



AGENDA

Ordinary meeting of the

Nelson City Council

**Thursday 11 June 2015
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership: Her Worship the Mayor Rachel Reese (Chairperson), Councillors Luke Acland, Ian Barker, Ruth Copeland, Eric Davy, Kate Fulton, Matt Lawrey, Paul Matheson (Deputy Mayor), Brian McGurk, Gaile Noonan, Pete Rainey, Tim Skinner and Mike Ward

Opening Prayer**1. Apologies**

Nil

2. Confirmation of Order of Business**3. Interests**

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

4. Public Forum

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

Christopher St Johanser and Moira Bauer of the Brook Valley
Community Group will speak about the Brook Recreation
Reserve Management Plan.

4.2 Nigel Gibbs - Nelson Society of Modellers

Nigel Gibbs of the Nelson Society of Modellers will speak about
the Modellers' Pond at Tahunanui.

4.3 Gayle Petch - Keep Victory Safe

Gayle Petch of Keep Victory Safe will speak about the Local
Alcohol Policy.

5. Confirmation of Minutes

5.1 30 April 2015

13 - 27

Document number M1237

Recommendation

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

6. Status Report - Council - 11 June 2015 28 - 31

Document number R4364

Recommendation

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

7. Mayor's Report

8. Draft Brook Recreation Reserve Management Plan 32 - 38

Document number R4135

Recommendation

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

AND THAT vision 1/vision 2/neither vision (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 hearing panel consisting of an independent chair (Peter Reaburn) and Councillors _____ and _____ hear submissions and make recommendations to Council.

Note: Due to the size of the attachments to the above report, these have been circulated separately.

9. Housing Accord **39 - 64**

Document number R4250

Recommendation

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.

10. Bringing Expenditure Forward for the Nelson School of Music **65 - 68**

Document number R4152

Recommendation

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.

11. Business Case Approach for 2015/16 Projects - Revised Projects Listing **69 - 75**

Document number R4354

Recommendation

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.

12. Modellers' Pond - Detailed Assessment of Options 76 - 115

Document number R4199

Recommendation

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

AND THAT Council note the strong expressions of support for the Modellers' Pond from users and community groups, and the stated interest of the Modellers' Pond supporters to contribute to upgrading this facility;

AND THAT based on this interest to assist, that Council adopt Option 3 – Modify Pond (in report R4199) as the preferred option in order to better quantify the proposed works;

AND THAT detailed design commence on this preferred option;

AND THAT the detailed design of Option 3 – Modify Pond (in report R4199) be consulted on with the appropriate users and community groups to confirm their specific commitment and contribution to its implementation;

AND THAT it be noted that this preferred option may need a separate resource consent or consents;

AND THAT the outcome of this work be included in a report, by way of a Business Case, and reported back to the Community Services Committee to determine a final course of action;

AND THAT it be noted that \$1 Million (for capital works) has been provided in Year 1 (2015/16) of the Long Term Plan 2015 - 25 for this work, and \$60,000 (annual maintenance and operations) has been provided in Year 1 (2015/16) of the Long Term Plan 2015 - 25 but no budget is included for annual maintenance and operations in Years 2-10.

13. Local Government New Zealand Annual General Meeting 116 - 118

Document number R4370

Recommendation

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***

14. Administrative Matters 119 - 135

Document number R4315

Recommendation

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.

REPORTS FROM COMMITTEES

- 15. Planning and Regulatory Committee to deliberate on submissions to the draft Reserves Bylaw - 8 May 2014 136 - 139**

Document number M1239

Recommendation

THAT the confirmed minutes of a meeting of the Planning and Regulatory Committee to deliberate on submissions to the draft Reserves Bylaw, held on 8 May 2014, be received.

Note: During the transition to Infocouncil software, an audit of received and confirmed minutes was undertaken. It was found that the above minutes had not been received by Council.

- 16. Resource Management Act Procedures Committee - 3 October 2014 140 - 142**

Document number M1213

Recommendation

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

Note: During the transition to Infocouncil software, an audit of received and confirmed minutes was undertaken. It was found that the above minutes had not been received by Council.

- 17. Works and Infrastructure Committee - 5 May 2015 143 - 150**

Document number M1200

Recommendation

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

- 18. Planning and Regulatory Committee - 14 May 2015 151 - 158**

Document number M1219

Recommendation

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

19. Community Services Committee - 22 May 2015 159 - 165

Document number M1230

Recommendation

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

20. Hearings Panel - Other - 22 May 2015 166 - 166

Document number M1242

Recommendation

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

21. Governance Committee - 28 May 2015 167 - 174

Document number M1233

Recommendation

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

21.1 Appointment of Trustee to the Nelson Municipal Band Trust

Recommendation to Council

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.

21.2 Business case approach for 2015/16 projects - Further Information

Recommendation to Council

THAT projects highlighted yellow in document A1331113 follow a business case approach subject to the following amendments:

- ***Clarification of Neighbourhood Reserve***
- ***Completion of schedule with missing additional information requested from the***

***Audit, Risk and Finance Subcommittee
including criteria discussed***

- ***Indications of projects that are subject to separate reporting processes***
- ***Addition of Rutherford Playground***

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

Recommendation to Council

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.

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

Recommendation to Council

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.

PUBLIC EXCLUDED BUSINESS

22. Exclusion of the Public

Recommendation

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Public Excluded - 30 April 2015	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	Status Report - Council - 11 June 2015	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Environmental Inspections Ltd Contract Renewal for period 2015 - 2018	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	Resource Management Act Procedures Committee Meeting - Public Excluded - 3	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	October 2014	information for which good reason exists under section 7.	disadvantage, negotiations (including commercial and industrial negotiations)
5	Works and Infrastructure Committee Meeting - Public Excluded - 5 May 2015	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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
6	Community Services Committee Meeting - Public Excluded - 22 May 2015 These minutes contain information regarding: Community Leases	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)(j) To prevent the disclosure or use of official information for improper gain or improper advantage. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
7	Governance Committee Meeting - Public Excluded - 28 May 2015 These minutes contain information regarding: Bishop Suter Trust Negotiations Property Assets Review	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. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

23. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note:

- **This meeting is expected to continue beyond lunchtime.**
- **Lunch will be provided at 12.30pm.**
- **Youth Councillors Hannah Malpas and Bronte Shaw will be in attendance at this meeting.**
- **Nelson City Youth Councillors will join the meeting for morning tea.**

Minutes of a meeting of the Nelson City Council

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

On Thursday, 30 April 2015, commencing at 9.04am

Present: Her Worship the Mayor R Reese, 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: Youth Councillors R McManus and K Phipps, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Group Manager Strategy and Environment (C Barton), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Administration (P Langley), and Administration Adviser (S McLean)

Apology: Councillor K Fulton for lateness

Opening Prayer

Councillor Davy gave the opening prayer.

1. Apology

Resolved

THAT the apology be received and accepted from Councillor Fulton for lateness.

Her Worship the Mayor/Matheson

Carried

2. Confirmation of Order of Business

Late Item Memo A1349596 refers.

2.1 Governance Committee – 16 April 2015

Resolved

THAT the item regarding Governance Committee – 16 April 2015 be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable timely consideration of recommendations to Council.

Davy/Acland

Carried

2.2 Governance Committee – 16 April 2015 – Public Excluded

Resolved

THAT the public excluded item regarding Governance Committee – 16 April 2015 be considered at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable timely consideration of recommendations to Council.

Barker/Noonan

Carried

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 19 March 2015

Document number A1332453, agenda pages 9-30 refer.

Resolved

THAT the minutes of the meeting of the Nelson City Council, held on 19 March 2015, be confirmed as a true and correct record.

Ward/McGurk

Carried

5.2 23 March 2015

Document number A1334062, agenda pages 31-44 refer.

An error was highlighted on page 7 of the minutes, with the word 'uptake' to replace 'update'.

Resolved

THAT the amended minutes of the meeting of the Nelson City Council, held on 23 March 2015, be confirmed as a true and correct record.

Noonan/Rainey

Carried

6. Status Report

Document number A1168168, agenda pages 45-46 refer.

In response to a question, the Chief Executive, Clare Hadley, advised the campground review would likely be reported to the Community Services Committee by the end of the financial year.

In response to a question on the Local Alcohol Policy, Mrs Hadley advised the relevant cases had been heard and were not under appeal. She said further work on the Policy would be prioritised accordingly.

There was discussion on the gondola proposal. Group Manager Community Services, Chris Ward, advised the proposal was waiting on the Recreation Reserve Management Plan, which would be presented to Council on 14 May 2015. It was confirmed Cycle Lift Society Inc had been involved in the Recreation Reserve Management Plan development.

It was suggested that a further action resolution on the gondola had been missed from the status report. Officers agreed to look into this and add further detail if necessary.

Resolved

THAT the Status Report (A1168168) be received.

Davy/Matheson

Carried

7. Mayor's Report

Document number A1342324, agenda pages 47-49 refer.

Resolved

THAT the Mayor's Report (A1342324) be received.

Her Worship the Mayor/Ward

Carried

8. Trafalgar Centre Reopening – Update

Document number A1343770, agenda pages 50-55 refer.

Consulting Engineer, Richard Kirby, presented the report.

In response to concerns, Mr Kirby advised the timeline for the Trafalgar Centre Reopening was tight but achievable. He said there had been no damage to the Centre from the recent earthquake.

Attendance: Councillor Fulton joined the meeting at 9.30am.

In response to a question, the Chief Executive, Clare Hadley, advised that officers were currently working on a contract for marketing Council venues, to ensure Council was ready to work with organisations wishing to book the Centre.

The Deputy Mayor complimented Mr Kirby and his team on public involvement and communications on the project to date.

Resolved

THAT the report Trafalgar Centre Reopening – Update (A1343770) be received.

Her Worship the Mayor/Matheson

Carried

9. Rutherford Park Upgrade – Roothing and Carparking

Document number A1344077, agenda pages 56-63 refer.

Consulting Engineer, Richard Kirby, and Parks and Facilities Asset Planner, Andrew Petheram, presented the report.

There was discussion on Rutherford Park parking design and the consultation which had been carried out to date. It was noted that a balance was needed between parking at the Trafalgar Centre and parking at Rutherford Park.

It was confirmed the reference to roading in the staff recommendation included relevant footpaths. It was also advised that if minor design changes were required, which did not impact the overall intention of the approved design, these could be addressed without further consultation.

In response to a question, it was advised the Trafalgar Centre roading and carpark budget in the Long Term Plan 2015-25 was \$1.9 million, which included cost savings from the use of the existing carpark at Rutherford Park. It was confirmed that this budget was less than the original budget proposed, and included a 30% contingency allowance.

Mr Kirby advised that a detailed budget for roading and carparking would be reported to Council in June 2015.

There was discussion on community buildings at the Park. It was confirmed that relevant groups had been advised of the provision for the buildings to remain at this time.

In response to questions, Mr Petheram advised there was no budget allowance to prepare grass at the Park for overflow carparking. He confirmed that use of the old tennis courts for carparking was a temporary measure, and this land would be used for recreation in the future. Mr Petheram said turning the courts into recreation area was not included in the \$1.9 million budget, but would only be a minor modification.

In response to a question about the reference to lawns at section 7.1 of the officer's report, Mr Kirby advised this was only lawns associated with material removed during roading and carparking works. He clarified that any material dug out would be redistributed, levelled and grassed.

It was confirmed that a section on Rutherford Park would be included in Long Term Plan 2015-25 deliberations reporting.

It was suggested that improvements could be made in articulating the timeline for Rutherford Park development to community groups.

Resolved

THAT the report Rutherford Park Upgrade – Roothing and Carparking and its attachments A1205436 and A1344245 be received;

AND THAT the roading and carparking amendments to the Concept Plan July 2013 (A1205436) as outlined in Amended Concept Plan April 2015 (A1344245) be approved;

AND THAT approval be given to initiate detailed design and consenting work for the roading and carpark components of the Concept Plan April 2015, with the intention of completing the detailed design and the physical works concurrently with the Trafalgar Centre Project as part of the Early Contractor Involvement process;

AND THAT some of the budget allocated in the Long Term Plan 2015/25 be brought forward to cover costs associated with progressing this project in 2014/15.

Matheson/Her Worship the Mayor

Carried

REPORTS FROM COMMITTEES

10. Planning and Regulatory Committee to hear submissions to the draft Urban Environments Bylaw – 12 March 2015

Document number A1333233, agenda pages 64-67 refer.

Attendance: Councillor Lawrey left the meeting at 10.08am.

Resolved

THAT the minutes of a meeting of the Planning and Regulatory Committee to hear submissions to the draft Urban Environments Bylaw, held on 12 March 2015, be received.

McGurk/Fulton

Carried

11. Works and Infrastructure Committee – 26 March 2015

Document number A1335846, agenda pages 68-75 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Works and Infrastructure Committee, held on 26 March 2015, be received.

Davy/Copeland

Carried

12. Planning and Regulatory Committee – 2 April 2015

Document number A1339761, agenda pages 76-80 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 2 April 2015, be received.

McGurk/Barker

Carried

12.1 Fees and Charges: Consents and Compliance (non RMA) 2015 - 2016

Resolved

THAT the Dog Control Fees and Charges for 2015 - 2016 be adopted as detailed in Attachment 1 to Report A1318731;

AND THAT the Environmental Health and other activities fees and charges for 2015-2016 be adopted as detailed in Attachment 2 to Report A1318731;

AND THAT the Provision of Property Information Fees and Charges for 2015-2016 be adopted as detailed in Attachment 3 to Report A1318731;

AND THAT the charges for Dog Control, Environmental Health and Provision of Property Information activities apply as from 1 July 2015

until such time as they are varied or amended by Council;

AND THAT the Dog Control charges be publicly advertised in accordance with Section 37(6) of the Dog Control Act 1996.

McGurk/Davy

Carried

13. Planning and Regulatory Committee to deliberate on submissions to the draft Urban Environments Bylaw – 2 April 2015

Document number A1340037, agenda pages 81-85 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee to deliberate on submissions to the draft Urban Environments Bylaw, held on 2 April 2015, be received.

McGurk/Fulton

Carried

13.1 Analysis of Submissions on the draft Urban Environments Bylaw

Her Worship the Mayor raised concerns that the Planning and Regulatory Committee had made a decision on sandwich boards which was not consistent with feedback from submitters.

Attendance: Councillor Lawrey returned to the meeting at 10.15am.

It was suggested by several members of the Committee that the decision on sandwich boards was in line with submitter feedback as it resulted in a clear footpath, with boards being moved to the kerb to join other obstructions.

Attendance: Councillor Rainey left the meeting at 10.19am.

It was pointed out that moving sandwich boards to the kerbside created an additional hazard for vehicles. It was also suggested that sandwich board placement was currently adhoc and the current bylaw was ineffective.

Attendance: Councillor Rainey returned to the meeting at 10.21am.

