

Minutes of a meeting of the Nelson City Council

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

On Thursday 8 June 2017, commencing at 9.07am

- 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:** Group Manager Community Services (C Ward), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Communications Adviser (C Crick), Team Leader Administration (A Gully), and Administration Adviser (E-J Ruthven)

Opening Prayer

Her Worship the Mayor gave the opening prayer.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Her Worship the Mayor noted that the order of business would be different from that noted in the agenda.

3. Interests

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

4. Mayor's Report

Document number R7702, agenda pages 262 - 270 refer.

Her Worship the Mayor presented the report. She drew attention to the New Zealand Netball Super Club taking place in Nelson during July 2017, and answered questions regarding items in the Mayor's Report.

Resolved CL/2017/206

That the Council

Receives the Mayor's Report (R7702) and its attachment (A1766221); and

Updates Council's Delegations Register (A1183061) with an additional bullet point under the Community Services Committee Areas of Responsibility, being 'Heritage houses and their grounds' and an additional bullet point under the Sports and Recreation Committee Areas of Responsibility, being 'Note: Heritage houses and their grounds are matters for the Community Services Committee'; and

Amends the Chair and Deputy Chair roles of the Works and Infrastructure Committee on a temporary basis, effective immediately and until further notice, as follows:

Committee	Chair (temporary)	Deputy Chair (temporary)
Works and Infrastructure	Stuart Walker	Paul Matheson

and

Requests the Mayor and Deputy Mayor to provide feedback to the Remuneration Authority on behalf of elected members on the review of Local Government Elected Members Remuneration.

Dahlberg/Rutledge

Carried

5. Freedom Camping Bylaw proposed for Consultation

Document number R7719, agenda pages 271 - 387 refer.

External Consultant, David Hammond, and Property Parks and Facilities Asset Manager, Andrew Petheram, presented the report.

They noted several changes to the schedules, being:

- Inclusion within Schedule One of 'other' reserves, being prohibited areas for freedom camping, to ensure the list was as full as possible;

- Correction within Schedule Two to limit the number of carparks within Wakatu Carpark to be used for freedom camping purposes to 20;
- Clarification of maps contained within Schedule Three.

Mr Hammond and Mr Petheram answered questions regarding the content of the draft bylaw, and the consultation process to be followed.

Attendance: Councillor Matheson left the meeting from 9.50am to 9.52am.

It was agreed that the matter be left to lie until after the public forum had finished.

Attendance: the meeting adjourned from 10.09am to 10.17am.

Her Worship the Mayor explained the meeting would hear public forum presentations.

6. Public Forum

Attendance: Councillor McGurk declared an interest in relation to the public forum presentations regarding 21 Cherry Avenue and 40 Van Diemen Street, and left the meeting at 10.20am.

6.1 Jackie McNae - Staig and Smith

Jackie McNae, of Staig and Smith, and Stephen Clements spoke about a proposed Special Housing Area at 21 Cherry Avenue.

Ms McNae gave a power point presentation regarding the proposed development (A1771630) and answered questions.

Attachments

- 1 A1771630 - Public Forum Power Point Presentation - Jackie McNae - Proposed Special Housing Area - 21 Cherry Avenue

6.2 Mark Lile - Landmark Lile Limited

Mark Lile, of Landmark Lile Limited, along with Celia and Ross McKechnie, spoke about a proposed Special Housing Area at 40 Van Diemen Street.

Mr Lile gave a power point presentation (A1771783), and tabled a copy containing additional documents (A1772794). Along with Mr and Mrs McKechnie, Mr Lile answered questions regarding the proposed development.

Attachments

- 1 A1771783 - Public Forum Power Point Presentation - Mark Lile - Proposed Special Housing Area - 40 Van Diemen Street
- 2 A1772794 - Public Forum Tabled Document - Mark Lile - Proposed Special Housing Area - 40 Van Diemen Street

Attendance: Councillor McGurk returned to the meeting at 10.39am.

