes
Councillor McGurk	Yes
Councillor Matheson	No
Councillor Noonan	No
Councillor Rutledge	No
Councillor Skinner	No
Councillor Walker	Yes
Her Worship the Mayor	No

The motion was lost, 7-6.

Attendance: Councillor Lawrey left the meeting from 12.34pm to 12.36pm, and Councillor Courtney left the meeting from 12.35pm to 12.40pm.

## 8. Notice of Motion: Revocation of resolution and substitution with another

Document number R7229, agenda pages 10 - 14 refer.

Councillor Walker, seconded by Councillor Rutledge, moved the recommendation contained within the Notice of Motion.

Group Manager Infrastructure, Alec Louverdis, answered questions regarding the New Zealand Transport Agency proportion of funding for this project, placing signs along the cycleway, how the cycleway fitted in with the Great Taste Trail, the proposed location of the pedestrian refuge on Rutherford Street, work underway on the cycleway link to Paruparu Road, and work undertaken on the Haven Road cycleway to date.

Attendance: The meeting adjourned from 12.47pm to 12.48pm.

It was clarified that Standing Order 3.9.16 only required work that would be irreversible to stop on receipt of a notice of motion to revoke a previous resolution. It was confirmed that no such irreversible work had taken place since receipt of the Notice of Motion under debate.

Councillors debated the motion.

Attendance: Councillor Fulton left the meeting from 12.56pm to 12.58pm, and Councillor Acland left the meeting from 12.59pm to 1.00pm.

Resolved CL/2017/003

### ***That the Council***

#### ***Revoke its resolution (CL/2016/320) regarding the Anzac Park Link - Concept Design Approval passed on 15 December 2016 as follows:***

*That the Council*

*Receives the report Anzac Park Link - Concept Design Approval (R6850) and its attachment (A1669707); and*

*Approves design and construction of option 3 (as presented in report R6617) - Haven Road shared path adjacent to ANZAC Park, noting that construction will commence in 2016/17, with work including a pedestrian refuge on Rutherford Street, at an estimated total cost of \$255,000; and*

*Approves a re-allocation of \$58,000 from within the overall Walk Cycle Programme to the Haven Road shared path adjacent to ANZAC Park project; and*

*Notes the primary purpose of this project is to*

connect the St Vincent Street cycleway to the central business district; and

Notes that for the network of cycleways to function effectively, an arterial cycle route to connect The Wood and Nelson East will be required; and

Notes that connection of the Haven Road shared path to the Maitai Path would be best achieved via a cycle facility that runs through the Halifax/Rutherford Street signalised intersection and alongside Paru Paru Road and this will be considered in the 2018/28 Long Term Plan and 2018/2021 Regional Land Transport Plan.

**Approves an allocation of up to \$80,000 for design and construction of a refuge to provide a safe Rutherford Street Crossing.**

Walker/Rutledge

Carried

## 9. Exclusion of the Public

Resolved CL/2017/004

***That the Council***

**Confirms, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, that Mark Rawson remain after the public has been excluded, for the Public Excluded agenda, as he has knowledge that will assist the Council; and**

**Notes, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, that the knowledge that Mark Rawson possesses relates to economic benefits and opportunities relating to the event proposal.**

Matheson/Barker

Carried

Resolved CL/2017/005

***That the Council***

**Excludes the public 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/Barker

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>Major sporting event - request for funding</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>

The meeting went into public excluded session at 1.04pm and resumed in public session at 1.52pm.

#### 10. Re-admittance of the Public

Resolved CL/2017/006

***That the Committee***

***Re-admits the public to the meeting.***

Noonan/Barker

Carried

There being no further business the meeting ended at 1.52pm.

Confirmed as a correct record of proceedings:

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