The Chairperson of the Planning and Regulatory Committee advised there had been differences in the Blind Citizens Association's written and verbal submissions, in relation to placement of sandwich boards.

It was suggested the placement of sandwich boards along the kerb may create resource consent issues, and the Planning and Regulatory

Committee may wish to consider the matter further. It was highlighted that the Committee may also wish to assess the costs and benefits associated with its decision on sandwich boards.

A view was expressed that the boards should be removed entirely to promote clear pathways and a cleaner look to the inner city.

A motion was moved by Councillor McGurk and seconded by Councillor Fulton.

THAT the amended draft Urban Environments Bylaw reflecting the Planning and Regulatory Committee's decisions on submissions, be adopted, taking effect from 2 June 2015.

In response to a question, Manager Planning, Matt Heale, advised that if a section of the draft Urban Environments Bylaw was sent back to the Planning and Regulatory Committee for further consideration, the remainder of the Bylaw should be adopted due to the expiry date of several parts of the Bylaw.

Further concern was raised about taking into account community views, and potential unintended consequences resulting from altering legislation.

An amendment was proposed and moved by Her Worship the Mayor and seconded by the Deputy Mayor.

THAT the amended draft Urban Environments Bylaw (excepting provisions 5.14-5.16 relating to sandwich boards), reflecting the Planning and Regulatory Committee's decisions on submissions on 2 April 2015, be adopted, taking effect from 2 June 2015;

AND THAT sections 5.14-5.16 of the amended draft Urban Environments Bylaw relating to sandwich boards be referred back to the Planning and Regulatory Committee for further consideration.

The amendment was put and a division was called.

Councillor Acland	Aye
Councillor Barker	Aye
Councillor Copeland	No
Councillor Davy	No
Councillor Fulton	No
Councillor Lawrey	No

Councillor Matheson	Aye
Councillor McGurk	Aye
Councillor Noonan	Aye
Councillor Rainey	No
Councillor Skinner	Aye
Councillor Ward	No
Her Worship the Mayor	Aye

The amendment was carried 7-6 and became the substantive motion.

Resolved

THAT the amended draft Urban Environments Bylaw (excepting provisions 5.14-5.16 relating to sandwich boards), reflecting the Planning and Regulatory Committee's decisions on submissions on 2 April 2015, be adopted, taking effect from 2 June 2015;

AND THAT sections 5.14-5.16 of the amended draft Urban Environments Bylaw relating to sandwich boards be referred back to the Planning and Regulatory Committee for further consideration.

Her Worship the Mayor/Matheson

Carried

14. Governance Committee – 16 April 2015

Document number A1345178, late item memo A1349596 refers.

Attendance: Councillor Matheson declared an interest and left the meeting at 11.05am.

Group Manager Community Services, Chris Ward, provided a correction on the item Nelson Events Strategy Funding Application South Island Masters Game. He advised that only \$20,000 of the stated \$65,000 had been secured from the Canterbury Community Trust, with the balance yet to be secured from other applications.

In response to concerns raised, Mr Ward advised the original officer recommendation would not have changed if this information had been provided earlier, as the reputation of the event and previous funding made it a secure sponsorship opportunity.

It was agreed that if officers had any future reason to be concerned on the matter, it would be discussed with the Governance Committee Chairperson.

Resolved

THAT the unconfirmed minutes of a meeting of the Governance Committee, held on 16 April 2015, be received.

Barker/Davy

Carried

Attendance: Councillor Matheson returned to the meeting at 11.11am.

14.1 Procurement Policy and Debt Management Process

Attendance: Councillor Rainey declared an interest and left the meeting at 11.11am.

Resolved

THAT the Nelson City Council Procurement Policy January 2015 (A1293789) be approved.

Barker/McGurk

Carried

Attendance: Councillor Rainey returned to the meeting at 11.12am.

14.2 The Bishop Suter Trust draft Statement of Intent 2015/2016 and Half Yearly Report

Resolved

THAT the draft Bishop Suter Trust Statement of Intent 2015/16 (A1327762) be approved as the final version.

Barker/Acland

Carried

14.3 Corporate Report for the Period Ending 31 January 2015

Resolved

THAT the landfill charges be increased from \$114 per tonnes (inclusive of GST) to \$121 (inclusive of GST) effective 15 May 2015;

AND THAT landfill users be given two weeks notice of the increase in landfill charges;

AND THAT approval is given for a transfer of all capital expenditure and debt relating to the Maitai Walkway to be made from the Inner City Enhancement account to the Unsubsidised

Roading account in order to properly account for interest and debt in future years.

Barker/Acland

Carried

14.4 Liability Management and Investment Policies

Resolved

THAT the Liability Management Policy (A1261456) and Investment Policy (A1261457), with amendments from the Audit, Risk and Finance Subcommittee, be adopted.

Barker/McGurk

Carried

14.5 Tourism Nelson Tasman Ltd draft Statement of Intent 2015/16 and Half Yearly Report

Attendance: Councillor Fulton left the meeting at 11.16am.

Resolved

AND THAT the Governance Committee refer back to Council the draft Statement of Intent (A1325267) for consideration.

Barker/McGurk

Carried

Group Manager Community Services, Chris Ward, tabled a recommendation regarding the Tourism Nelson Tasman Ltd draft Statement of Intent 2015/16 (A1351389).

Councillors discussed the officer recommendation and made changes to align direction to the Tourism Nelson Tasman Board with Council's expectations.

It was agreed that activities should be prioritised based on return on investment, and the focus should be on what can be achieved instead of what will no longer be included.

In response to a question, Mr Ward advised the review of Nelson Tasman Tourism, along with other economic service providers, would be reported to the Governance Committee at its meeting on 28 May 2015. He advised that Council needed to provide feedback on the draft Statement of Intent prior to the outcome of the review due to the 30 June legislative deadline.

It was suggested that information on the value of the Boards proposed activities for the coming year would be beneficial.

Resolved

THAT the Tourism Nelson Tasman Board be asked to make the following changes to the draft Statement of Intent (A1325267):

- **Add an objective, performance measure and target in relation to leveraging tourism opportunities from events, both programmed and unprogrammed**
- **Provide separate reporting and financial information on Nelson City and Tasman District Council funding**
- **Provide increased information on trends, how Nelson Tasman Tourism will respond to them**
- **Include a work stream in relation to marketing of Nelson within New Zealand to campervans and independent travellers**
- **Prioritise activities by return on investment focussing on the areas that will deliver greatest benefit.**

Barker/Acland

Carried

Attendance: Councillor Noonan left the meeting at 11.41am.

14.6 The Nelson Regional Economic Development Agency draft Statement of Intent 2015/16 and Half Yearly Report

Attendance: Councillor Noonan returned to the meeting at 11.44am.

Resolved

THAT the draft Nelson Regional Economic Development Agency Statement of Intent (A1323928) be approved with the following amendments:

- **Removal of Horoirangi from table 4.3;**
- **Removal of the reference to the convention centre on page 163 under Physical Infrastructure.**

Barker/Davy

Carried

15. Joint Shareholders Committee 17 April 2015

Document number A1345011, agenda pages 86-91 refer.

Attendance: Councillor Lawrey left the meeting at 11.47am.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson City Council Tasman District Council Joint Shareholders Committee, held on 17 April 2015, be received.

Davy/Barker

Carried

16. Civil Defence Emergency Management Group – 17 April 2015

Document number A1344996, agenda pages 92-93 refer.

Resolved

THAT the unconfirmed minutes of a meeting of the Nelson Tasman Civil Defence Emergency Management Group, held on 17 April 2015, be received.

Matheson/Ward

Carried

17. Exclusion of the Public

Attendance: Councillor Lawrey returned to the meeting at 11.49am.

Resolved

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
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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	Council Minutes – Public Excluded – 19 March 2015	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)(g) To maintain legal professional privilege • Section 7(2)(i) To carry out negotiations
2	Status Report – Council 30 April 2015 This report contains information regarding: <ul style="list-style-type: none"> • Plan Change 18 Appeals • Rugby Opportunity 	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	<ul style="list-style-type: none"> • The withholding of the information is necessary: Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(i) To carry out negotiations
3	Trafalgar Centre Reopening - Update This report contains information regarding: <ul style="list-style-type: none"> • Tender Assessments 	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)(i) To carry out negotiations
4	Joint Shareholders Committee - Public Excluded Minutes – 17 April 2015	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)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations

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>Governance Committee – Public Excluded Minutes – 16 April 2015</p> <p>These minutes contain information regarding:</p> <ul style="list-style-type: none"> Nelmac Limited draft Statement of Intent 2015/16 and Half Yearly Report Nelson Airport Limited – Airport Land Nelson Airport Limited Proposed Constitutional Changes 	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(h) To carry out commercial activities Section 7(2)(i) To carry out negotiations

Her Worship the Mayor/Skinner

Carried

Attendance: Councillor Skinner left the meeting at 11.50am.

The meeting went into public excluded session at 11.51am and resumed in public session at 12.50pm, during which time Councillors Skinner and Fulton returned to the meeting.

1. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Matheson

Carried

There being no further business the meeting ended at 12.50pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

REPORT R4364

Status Report - Council - 11 June 2015

1. Purpose of Report

- 1.1 To provide an update on the status of actions requested and pending.

2. Recommendation

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

Shailey McLean
Administration Adviser

Attachments

Attachment 1: Status Report - Council - June 2015

Public Status Report – Council 11 June 2015

Date of meeting/Item	Action Resolution	Officer	Status
2/4/2013 - Council Nelson Gondola and Adventure Park: Feasibility Study	<p><u>THAT</u> the Nelson Cycle Lift Society Incorporated be granted \$15,000 towards a feasibility study for the establishment of a gondola and adventure park, subject to the Cycle Lift Society:</p> <ul style="list-style-type: none"> • funding the remaining costs of the feasibility study; • undertaking to provide Council with the results of the feasibility study by 31 December 2013; <p><u>AND THAT</u> it be noted that Council has neither considered nor taken a position on, the proposal for a gondola and adventure park in either of its roles as landowner and/or regulator.</p>	Chris Ward	<p>11/06/15</p> <p>Council has signalled support in principle for the gondola concept through its LTP consultation document. The Society is developing a detailed business case and has given feedback to the Brook Recreation Reserve Management Plan process. The outcomes from those processes will inform the Society's next steps.</p> <p>Note: No further action resolutions have been made since 2/4/13.</p> <p>Ongoing</p>
19/6/2014 – Council Trafalgar Centre – Way Forward to Reopening	<p><u>AND THAT</u> Council approve up to \$450,000 to appoint a project manager, who will drive the investigation process necessary to inform the preparation of concept design and deliver first iteration plans to Council;</p>	Alec Louverdis	<p>11/06/15</p> <p>Council recently, as part of the Chief Executives report tabled at the May 2015 LTP deliberation meeting, approved the bringing forward of \$250,000 from 2015/16 to 2014/15 to cover work required under the Early Contractor Involvement process. A follow up report will be tabled at an upcoming Council meeting detailing progress and costs to re-open the Centre.</p> <p>Ongoing</p>

Date of meeting/Item	Action Resolution	Officer	Status
11/12/2014 – Council Solid Waste: Regional Landfill Implementation	<u>AND THAT</u> the binding deed be brought back to Council before signing for ratification; <u>AND THAT</u> in line with the 20 November 2014 resolution, further work be undertaken in 2015 to determine whether the effectiveness and efficiency of solid waste management activities can be improved across the two districts, and if so to undertake a more fundamental review of the activities;	Alec Louverdis	11/06/15 Following the recent decision by TDC not to sign any regional landfill deed with NCC, officers, the Mayor and Councillor Acland continue to work with TDC to allow a deed to be signed. Those discussions have now agreed further work to be done by Deloitte. The timeframe for that will be advised at a future meeting. NCC budgets have however been amended accordingly for 2015/16. Ongoing
19/3/2015 1. Acquisition of Land for the Maitai/Mahitahi Walkway	<u>THAT</u> Council approve the issue of a Notice of Intention to take the freehold interest in 45m ² of land comprised in Computer Freehold Register NL18/19 for a shared cycleway and pedestrian walkway, and requests the Governor General execute a proclamation taking the land and vesting it in Council for such purpose, pursuant to the Public Works Act 1981; <u>AND THAT</u> Council, by resolution, declares the land to be a reserve within the meaning of the Reserves Act 1977 to be held for local purpose (esplanade) reserve following the completion of the compulsory acquisition process.	Michael Homan	11/6/15 Work scheduled, but not yet commenced. Scheduled

Date of meeting/Item	Action Resolution	Officer	Status
30/4/2015 – Council 2. Rutherford Park Upgrade – Rooding and Carparking	<u>AND THAT</u> approval be given to initiate detailed design and consenting work for the rooding and carpark components of the Concept Plan April 2015, with the intention of completing the detailed design and the physical works concurrently with the Trafalgar Centre Project as part of the Early Contractor Involvement process;	Richard Kirby/Andrew Petheram	11/6/15 The detailed design of the rooding and carparking aspects of the concept plan has commenced as part of the Early Contractor Involvement phase of the Trafalgar Centre. The final design and costs will be completed by the end of July 2015. Note: As a result of Long Term Plan deliberations, a report on the development of Rutherford Park together with an update on the Trafalgar Centre is in preparation for the 23 July Council Meeting. Ongoing
30/4/2015 – Council 3. Analysis of Submissions on the draft Urban Environments Bylaw	<u>AND THAT</u> sections 5.14-5.16 of the amended draft Urban Environments Bylaw relating to sandwich boards be referred back to the Planning and Regulatory Committee for further consideration.	Matt Heale	11/6/15 Report being presented to the Planning and Regulatory Committee at its meeting on 25 June. Referred

REPORT R4135

Draft Brook Recreation Reserve Management Plan

1. Purpose of Report

- 1.1 To approve the draft Brook Recreation Reserve Management Plan for consultation.
- 1.2 To consider indicating a preferred vision.

2. Delegations

- 2.1 The Community Services Committee referred this matter back to Council due to the level of public interest.

3. Recommendation

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

AND THAT vision 1/vision 2/neither vision (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 hearing panel consisting of an independent chair (Peter Reaburn) and Councillors _____ and _____ hear submissions and make recommendations to Council.