6.3 Mark Lile – Landmark Lile Limited

Mark Lile, of Landmark Lile Limited, spoke about a proposed Special Housing Area at 15 Quiet Woman Way.

Mr Lile gave a power point presentation (A1771941) and answered questions regarding the proposed development.

Attendance: Councillor Lawrey left the meeting at 10.44am.

Attachments

- 1 A1771941 - Public Forum Power Point Presentation - Mark Lile - Proposed Special Housing Area - 15 Quiet Woman Way

6.4 Mark Lile (Landmark Lile Limited), Rob Vorstermans (Vorstermans Architects) and Georgina McGrath

Attendance: Councillor Noonan declared an interest in relation to 46-48 Trafalgar Street, and left the meeting at 10.46am.

Attendance: Councillor Lawrey returned to the meeting at 10.48am.

Mark Lile, of Landmark Lile Limited, Rob Vorstermans, of Vorstermans Architects, and Georgina McGrath spoke about a proposed Special Housing Area at 46-48 Trafalgar Street. They gave a power point presentation (A1771897) and tabled a copy containing additional documents (A1772847).

Mr Lile and Mr Vorstermans answered questions regarding the proposed development and its potential impact on neighbouring properties.

Attendance: Councillors Acland and Courtney left the meeting at 11.04am. Councillor Courtney returned to the meeting at 11.08am, and Councillor Lawrey left the meeting at 11.09am.

Attachments

- 1 A1771897 - Public Forum Power Point Presentation - Mark Lile and Rob Vorstermans - Proposed Special Housing Area - 46-48 Trafalgar Street
- 2 A1772847 - Public Forum Tabled Document - Mark Lile and Rob Vorstermans - Proposed Special Housing Area - 46-48 Trafalgar Street

6.5 Mike Henderson, Mike Blowers and Denise Tebbs

Attendance: Councillor Rutledge left the meeting from 11.13am to 11.16am.

Attendance: Councillor Lawrey returned to the meeting at 11.15am, and Councillor Acland returned to the meeting at 11.18am.

Mike Henderson, Mike Blowers and Denise Tebbs spoke about the proposed Special Housing Area at 46-48 Trafalgar Street, and the effects it might have on their neighbouring properties. They tabled documents (A1771575 and A1772866) and answered questions.

Attachments

- 1 A1771575 - Public Forum Tabled document - Mike Henderson, Mike Blowers and Denise Tebbs - Proposed Special Housing Area - 46-48 Trafalgar Street
- 2 A1772866 - Public Forum Tabled Document - Mike Henderson, Mike Blowers and Denise Tebbs - Proposed Special Housing Area - 46-48 Trafalgar Street

6.6 Biddy Myers

Attendance: Councillor Noonan returned to the meeting at 11.27am.

Biddy Myers spoke about the proposed Special Housing Area (12 Wakapuaka Road).

Attendance: Her Worship the Mayor left the meeting from 11.29am to 11.30am.

Ms Myers tabled a document (A1771151), and explained her concerns regarding the proposed site of the development and whether the proposed development would provide for affordable housing.

Attachments

- 1 A1771151 - Public Forum Tabled Document - Biddy Myers - Proposed Special Housing Area - 12 Wakapuaka Road

6.7 Gwenny Davis

Gwenny Davis spoke about Special Housing Area (12 Wakapuaka Road).

Ms Davis explained her concerns regarding rural land being used for Special Housing Area purposes, and whether the proposed development would provide for affordable housing.

6.8 Camilla Owen and Graeme Dick

Camilla Owen and Graeme Dick spoke about the proposed Special Housing Area at 12 Wakapuaka Road.

They tabled documents (A1768749 and A1772725) and answered questions about the proposed development and the public feedback process that had taken place.