4. Background

- 4.1 Council has previously signalled its intention to develop a Reserve Management Plan (RMP) for the area that includes the Brook Motor Camp.
- 4.2 The process for adoption of an RMP is prescribed by section 41 of the Reserves Act (1977). Briefly, the steps are as follows:

- 4.3 A public notice of Council's intention to develop a RMP is published
- Written suggestions are invited
 - A draft RMP is prepared, giving consideration to the written comments received
 - Public notice of the draft RMP is given, and objections or suggestions are invited over a two month period
 - An opportunity is given for any person asking to be heard in support of his or her objection or comment
 - The RMP can then be amended in light of submissions and is then approved.
- 4.4 Written suggestions were invited between 24 November 2014 and 16 January 2015. In addition, one-on-one meetings took place with key stakeholders, several meetings were held with Brook Camp residents and a public meeting was held in the Council Chamber on 17 February 2015.
- 4.5 A copy of all the suggestions and comments received through this process is attached (Attachment 1).
- 4.6 Feedback included reference to the following issues:
- Maintain and upgrade provision for casual camping within the Reserve,
 - Maintain provision for long-term accommodation for residential campers,
 - Support the work and activities of the Brook Waimarama Sanctuary,
 - Maintain the site as relatively undeveloped and 'natural',
 - Limit commercial activities on site to only camping,
 - Protect, maintain and enhance the Brook Stream,
 - Include provision for local day-use of the site and provide better casual access to the Brook Stream and other park-style picnic facilities,
 - Gazette the land as recreation reserve under the Reserves Act,
 - Develop the Eureka Park concept on the Reserve to honour Nelson's sister city relationship with Eureka,
 - Support a wide range of outdoor activities, including biking, walking, tramping and nature appreciation,
 - Support and opposition for providing for a cycle lift – a gondola – and other associated services and facilities within the Reserve,

- Support and opposition for relocating the Brook Conservation Education Centre to within the Reserve,
- Concern over adverse traffic effects on Brook Valley residents if additional development occurs within the Reserve, such as an education facility and a gondola.

4.7 The draft Reserve Management Plan has been developed taking into account these suggestions.

4.8 Concern was also raised about the legality of preparing a single management plan for an area with land administered as recreation reserve under the Reserves Act as well as freehold land administered under the Local Government Act. This is not an issue, as discussed in section 2 (page 8) of the draft Reserve Management Plan.

5. Discussion

5.1 There are several key issues that need to be addressed in the management plan. These are discussed in detail in the following sections.

Vision for the reserve area

5.2 One of the key tasks for Council is to articulate its vision for the area. This should then drive the policies and objectives. Two possible visions have been included in the draft Plan:

5.2.1 Vision 1: *'The Brook Recreation Reserve is a significant destination for domestic and international visitors to Nelson and Tasman and operates as a tourism hub, while also serving the local community as an environmental education, outdoor recreation and conservation landmark.'*

5.2.2 This vision drives policies and objectives that develop the Reserve as a tourism hub as well as for community use.

5.2.3 Vision 2: *'The Brook Recreation Reserve provides environmental education, outdoor recreation and conservation services for the regional community, supporting the work of the Brook Waimarama Sanctuary Trust and providing a camping opportunity.'*

5.3 This vision drives policies and objectives that develop the Reserve as a place primarily for community use.

5.4 Whilst Council could decide not to state a preference at this stage, it is recommended that a preference is stated in order to inform the consultation.

Camping and Residential Camping

5.5 The provision of a camp ground for visitors has been identified as being an important role for the reserve. The draft Plan makes provision for 55-65 camp sites and suggests that open space area is allocated adjacent to

the Brook Stream for casual recreation and as a picnic area for campers and Nelson residents.

- 5.6 The draft Plan has also considered the issue of residential camping. A relocatable home park could be created in the area of the camp known as Fantail Glade. The right to stay there could be restricted by a sunset clause reviewed every five years. i.e. no new residential camping would be permitted but those already present in the camp would have the right to stay there.
- 5.7 If Council supports this option it would need to define the area as a relocatable home park and ensure compliance in relation to the provision of services and the NRMP.
- 5.8 In order to comply with the legislation and district plan, residents would need to make their homes truly relocatable; this is likely to impose costs on those residents. However, in meeting these requirements, the residents would have more certainty over their future living arrangements. The consequences of not meeting requirements would need to be made clear and enforced.

Land Status and Management

- 5.9 The area occupied by the Brook Motor Camp comprises land with different zonings under the NRMP and different legal status. The draft Plan recommends consolidating the entire area as a gazetted recreation reserve and stopping the road that runs through the camp. This would simplify administration of the reserve in the longer term.
- 5.10 The draft Plan recognises that one administering body is required to oversee the implementation of the Reserve Management Plan. The administering body could be Council, or it could be a Reserve Board. In either case, a Comprehensive Development Plan is required to ensure the policies and objectives of the Reserve Management Plan are implemented in a coherent manner.
- 5.11 A Reserve Board is recommended because there is likely to be an ongoing tension between different users of the area (draft Plan, section 7.9.1). Whilst Council could manage these through its lease arrangements with the different parties, it would seem easier to ensure co-ordination of development and management of leaseholders if a Reserve Board is formed.
- 5.12 Effectively, Council would delegate responsibility for implementation of the Reserve Management Plan to the Board. However, it could retain some decision making powers as it saw fit e.g. in relation to fees and charges for any permanent residents.

Existing development proposals

- 5.13 The land leased by the Brook (Waimarama) Sanctuary Trust is not included in this draft Plan. However, it is recognised that part of the function of the area covered by the Plan will be to support the Brook

Sanctuary. Provision is therefore made under both visions for structures related to the Sanctuary.

- 5.14 Similarly, the Brook Conservation Education Centre has previously been provided for in the Brook (although not in the area covered by this Management Plan). Provision for the Centre has also been made.
- 5.15 The Eureka Park concept has been identified previously in Council's Parks Activity Management Plans and in LTP's to recognise the Sister City Relationship with Eureka, USA.

New development proposals

- 5.16 The Nelson Cycle Lift Society has proposed the construction of a gondola to lift cycles and people to the top of Fringed Hill. This or a similar tourism development would only be compatible with Vision 1. If a tourism development was to be supported, the draft Plan seeks to restrict its footprint to avoid over development of the Reserve, particularly in relation to car parks. Off site car parking may need to be considered, depending on the development.
- 5.17 The draft plan notes that many of the large-scale development proposals for use of the Reserve would require resource consent under the NRMP, and that while the management plan can state that some developments may be appropriate or desired, it cannot be the final word in approving their construction.
- 5.18 One option in the draft Plan is to provide for a generic tourism-activity hub without prescribing specific development (section 7.6.3). This would support vision 1 but would give more development options if the Gondola proposal does not proceed in the reserve area.

Hearing of Submissions

- 5.19 There is significant public interest in this piece of work and officers recommend that a hearing panel is convened to hear submissions on the draft plan, and that the Panel consist of an independent chair and two Councillors. The Panel would hear submissions and make recommendations to Council on any changes to the draft Plan.
- 5.20 Peter Reaburn has been identified as the Chair. He is a Director and Planning Manager based in Cato Bolam's Henderson office, and manages the company's planning services. He is an accredited Hearings Commissioner and has more than 30 years' experience in strategic and statutory planning.
- 5.21 It is recommended that two Councillors be appointed to sit on the hearings panel.
- 5.22 Council would receive and consider the recommendations from the Panel before finally adopting the Plan.

6. Options

- 6.1 The Council can either release the draft Reserve Management Plan for consultation as is, or with amendments, or it could signal at this stage its own preference in relation to the proposed vision.
- 6.2 Officers recommend that Council release the draft Plan for consultation and that it states its preference in relation to the Vision. This would give some guidance to the community and help shape the consultation response.
- 6.3 The nature and make up of a hearing panel is not prescribed under the Reserves Act. Council could decide on a different composition than that recommended. However, it is believed that a smaller Panel, chaired by an independent chair, is the most efficient and effective model given the high level of public interest and the range of views likely to be expressed through the submissions process.

7. Alignment with relevant Council policy

- 7.1 The draft Reserve Management Plan has been developed following Council direction, and is not inconsistent with Council policy. Once the final Plan is adopted there will need to be provision made for its implementation. The level of provision will depend on the decisions following the public consultation period.
- 7.2 As noted in the draft Plan, the draft supports several of the Nelson 2060 goals, including:
 - We are all able to be involved in decisions
 - Our natural environment - air, land, rivers and sea - is protected and healthy
 - We are able to rapidly adapt to change
 - Our economy thrives and contributes to a vibrant and sustainable Nelson
 - Nelson is a centre of learning and practice in Kaitiakitanga and sustainable development
 - Everyone in our community has their essential needs met.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 This is not a significant decision for Council. However, previous decisions relating to the Brook Camp have generated widespread public interest and it is likely that the draft Reserve Management Plan will do likewise. It is believed that the level of engagement prescribed in the Reserves Act is appropriate.

9. Consultation

- 9.1 Once released, the draft Plan will be open for submissions for a period of 2 calendar months, as required under the Reserves Act. Following that there is an opportunity for submitters to be heard prior to final recommendations being made to Council.

10. Inclusion of Māori in the decision making process

- 10.1 Maori will have an opportunity to submit through the consultation process. Iwi have also had the opportunity to provide early comments on what the Plan should cover.

11. Conclusion

- 11.1 A draft Brook Recreation Reserve Management Plan has been prepared following an initial feedback process. Officers recommend that this is released for public consultation, and that submissions are heard by a Panel consisting of an independent chair and two Councillors.

Chris Ward

Group Manager Community Services

Attachments

- Attachment 1: Public suggestions for the development of Brook Recreation Reserve Management Plan (A1340667) (*Circulated separately*)
- Attachment 2: Brook Reserve Management Plan draft for Consultation ver 1 (A1365018) (*Circulated separately*)

REPORT R4250

Housing Accord

1. Purpose of Report

- 1.1 This report is in response to a resolution by Council on 26 February 2015, where Council agreed in principle to entering into the Housing Accord.
- 1.2 Council officers were asked to negotiate with the Minister of Building and Housing's office over the final form of the Housing Accord in collaboration with Tasman District Council. Council officers have done this and now bring the revised Housing Accord back to Council for signing.

2. Delegations

- 2.1 The Housing Accord is provided for under the Housing Accord and Special Housing Areas Act 2013. No committee of Council has delegations for this piece of legislation and therefore the matter needs to be considered by the full Council.

3. Recommendation

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.

4. Background

- 4.1 The Hon Dr Nick Smith, Minister of Building and Housing, has asked both Nelson City Council and Tasman District Council to enter into a Housing Accord which is provided for in the Housing Accord and Special Housing Areas Act 2013 (HASHA). The purpose of the HASHA is to: "Enhance housing affordability by facilitating an increase in land and housing

supply in certain regions or districts identified as having housing supply and affordability issues" (s.4).

- 4.2 Both Councils have been added to Schedule 1 of HASHA as areas experiencing housing supply and affordability issues.
- 4.3 Report A1303852 in Attachment 1 was received by Council on 26 February 2015 and included a draft Housing Accord. Council agreed in principle to entering into the Housing Accord, but sought that officers bring back the final wording of the Accord to Council for approval following negotiations with the Minister of Building and Housing.
- 4.4 Officers from Nelson City Council and Tasman District Council have worked together with staff from the Ministry of Business, Innovation and Employment to draft separate but aligned Housing Accords. The draft of Nelson City Council's Accord has been approved by the Minister's office for signing. The Minister and Mayor Richard Kempthorne signed Tasman District Councils Housing Accord on 15 May 2015.
- 4.5 The Housing Accords and Special Housing Act has repeal dates included within it: the provisions relating to Special Housing Areas are repealed effective 16 September 2016; the remainder of the Act is repealed effective 16 September 2018.

5. Discussion

Housing Accord

- 5.1 The Government seeks to facilitate land supply for housing and considers that increased land supply will result in greater housing choice and affordability.
- 5.2 The Accord will provide the basis for collaboration between the Government and Council to support an increase in housing and improve housing affordability in Nelson. The Accord recognises that by working collaboratively the Government and the Council can achieve better housing outcomes for the Nelson. The Accord provides targets in section 14 for the number of serviced residential lots issued with title and the number of building consents issued per year.
- 5.3 Housing Accords can identify Special Housing Areas (SHA) which are eligible for progression under the powers of the Act, however neither the Tasman nor the Nelson City Council Accords identify SHA's. It is not necessary to include SHA's in the Accord at the point of signing, as they can be added at a future date once engagement with the community, including developers, is undertaken.
- 5.4 The signing of an Accord establishes a Joint Housing Steering Group for governance of the Accord, which includes the Mayor, Deputy Mayor, Minister and Associate Minister of Building and Housing. The Steering Group can amend the Accord, including the targets. The Steering Group establish an Officials Working Group who advance implementation of the Accord and report to the Steering Group on progress (monitoring is

required). The Officials Working Group consists of up to two Nelson City Council officers, staff from the Ministry of Business Innovation and Employment, and staff from the New Zealand Transport Agency, who report annually to the Steering Group.

- 5.5 To align with disestablishment clauses in the Act, the Accord will terminate on 16 September 2016 if not already terminated by either party.

6. Options

- 6.1 Council resolved on 26 February to enter into a Housing Accord with the Minister of Building and Housing. Officers have drafted the Accord with Tasman District Council officers and staff from the Ministry of Business, Innovation and Housing. The draft Accord has been approved in principle by the Ministers office who have advised that the Minister wishes to sign the Accord at the Council meeting on 11 June 2015.
- 6.2 The Council has no obligation to enter into a Housing Accord. However, if the Council does not, then the Minister of Building and Housing may, at his discretion, declare Special Housing Areas and the Chief Executive of the Ministry of Business, Innovation and Employment will be empowered to process resource consents. If the Council enters into an Accord, the Council can recommend Special Housing Areas to the Minister of Building and Housing for declaration through an Order in Council.

7. Alignment with relevant Council policy

- 7.1 Signing an Accord is not inconsistent with Council policy. If special housing areas are identified it would have an impact on the Nelson Resource Management Plan, however this would be addressed in a future report.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 The signing of a Housing Accord is not a significant decision for Council. Albeit the outcomes that have the potential to be delivered through the actions agreed to in the Accord and through any future identification of SHA's have the potential to deliver more affordable housing.

9. Consultation

- 9.1 No structured consultation has occurred regarding Council signing an Accord. Signing an Accord only directly impacts on the operations of Council. It is not until areas are considered as Special Housing Areas (SHA's) that there is a direct impact. The process of identifying SHA's will require extensive consultation to be undertaken. This is a future stage of work.

10. Inclusion of Māori in the decision making process

10.1 No specific consultation has taken place with Maori.

11. Conclusion

11.1 The Government has the expectation that Nelson City Council will enter into the attached Housing Accord. There is merit in working towards an outcome of more affordable housing in Nelson.

1.1 Clare Barton

Group Manager Strategy and Environment

Attachments

Attachment 1: Report A1303852 Housing Accord 26 February 2015

Attachment 2: Final Housing Accord A1314265 showing tracked changes

Housing Accord

1. Purpose of Report

1.1 This report proposes that:

- (a) The Council enter into a Housing Accord with the Minister of Building and Housing – Hon Dr Nick Smith; and
- (b) Negotiations with the Minister of Building and Housing regarding the Accord, be undertaken in collaboration with Tasman District Council. There may still be two separate Accords (for Nelson and Tasman) but they would be aligned as much as possible.

2. Delegations

2.1 The Housing Accord is provided for under the Housing Accord and Special Housing Areas Act 2013. No committee of Council has delegations for this piece of legislation and therefore the matter needs to be considered by the full Council.

3. Recommendation

THAT the report Housing Accord (A1303852) and its attachments (A1314678 and A1314265) be received;

AND THAT the Nelson City Council agrees to enter into a Housing Accord with the Minister of Building and Housing;

AND THAT the Nelson City Council, through the Chief Executive and Mayor, enter into negotiations with the Minister of Building and Housing over the final form of the Housing Accord, in collaboration with Tasman District Council;

AND THAT the Group Manager Strategy and Environment will report back to Council on the Accord's proposed actions once it is signed with the Minister of Building and Housing.

4. Background

- 4.1 The Hon Dr Nick Smith, Minister of Building and Housing, has asked both Nelson City Council and Tasman District Council to enter into a Housing Accord which is provided for in the Housing Accord and Special Housing Areas Act 2013 (HASHA). The purpose of the HASHA is to: *"Enhance housing affordability by facilitating an increase in land and housing supply in certain regions or districts identified as having housing supply and affordability issues"* (s.4).
- 4.2 Both Councils have been added to Schedule 1 of HASHA as areas experiencing housing supply and affordability issues. The inclusion of Nelson, within Schedule 1 of HASHA, was undertaken without prior engagement with Council and was effective from 8 January 2015.
- 4.3 The Act has repeal dates included within it: the provisions relating to Special Housing Areas are repealed effective 16 September 2016; the remainder of the Act is repealed effective 16 September 2018.

5. Discussion

Government Housing Affordability Programme

- 5.1 The Government seeks to facilitate land supply for housing and considers that increased land supply will result in greater housing choice and affordability.
- 5.2 HASHA seeks to increase land supply and improve housing affordability by providing more permissive powers to Councils including:
- (a) The ability to accelerate the resource consent process.
 - (b) Accelerating plan change decisions.
 - (c) Limiting notification for 'qualifying' development. Council can prescribe the criteria for qualifying developments, such as maximum number of storeys (less than 6), minimum number of dwellings to be built and percentage of dwellings that must be affordable dwellings.
 - (d) Reducing the right to appeal on decisions made by the Council.
- 5.3 To access the powers under the Act, the Minister of Building and Housing must be satisfied that a district or region is experiencing housing supply and affordability issues. The Minister has already signalled we meet this test by including Nelson within Schedule 1 of HASHA. A Housing Accord between the Crown and the territorial authority, of that district or region, must also be agreed for the powers to be available. As a result of the repeal dates, a Housing Accord is a fixed-term agreement that sets out how the territorial authority and the Crown will work together to improve housing

supply. The Accord also sets out targets for development in the short to medium-term.

- 5.4 Once a Housing Accord has been signed, qualifying developments within any identified Special Housing Area (SHA) may be progressed using the powers under the Act. The Council can recommend a SHA to the Minister of Building and Housing. Declaration of a SHA provides for the powers identified in paragraph 5.2 to be applied. It is not necessary to include SHA's in the Accord at the point of signing, as they can be added at a future date once engagement with the community, including developers, is undertaken.
- 5.5 The signing of an Accord establishes a Joint Housing Steering Group for governance of the Accord, which includes the Mayor, Deputy Mayor, Minister and Associate Minister of Building and Housing. The Steering Group can amend the Accord, including the targets. The Steering Group establish an Officials Working Group who advance implementation of the Accord and report to the Steering Group on progress (monitoring is required). Most of the Accords last for 2 to 3 years; Auckland's has been in place since October 2013, and Tauranga's since August 2014. These accords both quote the repeal date as their end point.
- 5.6 The following Councils have already signed Housing Accords with the Government:
 - (a) Western Bay of Plenty
 - (b) Tauranga
 - (c) Christchurch
 - (d) Wellington
 - (e) Queenstown Lakes District
 - (f) Auckland
- 5.7 Not all Accords identify SHA's. Given the process of identifying SHA's is in its infancy it is not possible to say how successful they have been in achieving the outcome of more affordable housing.
- 5.8 Tasman District Council has agreed to enter into negotiations around a Housing Accord but will not be identifying any SHA's in the Accord.

Home Affordability in Nelson

- 5.9 The table included in Attachment 1 compares Nelson with other regions in regards regional home affordability as a percentage of the national average.

- 5.10 The Government works on an affordable median house price being five times the median income for the area. This is quoted as a ratio of income to housing cost. Hon Dr Nick Smith in his press release which accompanied Nelson being added to Schedule 1 of HASHA stated that: *"The median house price in Nelson is \$369,000 and income is \$54,300 making a ratio (or median multiple) of 6:8. The equivalent in Tasman is \$412,000 for a home and income of \$53,500 and a ratio of 7:7. These ratios are both in excess of 5, the standard for housing being affordable."*
- 5.11 Whilst the Massey University Report (refer Attachment 1) finds Nelson/Marlborough's affordability has declined less than most regions over a 12 month period in 2014, its placement on the home affordability index remains 5th equal on a listing of 12 regions. The Minister has confirmed Nelson is over the Government's standard which deems housing is not affordable.

Land Supply and Land Availability

- 5.12 Housing affordability is a complex issue and includes the ability to pay by demand segments of the market. Land supply (land zoned for residential use) and land availability (land ready for the construction of houses) influence housing affordability to the extent that there must be a supply of land that is available for use before price can then be attached to that commodity.
- 5.13 Nelson has 364 hectares of vacant residentially zoned land (i.e. no dwellings on the land). Some of this land is however constrained by topography, geotechnical, infrastructural and land ownership issues.
- 5.14 In terms of land availability it is useful to look at whether this land is being subdivided i.e. it is available for development. The following table summarises the current supply of residential sections based on consent approvals (it is not known whether these are currently being marketed). They are all ready for services overlays.

Type of supply of vacant residential land	Sections/Lots
With title but no building consent approved or applied for ("shovel ready" land)	259 (400m ² – 1000m ²) 111 (1000m ² – 2000m ²)
With subdivision consent and either s223 or s224 (should come on stream within the next 1 to 3 years)	100 approx
With subdivision consent but no s223 (unclear when the land will come on stream – could be a number of years)	597 + 32 apartments
Currently being processed for subdivision consent	112
TOTAL	1179 + 32 apartments

Housing Accord

- 5.15 Trademe had 80 vacant residential sections for sale in Nelson on 27 January. It is not known whether these sections are affordable or not (the band for affordability has not been defined).
- 5.16 240 household units of demand are given building consent per year. On the face of it there is a good supply of vacant residentially zoned land and there appears to be land and dwellings available for purchase.

Expected Population Growth

- 5.17 A factor that impacts on whether enough land is zoned and available is expected growth in population numbers and household numbers and projections.
- 5.18 For the year ended June 2014 the population was 49,300. Latest projections are for this to grow by about 5,000 residents to 54,780 by 2025 and 59,510 by 2045.
- 5.19 In terms of households it is estimated there are 20,490 households in 2015 and this will grow by 2,430 to 22,920 in 2025 and to 25,650 by 2045.
- 5.20 Based on this expected growth, if the existing number of consents were issued going forward and the existing amount of land supply was continued, then demand would not outstrip supply i.e. land supply would meet demand in the medium term (around 5 years). On current projections around 240 additional household units will be required per annum which is the same number of units that are currently consented per annum.

6. Options

- 6.1 The Council has no obligation to enter into a Housing Accord. However, if the Council does not, then the Minister of Building and Housing may, at his discretion, declare Special Housing Areas and the Chief Executive of the Ministry of Business, Innovation and Employment will be empowered to process resource consents. If the Council enters into an Accord, the Council can recommend Special Housing Areas to the Minister of Building and Housing for declaration through an Order in Council.
- 6.2 The Minister has signalled a preference for a joint Accord with Tasman District Council. Housing is a sub-regional issue. Housing market areas are inherently difficult to define and have specific characteristics. Alignment with Tasman is an advantage as there are commonalities with the development community and the development community has expressed a strong desire for process consistencies across both councils.
- 6.3 Tasman has already prepared a separate draft Accord which they will be negotiating with Government. Tasman noted there are sufficient differences around rating, development contributions, target actions,

and monitoring opportunities that suggest a separate Accord should be entered into. In addition, all the existing Accords are with separate authorities including Tauranga and Western Bay of Plenty which, like Tasman and Nelson, share part of a common housing market.

- 6.4 It is considered prudent however, that any negotiations with the Minister be undertaken in collaboration with Tasman to align the two Accords as much as possible.

Risks

- 6.5 Servicing areas of growth with infrastructure (roads, wastewater, water and stormwater) needs to be managed to ensure it is affordable to deliver without adversely impacting on rates. This will need to be carefully considered if any areas are identified as SHA's in the future to ensure the development contributions are adequate to meet the costs of developing infrastructure.
- 6.6 Access on to state highways is under the control of the New Zealand Transport Agency (NZTA). There is a risk that additional residential allotments will not be able to gain access on to state highways (eg Atawhai, Marybank) if there are capacity and safety issues raised by the NZTA. Early discussion and engagement with NZTA is critical.
- 6.7 The potential financial costs to Council associated with signing the Accord are:
- (a) Direct costs associated with staff time in working with the development community, identifying potential SHA's and in the formation of an Officials Working Group.
 - (b) Potential loss of development contributions if these are forgone for certain developments that provide affordable housing.
- 6.8 These costs have not been quantified. The staff costs can be managed from existing budgets. The implications of potential loss of development contributions should be considered as that policy is developed in conjunction with the Long Term Plan process.

7. Draft Housing Accord

- 7.1 Attachment 2 includes the wording of a draft Housing Accord. The draft Accord has been prepared after reviewing the content of the draft Tasman District Council Accord to align the wording as closely as possible.
- 7.2 The draft Accord does not propose identifying any SHA's at this time. It is important that before areas are identified the following work is undertaken:
- (a) Prioritisation of how infrastructural services will be constructed and extended, considering funding for these services and how that may impact on Councils funding decisions.

Housing Accord

- (b) Engaging with developers to understand who may be interested in a SHA. Developer commitment would be essential to ensuring the success of a SHA.
- (c) Understanding in detail the housing market, how it functions and the type of development that may qualify as a SHA.

7.3 SHA's can be added later as additional work is undertaken.

8. Assessment of Significance against the Council's Significance Policy

- 8.1 The signing of a Housing Accord is not a significant decision for Council. Albeit the outcomes that have the potential to be delivered through the actions agreed to in the Accord and through any future identification of SHA's have the potential to deliver more affordable housing.

9. Alignment with relevant Council Policy

- 9.1 Signing an Accord will contribute to Nelson 2060 in relation to meeting people's essential needs.

10. Consultation

- 10.1 The key parties that are affected or interested include those persons looking to purchase an affordable home and the developer community. No structured consultation has occurred regarding Council signing an Accord. Signing an Accord only directly impacts on the operations of Council except to the extent that Council in following through on the agreed actions in the Accord, will be assisting those wishing to purchase an affordable home. It is not until areas are considered as Special Housing Areas (SHA's) that there is a direct impact. The process of identifying SHA's will require extensive consultation to be undertaken. This is a future stage of work.
- 10.2 Informal discussions have taken place with some developers in Nelson. Anecdotally, those parties are generally supportive of the concept but are a little wary of how it may impact on them. For example, they can see the benefits in terms of potentially easier consent processing however, they know they would then be locked in to delivering a quota of homes at a defined affordable price and within a defined period of time. One comment was that in achieving a quota of more affordable homes it may increase the section/home prices for the remaining homes in the development to offset the loss of income on the other sales. These are matters that would be worked through with individual developers in investigating areas as SHA's.

11. Inclusion of Māori in the decision making process

11.1 No specific consultation has taken place with Maori.

12. Conclusion

12.1 The Government has an expectation that Nelson City Council will enter into a Housing Accord to assist in improving housing affordability. There is merit in working towards an outcome of affordable housing in Nelson. It is recommended the Council enter into negotiations with the Government over signing an Accord on the basis detailed in this report.

Clare Barton

Group Manager Strategy and Environment

Attachments

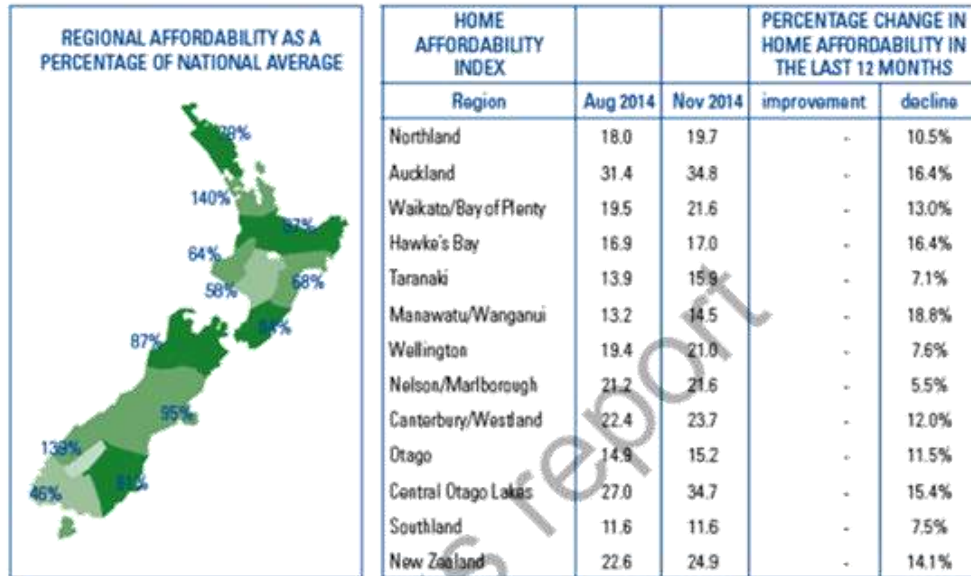
Attachment 1: Regional Affordability as a Percentage of the National Average ([A1314678](#))

Attachment 2: Draft Housing Accord ([A1314265](#))

Previous report

ATTACHMENT 1

REGIONAL AFFORDABILITY AS A PERCENTAGE OF THE NATIONAL AVERAGE



SOURCE: MASSEY UNIVERSITY HOME AFFORDABILITY REPORT DECEMBER 2014.

Nationally, housing was 14% less affordable last year, said researcher Paul Gallimore. Nelson did better than anyone else because house prices did not move a great deal during the year, and earnings stayed about the same, he said. Because Nelson prices were flat, and there was no reason to think they would change significantly, and with interest rates staying the same, it was likely to stay "more of the same" this year, he said. (The Nelson Mail, Friday, 30 January 2015.)

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ATTACHMENT 2**Nelson Housing Accord (the Accord)**

1. This Accord between Nelson City Council (the Council) and the Government is intended to result in increased land supply for housing and therefore improved affordability of homes in Nelson.