Attachments

- 1 A1768749 - Public Forum Tabled Document - Camilla Owens - Proposed Special Housing Area - 12 Wakapuaka Road
- 2 A1772725 - Public Forum Tabled Document - Camilla Owens and Graeme Dick - Proposed Special Housing Area - 12 Wakapuaka Road

6.9 Mark Morris - Land Dimensions Limited

Mark Morris, of Land Dimensions Limited, spoke about the proposed Special Housing Areas at Atawai Drive (Bayview Subdivisions Limited), 23 Wastney Terrace/19 Sunnybank Drive, Highview Drive (KB Quarries) and Crown Terrace (KB Quarries).

Mr Morris explained that the developer of the proposed Wastney Special Housing Area had modified the application to remove rural smallholding land from the application.

Attendance: Councillor Fulton left the meeting from 12.15pm to 12.17pm.

Mr Morris answered questions regarding each of the proposed Special Housing Developments.

6.10 Richard Sellars

Richard Sellars spoke about the different types of activities that took place at Paddy's Knob and its importance to the community. He asked Council to be mindful of this when considering the use of Paddy's Knob as a freedom camping area.

Mr Sellars tabled a document (A1771961) and answered questions.

Attachments

- 1 A1771961 - Public Forum Tabled Document - Richard Sellars - Paddy's Knob

Attendance: The meeting adjourned for lunch from 12.32pm to 1.12pm, during which time Councillors Acland, Fulton, Lawrey and Skinner left the meeting.

7. Freedom Camping Bylaw proposed for Consultation

Councillor Noonan, seconded by Councillor Courtney, moved the recommendation in the officer report, including minor amendments.

Attendance: Councillor Lawrey returned to the meeting at 1.13pm and Councillor Acland returned to the meeting at 1.15pm.

Resolved CL/2017/207

That the Council

Receives the report Freedom Camping Bylaw proposed for Consultation (R7719) and its attachments, as amended (A1749074, A1748801 and A1761592; and

Confirms that it is satisfied that the proposed Nelson City Council Freedom Camping Bylaw meets the requirements of section 11 of the Freedom Camping Act 2011; and

Approves the attached Statement of Proposal (A1761592), which includes the full text of the proposed bylaw (A1749074) and the Site Assessment (A1748801), for consultation using the Special Consultative Procedure between 14 June 2017 and 14 July 2017; and

Agrees that the draft Nelson City Council Freedom Camping Bylaw (A1749074) is not inconsistent with the New Zealand Bill of Rights Act 1990; and

Agrees that the full Council will hear and deliberate on submissions from the draft Nelson City Council Freedom Camping Bylaw consultation.

Noonan/Courtney

Carried

7. Public Feedback on Proposed Special Housing Area at 12 Wakapuaka Road

Document number R7618, agenda pages 9 - 219 refer.

Resolved CL/2017/208

That the Council

Receives the report Public Feedback on Proposed Special Housing Area at 12 Wakapuaka Road (R7618) and its attachments (A1710163 and A1755380); and

Accepts for consideration the late feedback; and

Considers the public feedback received in determining whether or not to recommend the Special Housing Area at 12 Wakapuaka Road to the Minister of Building and Construction when making a decision on report R7619 'Proposed Special Housing Areas', 8 June 2017.

Dahlberg/Barker

Carried

8. Proposed Special Housing Areas

Document number R7619, agenda pages 220 - 261 refer.

Attendance: Councillor Skinner returned to the meeting at 1.19pm.

Senior Infrastructure Planner, Lisa Gibellini presented the report. She explained that the application for the propose Special Housing Area

(SHA) at 23 Wastney Terrace/19 Sunnybank Drive had been altered to remove the rural small-holding zone.

It was further noted that, as the Deed template now included a requirement to file Urban Design Panel approval with the resource consent application for SHA developments, there was no need to include this condition in the resolution approving each SHA.

Attendance: Councillor Rutledge left the meeting from 1.27pm to 1.28pm.

There was a discussion regarding whether any councillors held pre-determined views regarding the proposed Special Housing Area at 12 Wakapuaka Road. No interests were declared in relation to this application.