Background

2. An adequate supply of land for housing and housing affordability are key elements in maintaining a well-functioning, dynamic district with a strong economy and healthy communities. Nelson is experiencing issues around the affordability of housing. While supply of zoned land is being maintained subject to servicing, the availability of land parcels in locations and at a rate that might influence affordability is a matter for consideration.
3. The aggregate housing affordability index (integrating median dwelling prices, average weekly income and average mortgage rates, across all housing market segments) as prepared by Massey University in late 2014 for Nelson (as part of Nelson-Tasman-Marlborough regional cluster), shows that Nelson is less affordable than the national average.
4. The Council and Government agree that joint action is needed to improve housing supply and affordability in Nelson.
5. This Accord is part of the Government's housing affordability programme, which includes initiatives to address:
 - The supply of land available for residential purposes.
 - The efficiency and timeliness of the provision of infrastructure to new development.
 - The cost of construction materials.
 - Compliance costs.
 - Productivity in the construction sector.

Purpose

6. This Accord will provide the basis for collaboration between the Government and Council to support an increase in housing and improve housing affordability in Nelson.
7. This Accord recognises that by working collaboratively the Government and the Council can achieve better housing outcomes for the Nelson.
8. The parties acknowledge that improving housing affordability is

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a complex issue and requires consideration of wider issues, not all of which will be able to be addressed under this Accord.

Priority Actions

9. This Accord is a tool to facilitate development aligned with the Council's policy and regulatory framework including the Nelson Resource Management Plan and the Long Term Plan. This framework includes initiatives to:
 - Enable a mix of housing types, including more affordable homes.
 - Encourage developers through a package of incentives to prepare their land and build houses more quickly than has been the case over the last three years. (Note: developers do not necessarily build houses but the generic term developers in this Accord is also intended to cover housing companies.)
 - Increase developer confidence in the Council to encourage a more collaborative approach between the Council and developers that results in a commitment to bring a continuous supply of land and houses to the market over the long term.
 - Better align public infrastructure investment and private sector housing development.

10. Under this Accord the Government and the Council agree to :

Aim	Actions	Commitments
Increase the supply of affordable housing in Nelson with a particular focus on existing residentially zoned land.	Encourage developers to subdivide and prepare their land and build houses following release of serviced residentially zoned land more quickly than has been the case over the last three years.	The Council will progress actions to encourage faster development of serviced residential zoned land and the development of more affordable homes.
	Ensure housing developments provide for a mix of house types and include more affordable homes to be sold at different price points.	The Council will consider mechanisms which may include differential rating and development control powers to speed up supply and improve affordability.
	Maintain an appropriate supply of undeveloped zoned and serviced land for residential development to ensure	The Council the review of the Nelson Resource Management Plan responds appropriately to development demand by

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	<p>a healthy degree of competitive pressures amongst developers.</p> <p>Encourage the infill or redevelopment of suitable residentially zoned land to yield greater density of new dwellings that may be more affordable.</p> <p>Review planning provision for residential living in Nelson to provide greater flexibility around housing choices.</p>	<p>delivering the framework to allow residential development.</p> <p>The Council will continue to collaborate with the residential development community to exploit opportunities to utilise already residential zoned land that is suitable for increased density of more affordable new dwellings.</p>
Have a constructive relationship with developers, balanced by the need to retain financial prudence and process integrity .	<p>Monitor resource and building consenting processes to ensure that they are efficient and do not create unnecessary delays to development.</p> <p>To engage early in pre-application discussions particularly to address servicing and design needs and implications through the Major Projects Team and other initiatives.</p>	<p>The Council will establish a Developer's Forum for the purpose of discussing issues of common interest.</p> <p>The Council will seek further opportunities to manage regulatory processes so that it can better anticipate and facilitate residential developments that contribute to the supply of affordable housing.</p>

Special Housing Areas

11. Upon commencement of this Accord, the Council will have the ability to recommend the creation of Special Housing Areas to the Minister of Building and Housing under the Act. If the Government agrees, the recommended Special Housing Areas could be established by Order in Council, enabling the Council to access the powers available under the Act.

Targets

12. The Council and Government agree on the importance of targets to give effect to the purpose of this Accord. Both parties to the Accord accept that the targets are, necessarily, ambitious to meet Nelson's housing needs.

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13. These targets will be achieved through a combination of private sector development, direct Council and Government action and through collaborative action with other agencies. The targets will need to be achieved mainly by private housing developers, notwithstanding Council has an active role in making serviced land available for housing. This Accord is about enabling private investment in housing and will require both Council and Government to work closely with the development and housing sector. Council and Government further agree within their respective areas of control to endeavour to achieve the agreed targets within the timeframe of this Housing Accord.
14. The agreed medium-term targets are:

Housing Supply	Aspirational Targets		
	Year1	Year2	Year3
Yield of serviced residential lots (titled) from residential zoned land	100	100	100
Total dwellings consented	240	240	240

Factors Outside Scope

15. This Accord does not limit the Council, or the Government, coming to differing positions in respect of Government programmes of reforms to the Resource Management Act or other legislation. The Government welcomes submissions from Council at the appropriate stages in the process.

Governance and Processes

16. Governance of this Accord will rest with a Joint Steering Group comprised of the Minister of Building and Housing and the Mayor and Deputy Mayor of Nelson. The Joint Steering Group has the ability to amend this Accord, including targets, upon agreement. The targets shall be reviewed annually, subject to reports on progress and the state of the building/construction sector.
17. To operate this Accord, the Council and Ministry of Business, Innovation and Employment will establish an Officials Working Group, which will meet and form sub groups as it deems necessary to advance the implementation and meet the objectives of this Accord.
18. This Officials Working Group will report to the Joint Steering Group at least quarterly and will prepare any progress or monitoring reports requested by the Joint Steering Group.
19. The Joint Steering Group will meet biannually to review the progress in implementing and achieving the targets of the Accord. A full review of the effectiveness of the Accord and actions taken under it will be carried out after its first 12 months of operation.

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Monitoring and Review

20. In order to ensure that the purposes and targets of this Accord are achieved, the Joint Steering Group will monitor and review the implementation and effectiveness of this Accord .In order to do this officials will meet as appropriate to:
 - Review progress in implementing the Accord.
 - Review progress towards the Accord targets.
 - Discuss and agree other areas of joint action or information sharing.

Commencement of the Accord

21. This Accord will take effect from the date of ratification by the Council.

Dispute Resolution

22. Prior to either party exercising the right to terminate this Accord under clause 26, the parties agree that they shall first comply with the dispute resolution process set out in clause 25.
23. The dispute resolution process is as follows:
 - The initiating party must immediately, and in writing, bring the dispute to the attention of the other party.
 - The Joint Steering Group must hold an initial meeting for the purposes of resolving the dispute within 10 business days of the dispute being brought, in writing, to the attention of the non-initiating party.
 - If, for any reason, the Steering Group is unable to resolve the dispute in the initial meeting, the Steering Group must reconvene for the purpose of resolving the dispute within 20 business days of the date of the initial meeting
 - If the Steering Group remains unable to resolve the dispute at the second meeting then either party may elect to terminate the Accord in accordance with clause 24.
 - Pending final resolution of the dispute the parties must continue to perform their obligations under this Accord as if a dispute had not arisen.

Termination of the Accord

24. Subject to first complying with the requirements of clauses 22 and 23, either party may terminate this Accord, on any of the grounds set out in clause 25, by giving not less than three (3) months notice to the other.

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25. The grounds on which this Accord may be terminated are:

- Failure to reach the agreed targets as set out in the Accord, whether the failure results from inaction or ineffective action.
- Failure on the part of the Council to exercise the powers and functions of an Authorised Agency under the Housing Accords and Special Housing Areas Act.
- The parties agree that there is an irretrievable breakdown in the relationship. Notwithstanding any other provision of this Accord, the parties agree that clauses 24 and 25 shall not apply to a termination on this ground, or
- Nelson is removed from Schedule 1 of the Housing Accords and Special Housing Areas Act, in accordance with that Act (e.g. if Nelson no longer meets the affordability and land supply criteria provided for under that Act).

Publicity

26. The Mayor and the Minister of Building and Housing agree that any communications or publicity relating to this Accord will be mutually agreed prior to release.

Ratification

27. This Accord is subject to ratification by the Council. If it is not ratified the parties agree that this Accord will be at an end.

Signed on this day of 2015

Hon Dr Nick Smith
Minister of Building and Housing

Rachel Reese
Mayor of Nelson

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ATTACHMENT 2

Nelson Housing Accord (the Accord)

1. This Accord between Nelson City Council (the Council) and the Government is intended to result in increased land supply for housing and therefore improved affordability of homes in Nelson.

Background

2. An adequate supply of land for housing and housing affordability are key elements in maintaining a well-functioning, dynamic district with a strong economy and healthy communities. Nelson is experiencing issues around the affordability of housing. While supply of zoned land is being maintained subject to servicing, the availability of land parcels in locations and at a rate that might influence affordability is a matter for consideration.
3. Nelson City has a steady demand for new housing due to both a growing population, driven by positive net migration and natural increase (more births than deaths), and an ageing population, which is driving a trend towards more one- and two-person households. Nelson's population experienced an average annual growth rate of 1.1% between 2006 and 2013, and projections are for the population to grow by 0.7% annually over the next ten years. Home ownership rates have remained stable over the last decade, at 68% of households.
4. The urban area of Nelson is geographically compact and new residential development is constrained by topography of hills, valleys and coastal areas. Much of the urban area is subject to natural hazards such as flooding, earthquakes, and inundation from the sea. Recent valuation assessments have estimated 426 ha of residential land is available for development, some of which still requires infrastructure servicing, and some of which is subject to other constraints e.g hazards.
- 3.5. The aggregate housing affordability index (integrating median dwelling prices, average weekly income and average mortgage rates, across all housing market segments) as prepared by Massey University in late 2014 for Nelson (as part of Nelson-Tasman-Marlborough regional cluster), shows that Nelson is less affordable than the national average.
- 4.6. The Council and Government agree that joint action is needed to improve housing supply and affordability in Nelson.
- 5.7. This Accord is part of the Government's housing affordability programme, which includes initiatives to address:
 - The supply of land available for residential purposes.
 - The efficiency and timeliness of the provision of

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infrastructure to new development.

- The cost of construction materials.
- Compliance costs.
- Productivity in the construction sector.

Purpose

- | ~~6-8.~~ This Accord will provide the basis for collaboration between the Government and Council to support an increase in housing and improve housing affordability in Nelson.
- | ~~7-9.~~ This Accord recognises that by working collaboratively the Government and the Council can achieve better housing outcomes for the Nelson.
- | ~~8-10.~~ The parties acknowledge that improving housing affordability is a complex issue and requires consideration of wider issues, not all of which will be able to be addressed under this Accord.

Priority Actions

- | ~~9-11.~~ This Accord is a tool to facilitate development aligned with the Council's policy and regulatory framework including the Nelson Resource Management Plan and the Long Term Plan. This framework includes initiatives to:
 - Enable a mix of housing types, including more affordable homes.
 - Encourage developers through a package of incentives to prepare their land and build houses more quickly than has been the case over the last three years. (Note: developers do not necessarily build houses but the generic term developers in this Accord is also intended to cover housing companies.)
 - Increase developer confidence in the Council to encourage a more collaborative approach between the Council and developers that results in a commitment to bring a continuous supply of land and houses to the market over the long term.
 - Better align public infrastructure investment and private sector housing development.
- | 12. The Council will work collaboratively with the Tasman District Council should any areas for potential housing development be identified by either Council across territorial boundaries or be serviced by infrastructure from the other Council.

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~~10.13.~~ Under this Accord the Government and the Council agree to :

Aim	Actions	Commitments
Increase the supply of affordable housing in Nelson with a particular focus on existing residentially zoned land.	<p>Encourage developers to subdivide and prepare their land and build houses following release of serviced residentially zoned land more quickly than has been the case over the last three years.</p> <p>Ensure housing developments provide for a mix of house types and include more affordable homes to be sold at different price points.</p> <p>Maintain an appropriate supply of undeveloped zoned and serviced land for residential development to ensure a healthy degree of competitive pressures amongst developers.</p> <p>Encourage the infill or redevelopment of suitable residentially zoned land to yield greater density of new dwellings that may be more affordable.</p> <p>Review planning provision for residential living in Nelson to provide greater flexibility around housing choices.</p>	<p>The Council will progress actions to encourage faster development of serviced residential zoned land and the development of more affordable homes.</p> <p>The Council will consider mechanisms which may include differential rating and development control powers to speed up supply and improve affordability.</p> <p>The Council is undertaking <u>at the</u> review of the Nelson Resource Management Plan <u>to ensure the Plan</u> responds appropriately to development demand by delivering the a framework to allow support and encourage residential development.</p> <p>The Council will continue to collaborate with the residential development community to exploit opportunities to utilise already residential zoned land that is suitable for increased density of more affordable new dwellings.</p>
Have a constructive relationship with developers, balanced by the need to retain financial prudence and process integrity .	<p>Monitor resource and building consenting processes to ensure that they are efficient and do not create unnecessary delays to development.</p> <p>To engage early in pre-application discussions particularly to address servicing and design needs and implications through the Major Projects Team and other initiatives.</p>	<p>The Council will establish a Developer's Forum for the purpose of discussing issues of common interest.</p> <p>The Council will seek further opportunities to manage regulatory processes so that it can better anticipate and facilitate residential developments that contribute to the supply of</p>

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		affordable housing.
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Special Housing Areas

11.14. Upon commencement of this Accord, the Council will have the ability to recommend the creation of Special Housing Areas to the Minister of Building and Housing under the Act. If the Government agrees, the recommended Special Housing Areas could be established by Order in Council, enabling the Council to access the powers available under the Act.

Targets

12.15. The Council and Government agree on the importance of targets to give effect to the purpose of this Accord. Both parties to the Accord accept that the targets are, necessarily, ambitious to meet Nelson's housing needs.

13.16. These targets will be achieved through a combination of private sector development, direct Council and Government action and through collaborative action with other agencies. The targets will need to be achieved mainly by private housing developers, notwithstanding Council has an active role in making serviced land available for housing. This Accord is about enabling private investment in housing and will require both Council and Government to work closely with the development and housing sector. Council and Government further agree within their respective areas of control to endeavour to achieve the agreed targets within the timeframe of this Housing Accord.

14.17. The agreed medium-term targets are:

Housing	Baselines			Aspirational Targets		
	2012	2013	2014	Year1	Year2	Year3
Yield of serviced residential lots (titled) from residential zoned land	89	124	107	100	100	100
Total dwellings consented	285	256	215	240	240	240

Note: Targets are based on household projections of 184 households per annum over the next 10 years as population growth is slowing due to an ageing population, refer <http://www.nelson.govt.nz/population>. The targets above will be measured against Council gathered and publicly available information as appropriate. Aspirational targets relate to respective financial years.

Factors Outside Scope

- ~~15-18.~~ This Accord does not limit the Council, or the Government, coming to differing positions in respect of Government programmes of reforms to the Resource Management Act or other legislation. The Government welcomes submissions from Council at the appropriate stages in the process.

Governance and Processes

- ~~16-19.~~ Governance of this Accord will rest with a Joint Steering Group comprised of the Minister of Building and Housing and the Mayor and Deputy Mayor of Nelson. The Joint Steering Group has the ability to amend this Accord, including targets, upon agreement. The targets shall be reviewed annually, subject to reports on progress and the state of the building/construction sector.
- ~~17-20.~~ To operate this Accord, the Council and Ministry of Business, Innovation and Employment will establish an Officials Working Group, which will meet and form sub groups as it deems necessary to advance the implementation and meet the objectives of this Accord.
- ~~18-21.~~ This Officials Working Group will report to the Joint Steering Group at least biannually ~~quarterly~~ and will prepare any progress or monitoring reports requested by the Joint Steering Group.
22. The Joint Steering Group will meet biannually to review the progress in implementing and achieving the targets of the Accord. A full review of the effectiveness of the Accord and actions taken under it will be carried out after its first 12 months of operation.

~~19.~~

Monitoring and Review

- ~~20-23.~~ In order to ensure that the purposes and targets of this Accord are achieved, the Joint Steering Group will monitor and review the implementation and effectiveness of this Accord. In order to do this officials will meet as appropriate to:
- Review progress in implementing the Accord.
 - Review progress towards the Accord targets.
 - Discuss and agree other areas of joint action or information sharing.

Commencement of the Accord

- ~~21-24.~~ This Accord will take effect from the date of ratification by the

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Council.

Dispute Resolution

- | ~~22-25.~~ Prior to either party exercising the right to terminate this Accord under clause 26, the parties agree that they shall first comply with the dispute resolution process set out in clause 25.
- | ~~23-26.~~ The dispute resolution process is as follows:
 - The initiating party must immediately, and in writing, bring the dispute to the attention of the other party.
 - The Joint Steering Group must hold an initial meeting for the purposes of resolving the dispute within 10 business days of the dispute being brought, in writing, to the attention of the non-initiating party.
 - If, for any reason, the Steering Group is unable to resolve the dispute in the initial meeting, the Steering Group must reconvene for the purpose of resolving the dispute within 20 business days of the date of the initial meeting
 - If the Steering Group remains unable to resolve the dispute at the second meeting then either party may elect to terminate the Accord in accordance with clause 24.
 - Pending final resolution of the dispute the parties must continue to perform their obligations under this Accord as if a dispute had not arisen.

Termination of the Accord

- | ~~24-27.~~ Subject to first complying with the requirements of clauses 22 and 23, either party may terminate this Accord, on any of the grounds set out in clause 25, by giving not less than three (3) months notice to the other.
- | ~~25-28.~~ The grounds on which this Accord may be terminated are:
 - Failure to reach the agreed targets as set out in the Accord, whether the failure results from inaction or ineffective action.
 - Failure on the part of the Council to exercise the powers and functions of an Authorised Agency under the Housing Accords and Special Housing Areas Act.
 - The parties agree that there is an irretrievable breakdown in the relationship. Notwithstanding any other provision of this Accord, the parties agree that clauses 24 and 25 shall not apply to a termination on this ground, or
- | ~~29.~~ Nelson is removed from Schedule 1 of the Housing Accords and Special Housing Areas Act, in accordance with that Act

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(e.g. if Nelson no longer meets the affordability and land supply criteria provided for under that Act).

Publicity

29. To align with disestablishment clauses in the Act, the Accord will terminate on 16 September 2016 if not already terminated by either party. In the event that notification of termination is given by either party, the Accord will terminate three months from notification or on 16 September 2016, whichever comes first.

26. Publicity

27.30. The Mayor and the Minister of Building and Housing agree that any communications or publicity relating to this Accord will be mutually agreed prior to release.

Ratification

28.31. This Accord is subject to ratification by the Council. If it is not ratified the parties agree that this Accord will be at an end.

Signed on this day of 2015

Hon Dr Nick Smith
Minister of Building and Housing

Rachel Reese
Mayor of Nelson

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REPORT R4152

Bringing Expenditure Forward for the Nelson School of Music

1. Purpose of Report

- 1.1 To consider bringing forward funding from 2015/16 to the current financial year for detailed designs for Nelson School of Music (NSOM) redevelopment.

2. Delegations

- 2.1 This is a decision for Council.

3. Recommendation

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.

4. Background

- 4.1 Council has funding of \$150,000 in its 2014/15 Annual Plan for NSOM to progress earthquake strengthening and refurbishment, and has signalled partnership funding to a maximum of \$3 million in the draft Long Term Plan 2015/25 for this.
- 4.2 In July/August last year, Council ran a tender process for a project manager for NSOM concurrently with the Trafalgar Centre project, as this provided the opportunity for cost efficiencies. Opus Consultants were appointed project managers.

- 4.3 The NSOM Board has been working with the project managers on establishing design concepts and making application for resource consent.

5. Discussion

Progress with Redevelopment Project

- 5.1 There has been significant progress made with this project to reopen the School. The Board of NSOM is now constituted. Preliminary drawings have been completed; consultation with affected parties has been undertaken, and the resource consent application has been filed. The Chair of the Board recently updated the Mayor and Chief Executive on progress with fundraising. In short, the project is moving apace.
- 5.2 In order to keep the project moving, the Board seeks to commission detailed design work in this financial year. This will incur costs which it does not have funding available for at this time.

Further work

- 5.3 The NSOM is working on reopening the building in December 2016. This is another project with a tight timeframe.
- 5.4 Whilst the resource consent application is being processed, the Board would like to commission final drawings. This is work that is necessary in order to put the construction project out to tender.
- 5.5 NSOM seek support from Council for the total costs of completing the process of resource consent and detailed design. In considering this request, it is appropriate to look at the way in which Council supported the Suter Trust. In that instance, up to \$6 million partnership funding was agreed, with the costs of resource consent and detailed design being part funded by Council before the Suter Trust had all its funds raised. In this instance, the NSOM Board advise that they have some funds in hand, and a fundraising programme is soon to commence.
- 5.6 NSOM Board advise the total costs of final design and preparation of tender documents will be in the order of \$470,000. This has been funded in part by:
- | | | |
|-------|---------------------|--|
| 5.6.1 | School Trust | 91,000 (costs up to filing of resource consent) |
| 5.6.2 | School Trust | 75,000 (in new financial year) |
| 5.6.3 | Sought from Council | 235,000 (of which, up to \$150,000 is to be brought forward to current year) |
- 5.7 An amount of \$70,000 remains unfunded at this time. The NSOM Board has advised that this can be funded by accessing funds from external funders once the resource consent is granted.

- 5.8 This work needs to continue if the reopening date of December 2016 is to be met.

6. Options

- 6.1 The options considered do not include not funding the NSOM. That decision has already been made by Council's inclusion of up to \$3m in partnership funding for the earthquake strengthening and refurbishment of the School's building in its Long Term Plan.
- 6.2 Council could decline the NSOM Board's request to part fund the detailed design work, and to bring some of this funding forward into the current financial year. However, this should be seen in light of the need to keep the project moving; the recognition that detailed design work does need to be undertaken, and will be important in attracting contributions to the total cost; and in light of the way Council supported the Bishop Suter Trust project.
- 6.3 Council could approve the NSOM Board's request. This puts up to \$235,000 at risk (50% of total cost of final design and preparation of tender documents) if the project does not proceed at this time. Indications from the Board have been positive that progress is being made with their project. The risk seems small.

7. Alignment with relevant Council policy

- 7.1 The decision to make this funding available, and to bring some of this funding into the current financial year, is not inconsistent with any Council policy. The Annual Plan has funding of \$150,000 for project management of this NSOM project, and the draft Long Term Plan makes up to \$3 million available in capital funding.
- 7.2 The refurbishment of NSOM – particularly in a timely manner – contributes to Goal 7 of Nelson 2060 –Our economy thrives and contributes to a vibrant and sustainable Nelson.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 The bringing forward of funding from Year 1 of the LTP to the current financial year is not a significant decision, nor is the decision to release up to 50% of the costs of detailed design and preparation of tender documents.

9. Consultation

- 9.1 The decisions sought in this report do not require consultation. The decision to include financial contribution to the NSOM for the refurbishment project was included in the Annual Plan 2014/15 and Long Term Plan 2015/25, and has been consulted on.

10. Inclusion of Māori in the decision making process

10.1 There has been no separate consultation with Māori on this issue.

11. Conclusion

11.1 NSOM Renovation and Reopening project is moving apace.

11.2 The Board has updated Mayor and Chief Executive on progress in the resource consent process, fundraising, and the need to keep things moving with preparation of detailed design documents.

11.3 This requires some additional funding. On the basis that Council supported the Bishop Suter Trust with some funding for this activity before it confirmed it had raised all funds, it is appropriate to do so for NSOM.

11.4 \$235,000 is 50% of the cost of detailed designs and tender documentation. UP to \$150,000 is required in the current financial year, which will be brought forward from Year 1 of the LTP.

Clare Hadley
Chief Executive

Attachments

Nil

REPORT R4354

Business Case Approach for 2015/16 Projects - Revised Projects Listing

1. Purpose of Report

- 1.1 To provide a revised list of projects incorporating additional information as requested at the Audit, Risk and Finance Subcommittee on 05 May 2015, and at the subsequent Governance Committee on 28 May 2015.

2. Delegations

- 2.1 This is a matter for Council. The information in this report relates to a recommendation, which appears on the agenda for this meeting of Council, from the Governance Committee held on 28 May 2015.

3. Recommendation

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.

4. Background

- 4.1 An external review of decisions and actions relating to the southern extension of the Trafalgar Centre was conducted in 2014 by Alan Bickers, of Jayal Enterprises Ltd. The final report to Council in June 2014 carried a recommendation that "for every significant capital project NCC should consider a policy requiring the preparation and approval of a business case". After receiving that report, Council resolved on 5 June 2014:

AND THAT through the Long Term Plan/Annual Plan development, Council will give consideration to the projects that will follow a business case approach.

- 4.2 To action this resolution, a list of capital funded infrastructure projects included in the draft Long Term Plan 2015/25 with a total year 1 to 3 budget of \$250,000 was presented to the Audit, Risk and Finance

Subcommittee on 05 May 2015. A suggested set of projects to follow a business case approach was pre-selected by officers and highlighted yellow in the list, for the Committee's consideration. The Audit, Risk and Finance Subcommittee requested that the list be reviewed and revised by Committee Chairs and Deputy Chairs.

- 4.3 An updated list was subsequently provided to the Governance Committee on 28 May 2015. It was noted that the instruction from the Audit, Risk and Finance Subcommittee had not been fulfilled in its entirety, and the Governance Committee requested amendments to the list.
- 4.4 Councillor McGurk as Chair of the Planning and Regulatory Committee did not have the opportunity to review the list prior to the Governance Committee held on 28 May 2015. This review has now been completed.

5. Discussion

- 5.1 Committee Chairs and Deputy Chairs for the Works and Infrastructure, Community Services, and Planning and Regulatory Committees have reviewed the list with the relevant Group Manager, and selected projects to follow a business case approach. The rationale used when considering which projects to select were:
 - 5.1.1 Did the project have a clear outcome?
 - 5.1.2 Was the project well defined?
 - 5.1.3 Did the project have a large value assigned to it?
 - 5.1.4 Was there potentially a high degree of political interest in the project?
 - 5.1.5 Was there potentially a high degree of ratepayers interest in the project?
- 5.2 The revised list presents: projects selected by Committee Chairs and Deputy Chairs; the rationale (see 5.1.1 to 5.1.5 above) used by Committee Chairs and Deputy Chairs to select those projects; which Committee each project is aligned with; a clarification to the project definition for "Neighbourhood parks upgrade program" at row 20; a correction to highlight the project "Rutherford playground" at row 21; a comment where projects are subject to existing governance or reporting arrangements and are therefore not selected; comment on projects that have not been selected as they are multi-year projects which are in progress.
- 5.3 Consideration should be given to the recommendation by Alan Bickers, which intended a business case approach to focus attention on projects with characteristics such as significant cost, high public or political profile, and/or high risk.
- 5.4 The remaining projects that are not highlighted and that do not contain a comment on governance or reporting arrangements, and that do not contain a comment as being a multi-year project which is in progress, were not selected by Committee Chairs and Deputy Chairs. These

unselected projects are subject to a business case approach and controls within the management structure.

- 5.5 Subsequent reports to the appropriate Committees containing the outline business cases for the selected projects have been scheduled. Each report will contain the outline business case for one or more projects. The outline business case will describe: the problem or opportunity to be addressed; a description of the "do nothing" option, and a description of the planned "do something" option, the planned investment, and, where possible, a net present value statement.

6. Alignment with relevant Council policy

- 6.1 This matter is not in contradiction to any Council policy or strategic document.

7. Assessment of Significance against the Council's Significance and Engagement Policy

- 7.1 This matter is not significant in terms of Council's Significance and Engagement Policy.

8. Consultation

- 8.1 The public have not been consulted on this matter.

9. Inclusion of Māori in the decision making process

- 9.1 Maori have not been consulted on this matter

10. Conclusion

- 10.1 This report provides the revised project listing including the additional information requested by the Audit, Risk and Finance Subcommittee on 05 May 2015, and by the Governance Committee on 28 May 2015.