Resolved CL/2017/209

That the Council

Receives the report Proposed Special Housing Areas (R7619) and its attachments (A1757456, A1757451, A1757452, A1757459, A1761074, A1762987, A1763038, A1763054 and A1710163).

Barker/Dahlberg

Carried

8.1 21 Cherry Avenue

Attendance: Councillor McGurk declared an interest in relation to 21 Cherry Avenue and 40 Van Diemen Street and left the meeting at 1.44pm.

Attendance: Councillor Lawrey left the meeting at 1.44pm.

Resolved CL/2017/210

That the Council

Approves 21 Cherry Avenue (A1757456) as a potential Special Housing Area subject to the developer(s) entering into a legal Deed with Council which requires, amongst other matters, that the developer, at its sole cost, shall design, obtain all necessary consents for, and construct any additional infrastructure, or upgrades to the Councils infrastructure, required to support the development of the SHA.

Barker/Fulton

Carried

Attendance: Councillor Lawrey returned to the meeting at 1.46pm.

8.2 40 Van Diemen Street

Resolved CL/2017/211

That the Council

Approves 40 Van Diemen Street (A1757451) as a potential Special Housing Area subject to the developer(s) entering into a legal Deed with Council which requires, amongst other matters, that the developer, at its sole cost, shall design, obtain all necessary consents for, and construct any additional infrastructure, or upgrades to the Councils infrastructure, required to support the development of the SHA.

Matheson/Rutledge

Carried

Attendance: Councillor Rutledge left the meeting at 1.48pm, and Councillor McGurk returned to the meeting at 1.49pm.

8.3 15 Quiet Woman Way

Resolved CL/2017/212

That the Council

Approves 15 Quiet Woman Way (A1757452) as a potential Special Housing Area subject to the developer(s) entering into a legal Deed with Council which requires, amongst other matters, that the developer, at its sole cost, shall design, obtain all necessary consents for, and construct any additional infrastructure, or upgrades to the Councils infrastructure, required to support the development of the SHA.

Barker/Walker

Carried

8.4 46-48 Trafalgar Street

Attendance: Councillor Noonan declared an interest and left the meeting at 1.51pm.

Attendance: Councillor Rutledge returned to the meeting at 1.51pm.

Senior Infrastructure Planner, Lisa Gibellini, answered questions regarding the parameters of development that could occur on this site under the current Nelson Resource Management Plan without notification to neighbouring properties, how daylight angles would be considered through the SHA process, and how daylight issues could be addressed through the Urban Design Panel approval process.

During discussion, there was general agreement that the Urban Design panel should be asked to pay particular attention to the daylight angles in comparison with permitted baselines when considering the designs submitted in relation to this application.

Resolved CL/2017/213

That the Council

Approves 46 & 48 Trafalgar Street (A1757459) as a potential Special Housing Area subject to the developer(s) entering into a legal Deed with Council which requires, amongst other matters, that the developer, at its sole cost, shall design, obtain all necessary consents for, and construct any additional infrastructure, or upgrades to the Councils infrastructure, required to support the development of the SHA subject to the Urban Design Panel paying particular attention to daylight angles in comparison with permitted baselines when considering the proposed development.

Fulton/Matheson

Carried

8.5 Atawhai Drive (Bayview Subdivisions Limited)

Attendance: Councillor Lawrey left the meeting at 2.20pm, and Councillor Noonan returned to the meeting at 2.21pm.

Resolved CL/2017/214

That the Council

Approves Atawhai Drive (Bayview Subdivisions Ltd) (A1761074) as a potential Special Housing Area subject to the developer(s) entering into a legal Deed with Council which requires, amongst other matters, that the developer, at its sole cost, shall design, obtain all necessary consents for, and construct any additional infrastructure, or upgrades to the Councils infrastructure, required to support the development of the SHA.

Matheson/Walker

Carried

8.6 23 Wastney Terrace/19 Sunnybank Drive

It was agreed that the minimum dwelling or residential site capacity should be reduced from 20 to 15, in recognition of the withdrawal of the rural smallholding zoned land from this application.