Arlene Akhlaq

Senior Projects Adviser

Attachments

Attachment 1: A1331113 - Capital funded infrastructure projects included for year 1 of the draft Long Term Plan 2015/25 with Committee Chair and Deputy Chair selections

	A	C	D	P	Q	R	S	T	U	V	W	X
				Project has clear outcome?	Project is well defined ?	Project has large value?	Potential political interest is high?	Potential public interest is high?	15/16	16/17	17/18	Y1-3Total
6	Committee	project name	Project Definition									
7	Works & Infrastructure	EQ Prone Building Remediation	Physical work to bring buildings up to standard required						500,000	513,050	526,595	1,539,645
8	Commercial	Civic House Capital Programme	Funding for new assets and building modifications						180,000	389,918	242,234	812,152
9	Works & Infrastructure	Strategic Land Purchases	Options for strategic land purchases for consideration (approval by Council resolution)						3,166,500	2,328,634	1,855,986	7,351,120
10	Commercial	Civic House Veranda renewal	Investigation of options regarding and repairs or replacement of existing veranda at Civic House						350,000	-	-	350,000
11	Commercial	Civic House Renewal Programme	Renewal work and modifications						3,166,500	2,328,634	1,855,986	7,351,120
12												
13	Works & Infrastructure	Trafalgar Centre Reopening	Undertake strengthening work to facilitate reopening of the Trafalgar Centre	Separate reporting through Council					9,534,253	-	-	9,534,253
16	Community Services	Rutherford/Trafalgar Park Development	Beginning of development in line with Rutherford Park development plan	Separate reporting through Council					1,900,000	307,830	526,595	2,734,425
17	Governance	General Reserves land purchase programme	Purchase of land for Parks and Reserves						635,634	410,440	579,255	1,625,329
18	Community Services	Marina Hardstand	Provide adequate public hardstand at the Marina	Business case scheduled for during 2015/16					-	1,539,150	-	1,539,150
19	Community Services	Modellers Pond Solution	Improve water quality and amenity of pond						1,000,000	-	-	1,000,000
20	Community Services	Neighbourhood parks upgrade program	Works include: completion of the Glen Reserve, Pioneers Park, Victory Square; removal of house at 65 Muritai Street to enable levelling, grassing and fencing of the extension to Burrell Park						100,000	410,440	105,319	615,759
21	Community Services	Rutherford playground	Provision of a play space near the Maitai shared path						60,000	554,094	-	614,094
22	Community Services	Water sports building at Marina	Sea sports facility to house a range of water users						-	51,305	526,595	577,900
23	Community Services	Renewal Saxton hockey turf	Replacement hockey water turf						-	-	526,595	526,595
24	Community Services	Nayland remodelling	Nayland pool remodelling	Critical plant renewal (not remodelling)					152,640	184,698	157,979	495,317
25	Community Services	Swimming Pools Renewal Prgm	Nayland Pipe Renewals						101,171	123,308	226,194	450,673
26	Community Services	Horticulture Parks Renewal Prgm	New & Renewal of minor furniture/sign items within Horticultural Parks.						56,000	252,420	58,979	367,399
27	Community Services	Replacement of benched seats	Flat floor seating renewal for Trafalgar Centre.						-	359,135	-	359,135
28	Community Services	Esplanade & Foreshore Planting Prgm	Revegetation of Esplanade & Foreshore Reserves not currently in desirable vegetation, includes Tahunanui beach						100,000	102,610	105,319	307,929
29	Works & Infrastructure	Sports Parks access/carparks	Renewal of car parks, access ways as per condition assessment report						85,000	87,219	89,521	261,740
30	Works & Infrastructure	Saxton Creek Upgrade	Upgrade stream channel and associated culverts, walkways and planting, recreation pond enhancements (noted as 2 projects rows 30 and 63)						-	256,525	-	256,525
31												
32	Community Services	Stoke sports & community facility	New sports and community facility in Stoke - Construction Year 2	Reporting through Community Services Committee					1,000,000	4,617,450	-	5,617,450
33	Commercial	Suter redevelopment	Upgrade of Gallery	Multi-year project in progress					2,403,288	-	-	2,403,288
34	Community Services	Elma Turner Library extension	Consents and planning following Elma Turner investigation						-	205,220	308,585	513,805
35	Works & Infrastructure or Community Services	Millers Acre toilet	Increase toilet facilities available at Millers Acre						32,205	359,135	-	391,340
36	Community Services	Community Housing Renewals	Renewal work for community housing						100,000	102,610	105,319	307,929
37												

	A	C	D	P	Q	R	S	T	U	V	W	X
				Project has clear outcome?	Project is well defined ?	Project has large value?	Potential political interest is high?	Potential public interest is high?	15/16	16/17	17/18	Y1-3Total
6	Committee	project name	Project Definition									
38	Works & Infrastructure	Sealed road resurfacing	Renewal of existing sealed carriageway surfaces. Needed to protect underlying road structure						1,326,000	1,360,609	1,396,530	4,083,139
39	Works & Infrastructure	Rocks Road cycling and walking project	Investigation of walking and cycling options for Rocks Road	Separate reporting through Council					390,000	307,830	2,432,869	3,130,699
41	Works & Infrastructure	Roading Minor Improvement Programme	(funding line only, to fund projects with a total cost of less than \$300,000. Budget allocated to projects once priorities defined)						650,000	666,965	684,574	2,001,539
42	Works & Infrastructure	Traffic services renewals	Renewal of traffic signal controllers, and update obsolete communications equipment						405,000	436,585	385,429	1,227,014
43	Works & Infrastructure	Bridge/retaining walls renewals	Renewal of bridge and retaining wall structures. Needed to halt active failure of retaining walls and ensure bridges on routes to essential assets are at an appropriate seismic standard						450,768	377,268	334,329	1,162,365
44	Works & Infrastructure	Renewals footpaths	Renewal of existing sealed footpath surfaces. Needed to ensure surfaces are safe and level of service is appropriate for pedestrians						300,000	309,677	319,760	929,437
45	Works & Infrastructure	Tahunanui cycle network	Provide improved level of service and safety for cyclists in the Tahunanui area						100,000	266,786	526,595	893,381
46	Works & Infrastructure	Sealed road pavement rehabilitation	General pavement rehabilitation with sites to be confirmed, to address surface failures that cannot be solved with patching or reseal						3,166,500	2,328,634	1,855,986	7,351,120
47	Works & Infrastructure	Halifax (Maitai to Milton Street)	New stormwater pipe as part of wide Wood area storm water upgrade						10,000	51,305	631,914	693,219
48	Works & Infrastructure	Todd Bush Rd upgrade	Roading renewal with footpath to improve pedestrian safety and level of service						600,000	-	-	600,000
49	Works & Infrastructure	CBD Enhancements	General inner city enhancements with priority to be decided by Councillors	Separate reporting through Council					50,000	256,525	263,298	569,823
50	Works & Infrastructure	On and off street parking meters	Renewal of on-street parking meters which are past their design life						-	-	494,999	494,999
51	Works & Infrastructure	New Footpaths	New footpaths to fill gaps in the existing pedestrian network, to ensure surfaces are safe and level of service is appropriate for pedestrians						50,000	205,220	210,638	465,858
52	Works & Infrastructure	Parking Strategy Implementation	Actions from the Draft Parking Strategy: improve guide signage, review mobility space locations, monitor cycle parking demand and respond, motorhome parking in the CBD, carpooling trial and investigate graduated parking charges for long term users						270,000	123,132	-	393,132
53	Works & Infrastructure	Drainage renewals	Renewal of kerb and channel and other road related drainage, needed to ensure pavement structure remains dry						100,000	103,226	106,587	309,813
54												
55	Works & Infrastructure	Neale Park PS upgrade	Redevelopment and upgrade of Neale Park Sewer pump station.						250,000	3,078,300	3,159,570	6,487,870
56	Works & Infrastructure	Corder Park Pump Station upgrade	Construction of new pump station at Corder Park including a section of Atawhai rising main replacement. Replaces existing pump station and delays the need to replace sections of Atawhai rising main	Multi-year project in progress					2,700,000	-	-	2,700,000
57	Works & Infrastructure	Wastewater pipe renewals	Renewal of sewer pipes throughout city. Old earthenware pipes replaced						300,000	538,703	552,925	1,391,628
58	Works & Infrastructure	Renewals pump stations	Reconditioning and renewal of 6 pumps						130,000	133,393	136,915	400,308
59	Works & Infrastructure	Awatea Place	First stage of project to construct new sewer pump station at Awatea Place, subsequent stages of rising and trunk main construction to allow decommissioning of both Parkers Road pump stations						-	307,830	52,660	360,490
60	Works & Infrastructure	Ngawhatu Valley sewer trunk main	Stage 1 upgrade existing reticulation between Ngawhatu and Main Road Stoke to allow for future development in the upper Ngawhatu Valley. Stage 2 from Main Road Stoke to Songer St pump station						335,000	-	-	335,000
61	Works & Infrastructure	Hampton St East- Little Go Stream	Upgrade capacity						250,000	-	-	250,000
62												
63	Works & Infrastructure	Saxton Creek Upgrade	Upgrade stream channel and associated culverts, walkways and planting, recreation pond enhancements (noted as 2 projects rows 30 and 63)						2,000,000	2,052,200	1,579,785	5,631,985
64	Works & Infrastructure	Hampden St East - Little Go Stream - Stage 2	Waimea Road pipeline section with sewer and water renewal, and complete resurfacing						4,000,000	718,270	-	4,718,270

	A	C	D	P	Q	R	S	T	U	V	W	X
				Project has clear outcome?	Project is well defined ?	Project has large value?	Potential political interest is high?	Potential public interest is high?	15/16	16/17	17/18	Y1-3Total
6	Committee	project name	Project Definition									
65	Works & Infrastructure	York Stream Channel upgrade	Install large diameter storm water pipe from Caltex at Bishopdale to Stream in Tipahi Strett						750,000	769,575	526,595	2,046,170
66	Works & Infrastructure	St Vincent/Hastings St Culvert	Storm water renewal, due to chloride corrosion of box culvert walls from tidal flows						100,000	153,915	1,579,785	1,833,700
67	Works & Infrastructure	Orphanage Stream upgrade	Investigate options for increasing capacity of bridges and culverts plus channel break out points from Ngawhatu Valley to Whakatu Drive						250,000	153,915	789,893	1,193,808
68	Works & Infrastructure	Halifax (Maitai to Milton Street)	New stormwater pipe as part of wide Wood area storm water upgrade						50,000	25,653	895,212	970,865
69	Works & Infrastructure	Railway Reserve - Saxton Rd West - Dryden Street	Install stormwater to connect historical subdivisions that discharged direct to railway reserve; development contributions previously collected						80,000	769,575	-	849,575
70	Works & Infrastructure	Wastney Terrace stormwater (pvt drain prgm)	Upgrade of the public stormwater system to serve the future development potential (Harris sub-division on Sunnybank Rise, plus Atawhai Syndicate and Gourdie sub-divisions below)						800,000	-	-	800,000
71	Works & Infrastructure	Inventory of Urban Streams	Set up models of streams to confirm flood capacity and support future works						600,000	-	-	600,000
72	Works & Infrastructure	Whakatu Drive (Storage World)	Upgrade stormwater pipe under Whakatu Drive adjacent Storage World, flooding occurred in April 2013						50,000	51,305	526,595	627,900
73	Works & Infrastructure	Nile Street East	Upgrade section of undersized pipeline from outlet in Maitai to Nile St East, flooding occurred in 2011						50,000	513,050	-	563,050
74	Works & Infrastructure	Flood mitigation	Construction of gravel traps and upgrading intake structures in Poormans and Orphanage Streams						150,000	153,915	157,979	461,894
75	Works & Infrastructure	Vanguard Street Stormwater	Review of capacity of St Vincent Street and Vanguard Streets stormwater and secondary flow paths. Bottom end of the York Stream review. Part of the Nelson Central investigation and upgrade						50,000	51,305	315,957	417,262
76	Works & Infrastructure	Rutherford Stage 1 - Girls College detention	Investigate potential to use Nelson College for Girls Playing field as detention pond for Little Go Stream, to take pressure off Rutherford Street box culvert						80,000	51,305	263,298	394,603
77	Works & Infrastructure	Maire Stream - Stage 1	Stage 1 improve channel design adjacent stormwater pipe outlet, which was damaged in 2014 due to rain event						50,000	51,305	263,298	364,603
78	Works & Infrastructure	Brook Stream fish passage	Investigate potential for adding layer of flat rock to base of concrete section of Brook Stream to improve fish passage						50,000	51,305	263,298	364,603
79	Works & Infrastructure	Fifeshire Crescent	Review section of stormwater pipe 1 to 17 Fifeshire Crescent, and upgrade as necessary						50,000	51,305	263,298	364,603
80	Works & Infrastructure	Brook Stream Outlet low flow	Construct a low flow channel immediately downstream of Nile Street bridge. Adjacent energy dissipation/gravel pool. Will aid ongoing gravel removal by keeping flow away from pool						50,000	51,305	263,298	364,603
81	Works & Infrastructure	Tahuna Slope Risk Area	Review of utilites in the slope risk overlay. Address areas without stormwater and fix utilities that may introduce water into the slope failure zone						100,000	102,610	105,319	307,929
82	Works & Infrastructure	Montcalm/Arrow/Washington Valley/Hastings Street	Investigate stormwater overflows and located property flooding throughout the valley. Links to stormwater box culvert in St Vincent Street						150,000	153,915	-	303,915
83	Works & Infrastructure	Maitai upgrade & enhancement	Upgrade the flow capacity of the Maitai river in urban sections						100,000	102,610	105,319	307,929
84	Works & Infrastructure	Public/private drains	Funding line only - budget will be allocated to projects as prioritised						100,000	102,610	105,319	307,929
85												
86	Works & Infrastructure	Maitai Pipeline (water treatment plant to Westbrook Terrace)	Construction scheduled 2015/2017	Multi-year project in progress					2,100,000	2,052,200	-	4,152,200
87	Works & Infrastructure	Water Pipe renewal Prgm	Funding line - individual projects to be prioritised						544,000	814,723	836,233	2,194,956

	A	C	D	P	Q	R	S	T	U	V	W	X
				Project has clear outcome?	Project is well defined ?	Project has large value?	Potential political interest is high?	Potential public interest is high?	15/16	16/17	17/18	Y1-3Total
6	Committee	project name	Project Definition									
88	Works & Infrastructure	New membrane (Train 5)	Adding new train (#5) at the Water Treatment Plant						1,000,000	-	1,053,190	2,053,190
90	Works & Infrastructure	Residential Meters renewal Prgm	Trial of remote sensing meters in conjunction with NTL to renew existing residential meters throughout the city to avoid misreading errors						100,000	102,610	526,595	729,205
91	Works & Infrastructure	Maitai Resource consent renewal	Investigation of freshwater issues in Maitai river in advance of applying for consent for abstraction in 2016						200,000	205,220	210,638	615,858
92	Works & Infrastructure	Water Loss Reduction Programme	Address 30% un-accounted for water. Critical part of new resource consent applications						200,000	205,220	210,638	615,858
93	Works & Infrastructure	Roding Resource Consent Renewal	Investigation of freshwater issues in Roding river in advance of applying for consent for abstraction in 2016						200,000	205,220	210,638	615,858
94	Works & Infrastructure	Water Treatment Plant Renewals	Required to ensure ongoing functionality of treatment plant						246,000	143,654	216,957	606,611
95	Works & Infrastructure	Hampton St East- Little Go Stream	Upgrade capacity						500,000	-	-	500,000
96	Works & Infrastructure	Capital: Atawhai No.2 Reservoir	Identify and secure site for future reservoir for Atawhai area. Mix of growth and level of service						87,000	102,610	300,159	489,769
97	Works & Infrastructure	Backflow Prevention Pgrm	Installation of backflow prevention to commercial/industrial properties connected to NCC water supply						150,000	153,915	157,979	461,894
98	Works & Infrastructure	Commercial meter renewals programme	Renew commercial water meters and install more accurate low-flow meters; lined to backflow prevention						150,000	153,915	157,979	461,894
99	Works & Infrastructure	Fire Flow Upgrades	Upgrade to piping and fire hydrants in isolated areas of the city to comply with NZ Fire Service code of practice						100,000	102,610	210,638	413,248
100	Works & Infrastructure	Pump Stations - Renewals	Water pump stations renewal programme for pumps and fittings						-	277,047	73,683	350,730
101	Works & Infrastructure	Seismic Risk Upgrades	Works to secure water network from earthquake impacts. First stage is reservoirs and syphons						100,000	102,610	105,319	307,929
102	Works & Infrastructure	Water loss reduction areas establishment	Integral part of water loss reduction. Establishes metered areas in the network to find those with high leakage rates, to prioritise repair works						50,000	102,610	105,319	257,929
103												

REPORT R4199

Modellers' Pond - Detailed Assessment of Options

1. Purpose of Report

- 1.1 To outline the option assessments for the Modellers' Pond and recommend a process towards a final decision on the Modellers' Pond.