Resolved CL/2017/215

That the Council

Approves 23 Wastney Terrace/19 Sunnybank Drive (A1762987) as a potential Special Housing Area subject to the developer(s) entering into a legal Deed with Council which requires, amongst other matters, that the developer, at its sole cost, shall design, obtain all necessary consents for, and construct any additional infrastructure, or upgrades to the Councils infrastructure, required to support the development of the SHA.

Walker/Acland

Carried

Attendance: Councillor Lawrey returned to the meeting at 2.23pm.

8.7 Highview Drive (KB Quarries)

Senior Infrastructure Planner, Lisa Gibellini, answered questions regarding roading connectivity to the proposed development, on-site stormwater detention, and management of run-off from construction into Maire Stream.

Attendance: Councillor Fulton left the meeting from 2.31pm to 2.34pm.

Resolved CL/2017/216

That the Council

Approves Highview Drive (KB Quarries) (A1763038) as a potential Special Housing Area subject to the developer(s) entering into a legal Deed with Council which requires, amongst other matters, that the developer, at its sole cost, shall design, obtain all necessary consents for, and construct any additional infrastructure, or upgrades to the Councils infrastructure, required to support the development of the SHA.

Barker/Rutledge

Carried

8.8 Crown Terrace (KB Quarries)

Senior Infrastructure Planner, Lisa Gibellini, answered questions regarding roading connectivity to the proposed development.

Resolved CL/2017/217

That the Council

Approves Crown Terrace (KB Quarries) (A1763054) as a potential Special Housing Area subject to the developer(s) entering into a legal Deed with Council which requires, amongst other matters, that the developer, at its sole cost, shall design, obtain all necessary consents for, and construct any additional infrastructure, or upgrades to the Councils infrastructure, required to support the development of the SHA.

Walker/Dahlberg

Carried

8.9 12 Wakapuaka Road

Senior Infrastructure Planner, Lisa Gibellini, answered questions regarding roading connectivity to the development, and the potential for future development of the Atawhai Walkway/Cycleway to the proposed development.

Councillor Rutledge, seconded by Councillor Courtney, moved the recommendation in the officer report.

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

The motion was put and a division was called:

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

The motion was passed, 9-4.

Resolved CL/2017/218

That the Council

Approves 12 Wakapuaka Road (A1710163) as a potential Special Housing Area subject to the developer(s) entering into a legal Deed with Council which requires, amongst other matters, that the developer, at its sole cost, shall design, obtain all necessary consents for, and construct any additional infrastructure, or upgrades to the Councils infrastructure, required to support the development of the SHA.

Rutledge/Courtney

Carried

8.10 General

Resolved CL/2017/219

That the Council

Notes that Council's Deed Template places additional requirements on applicants, including approval of the Urban Design Panel; and

Approves that Her Worship the Mayor recommend those potential areas 21 Cherry Avenue, 40 Van Diemen Street, 15 Quiet Woman Way, 46 & 48 Trafalgar Street, Atawhai Drive (Bayview Subdivisions Ltd), 23 Wastney Terrace/19 Sunnybank Drive, Highview Drive (KB Quarries), Crown terrace (KB Quarries), and 12 Wakapuaka Road to the Minister of Building and Construction for consideration as Special Housing Areas under the Housing Accord and Special Housing Areas Act 2013 as amended by the Housing Legislation Amendment Act 2016.

Matheson/Courtney

Carried

9. Exclusion of the Public

Resolved CL/2017/220

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:

Barker/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	Civic Financial Services Ltd Directors' remuneration and appointments	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person

The meeting went into public excluded session at 2.59pm and resumed in public session at 3.02pm.

10. Re-admittance of the Public

Resolved CL/2017/221

That the Council

Re-admits the public to the meeting.

Her Worship the Mayor/Skinner

Carried

There being no further business the meeting ended at 3.02pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date