2. Delegations

- 2.1 The Council has authority to make the decisions on the Modellers' Pond.

3. Recommendation

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

AND THAT Council note the strong expressions of support for the Modellers' Pond from users and community groups, and the stated interest of the Modellers' Pond supporters to contribute to upgrading this facility;

AND THAT based on this interest to assist, that Council adopt Option 3 – Modify Pond (in report R4199) as the preferred option in order to better quantify the proposed works;

AND THAT detailed design commence on this preferred option;

AND THAT the detailed design of Option 3 – Modify Pond (in report R4199) be consulted on with the appropriate users and community groups to confirm their specific commitment and contribution to its implementation;

AND THAT it be noted that this preferred option may need a separate resource consent or consents;

AND THAT the outcome of this work be included in a report, by way of a Business Case, and reported back to the Community Services Committee to determine a final course of action;

AND THAT it be noted that \$1 Million (for capital works) has been provided in Year 1 (2015/16) of the Long Term Plan 2015 - 25 for this work, and \$60,000 (annual maintenance and operations) has been provided in Year 1 (2015/16) of the Long Term Plan 2015 - 25 but no budget is included for annual maintenance and operations in Years 2-10.

4. Background

- 4.1 At its 18 December 2014 meeting Council passed the following resolution (NCC Minutes, Item 15.1, A1295075):

THAT Council note that the option to utilise fish to control the weed and algae in the Modellers' Pond is no longer considered a viable solution;

AND THAT a detailed assessment at an estimated cost of \$30,000 on the environmental impacts, capital investment and associated long-term, operational and maintenance costs be undertaken on three options, namely:

- 1. Continue to manually clean into the future; or*
- 2. Fill in the Modellers' Pond, landscape and maintain into the future; or*
- 3. Modify the Modellers' Pond to minimise ongoing operational and maintenance costs;*

AND THAT Council approve this additional cost as unbudgeted operational expenditure;

AND THAT staff engage with Pond users and a Tahunanui community representative and seek their contributions in assessing the options;

AND THAT results of this detailed assessment be reported back to Council to be able to guide deliberations on the Long-Term Plan.

- 4.2 In January 2015, Council Officers met with Modellers' Society (Nigel and Tracey Gibbs) and the representative of the Tahuna Community (John Gilbertson) to review the three options. The outcome of this meeting

was that continuing with the current maintenance regime (status quo) was considered not to be a realistic option. Alternatively the users were adamant that the decommissioning option (fill in the pond) was not an option in their view. The modify option comprising the installation of a concrete base was considered by the users to be the most cost-effective and long-term option. There was considerable discussion around other upgrade alternatives. However the group felt that most of the other alternatives had been considered on numerous occasions in the past and that the concrete base option always came out as being the most cost-effective long-term option.

- 4.3 Council Officers then worked with CGW to assess the three options in more detail. CGW produced a draft report in March 2015 and a further meeting was held with the Modellers' Society (Nigel and Tracey Gibbs, Rosemary Dyer) and the representative of the Tahuna Community (John Gilbertson) to give an overview of the outcomes of the report. The group indicated that they would be aiming to present their views to Council directly.
- 4.4 The CGW Report 8 April 2015 was issued (Attachment 1). This report outlines in considerable detail the various assessments that have been undertaken for the three options.

5. Options

Option 1 – Status Quo

- 5.1 This option essentially retains the pond as is and continues with the current maintenance regime.

Water Quality

- 5.2 There are several factors that affect the quality of the water in the pond. These are:
- Stormwater runoff from surrounding surfaces and from adjacent roadway and carpark.
 - Stormwater and seawater discharges from Centennial Park pump station (primarily due to larger rainfall events and high tides).
 - During summer months the stormwater in the discharge pipe remains stagnant and the initial flush into the pond is this stagnated water.
 - Its sandy base and shallow depth encourages the growth of rupea and algae.
 - Its water level fluctuates and is almost entirely dependent on rainfall, tides, evaporation and stormwater runoff.
 - It becomes a collecting point for rubbish including bottles, cans and discarded packaging.

- At high tides the pond is inundated in sea water often over filling the pond and covering the surrounding footpath.

Maintenance Regime

- 5.3 The current maintenance regime is not fully effective and is very expensive. It is a manual task, with personnel wading through the pond raking up rupia and algae and lifting it into receptacles to be disposed of.

Environmental Impacts

- 5.4 The current maintenance regime has a minimal environmental impact.

Resource Consents

- 5.5 Currently resource consents are held for diverting stormwater, discharge of contaminants to coastal marine area, construction of a structure and activities near the coast. The consents (9852327) were originally issued on 24 August 1998 and subsequent variation decisions on 21 March 2001 and in July 2003. The variations were primarily related to the monitoring requirements of the original consent. The consent and subsequent variations have 35-year term with expiry 24 August 2033.
- 5.6 The status quo option as outlined would not require any additional consent or any variations to the current consents.

Cost Estimates

- 5.7 The annual costs of the maintenance regime are summarised as follows:

Weed Clearing	\$114,000
Annual Clean	\$ 14,000
Total per year	\$128,000

- 5.8 The Net Present Value (NPV) over 30 years with an annual expenditure of \$128,000 is **\$1,680,000**. (NPV = the value of 30 years expenditure in today's dollars.)

Modifications

- 5.9 If the status quo option was adopted there is an opportunity to implement some physical modifications to try and reduce the maintenance required.
- 5.10 Currently the pond has fluctuating water levels. A water level control device could be installed to maintain a constant level. Top up water could be provided from the Council water reticulation. Currently there is a flanged connection on a 100mm diameter pipe at the eastern end of the pond. This could be modified with a control device such as a float valve housed in an appropriate chamber. This would also require the

installation of a backflow prevention device. The estimated cost of this modification is \$18,000.

- 5.11 The net amount of top-up water needed has been assessed at 19,000 m³ per year. This is the net deficit after considering rainfall, stormwater flows and high tides into the pond, plus the losses via evaporation and seepage through the sandy base. At the current rates charged for water this equates to approximately \$50,000 per year.
- 5.12 It is difficult to assess the savings in weed clearing with the water level maintained at a consistent level. We have assumed up to 10% savings though this may not eventuate.
- 5.13 The estimated costs of these modifications are summarised as follows:

Install Flow Control	\$ 18,000
Weed Clearing	\$102,000
Annual Clean	\$ 14,000
Top-up Water	\$ 50,000
Total per year	\$166,000

- 5.14 The Net Present Value (NPV) over 30 years with a first year expenditure of \$18,000 and an annual expenditure of \$166,000 is **\$2,180,000**. (NPV = the value of 30 years expenditure in today's dollars.)

Option 2 – Decommission Pond

- 5.15 This option decommissions the pond as a modellers' pond. The decommissioning can be undertaken in one of two ways; fill it in or return it to an estuarine environment.

'Fill It In'

The pond would be filled in with the exception of a small area near the Centennial Park pump station outlet. This will need to remain as a 'pond' for the discharge of stormwater. The concrete footpath and other structures within and adjacent to the pond would be removed. It is proposed that the fill level be higher than the current footpath to prevent inundation during high tides. The filled area will be left level and sown with grass.

'Reinstate Estuarine Environment'

- 5.16 The concrete footpath and other structures within and adjacent to the pond would be removed. Potentially the weir could also be removed. The exact layout and design of the estuarine option needs further consideration. It is likely that some fill would be required to establish a varying coastal fringe as opposed to utilising the current pond's oval geometry.

Water Quality

- 5.17 Water quality would not be a significant issue if the pond was decommissioned. The 'fill it in' option will still require a discharge pond at the stormwater outlet so there may be associated water quality aspects with this. This discharge area does not necessarily need to be a pond. It could be more of a wetland or discharge area that contains the stormwater sediment and contaminants as expected from the original consents.

Maintenance Regime

- 5.18 The 'fill it in' option will require mowing and standard park type maintenance into the future.
- 5.19 The 'return to estuarine environment' option may not need very much maintenance at all, especially if it is designed and implemented appropriately.

Environmental Impacts

- 5.20 It is intended that the decommissioning options will be undertaken to enhance the environment. Therefore the environmental impacts of the final outcome are likely to be positive.
- 5.21 The design of the discharge area around the stormwater outlets will need to be such that the original intentions of the resource consents are not compromised.

Resource Consents

- 5.22 The current resource consents are outlined in clause 5.5.
- 5.23 The pond is located in the 'open space and recreation zone' in Council's District Plan. It is also within the liquefaction study area and in the Coastal Environment Overlay. The pond is a scheduled site (CR7 – Tahunanui Beach reserve) and is identified as a HAIL site.
- 5.24 The works associated with the 'fill it in' option would normally be a permitted activity, however they would constitute earthworks. The current rule on earthworks permits fill up to 1.2 metre in depth providing the works do not take place within 20m of the Coastal Marine Area (CMA). The modellers' pond is likely to be within 20m so a resource consent would be needed.
- 5.25 The works are unlikely to have any consequence on the liquefaction overlay nor in respect of the National Environmental Standards (NES) for contaminated soil. However should the works require removal of contaminated material then Council would need to comply with the permitted standards of the NES or operate within the parameters of the existing resource consents. The removal of contaminated material is not likely to be undertaken in the 'fill it in' option.

- 5.26 The works associated with the 'return to estuarine environment' would involve some earthworks so a resource consent would be required (the same as outlined for the 'fill it in option'). In this option the contaminated soil may not be covered as in the 'fill it in' option. Potentially some of the contaminated material within the upper layers may need to be removed and replaced with other appropriate material. If this were to occur then Council would need to comply with the permitted standards of the NES or operate within the parameters of the existing resource consents.

Cost Estimates

- 5.27 The capital costs of the 'fill it in' option are estimated at \$680,000. This includes \$60,000 should there be a need to apply for a new consent of for variations to current resource consents. The capital costs for the 'return to estuarine environment option' have not been determined. However it is likely that they would be less than the 'fill it in' option.
- 5.28 The annual costs of maintenance, which primarily covers mowing of grass, is estimated at \$9,600. The annual costs of the 'return to estuarine environment' would be very minimal if any.
- 5.29 With an initial capital cost of \$680,000 and an annual maintenance cost of \$9,600 the Net Present Value (NPV) over 30 years is **\$760,000**. (NPV = the value of 30 years expenditure in today's dollars.)

Option 3 – Modify Pond

Description

- 5.30 This modify option is based on installing a permanent liner in the base of the pond. Of the lining options considered, concrete was the preferred material as it is cost-effective over the long term compared with other lining options. It is proposed to implement more frequent flushing of sea water through the pond. The frequent flushing of seawater combined with the permanent lining should reduce but not eliminate the need for ongoing maintenance.
- 5.31 It is proposed that the pipework at the Centennial Park pump station be modified and automated to allow the intrusion of seawater during high tides. This sea water would then be pumped to the pond in sufficient quantities to replenish the pond. Although the frequency of pumping has not been finalised it has been assumed that this will occur 2-3 times per week. The excess pond water will flow over the weir into the estuary.
- 5.32 Correspondingly it is proposed that the pond weir is also automated so that the pond can emptied during low tides.
- 5.33 This option will also require some flow modifications within the pond to prevent sea water short-circuiting to the overflow weir. The aim would be to direct incoming seawater around the pond so that there is adequate

mixing and flushing. This may involve modifying the current stormwater inlet structure as well as the automation as described in 5.31.

Water Quality

- 5.34 The factors that affect the quality of the water in the pond are outlined in clause 5.2. The frequent flushing of seawater combined with the concrete base should have the following positive impacts on water quality in the pond:
- Eliminate the growth of rupia (rupia requires a sand base to grow).
 - Reduce the opportunity for algae to grow in the pond. The extent of this reduction in growth is difficult to assess, although given the intended frequency of seawater pumping and pond emptying there is a chance that it could be eliminated completely.
 - Dilute stormwater runoff from surrounding surfaces and from adjacent roadway and carpark and decrease nutrient concentrations.
 - The increased frequency of seawater discharges into the pond from Centennial Park pump station will eliminate the occurrence of stagnated water in the discharge mains.
 - Maintain water levels within the pond.
- 5.35 In its report to Council February 2013, Parklink Ltd indicated that when sea water is flushed into the pond there is temporary relief in the build up of algae. The report goes on to state that as the water temperature rises it becomes more conducive to algae growth. The implication of this commentary is that if there was constant flushing of seawater then the temporary relief would become permanent. The water temperature would not have time to rise and the pond water would be kept fresh thereby reduce if not eliminate algae growth.

Maintenance Regime

- 5.36 It is envisaged that the maintenance regime could be significantly less in quantum compared to the current practices – largely because a concrete base removes the media needed for growth of ruppia and a potential reduction in algae growth. The frequent flushing of seawater and pond emptying should reduce the chance of algae growth. A concrete base should make this much easier and more cost-effective. It has been assessed that this 'one-off' clean be undertaken annually, however its frequency will depend on the degree of siltation and sand intrusion from the surrounding marine environment.
- 5.37 In its Report November 2010, NIWA recommended "*regular flushing (every two months) in the summer to reduce algal biomass and to help maintain water quality*". Although NIWA suggested this as an interim measure, the proposal outlined in this report would make this a permanent measure.

- 5.38 In the same report NIWA also recommends that *"in the longer term bottom lining of the pond would greatly facilitate pond management by controlling the R megacarpa (ruppia) reducing sediment re-suspension, stop pond seepage and facilitate regular flushing and bottom cleaning. It would deter macro-algal growth and greatly reduce the oxygen demands of the pond system."*
- 5.39 On 22 April 2015, NIWA confirmed that *"the concept is very likely to be a good solution to the problem growths in Modellers Pond. The concrete lining will prevent the Ruppia growths and flushing as described will prevent sediment accumulation for future growths. The algal growths were non-attached so regular flushing would keep their abundance to a minimum. Pond emptying and refilling in the past has been successful in providing temporary relief from algae even though the pond could not be emptied completely and could only be done infrequently with refilling possible only on a spring tide. This proposal would seem to provide all the answers."* This is a positive endorsement of this option from a biological perspective.

Environmental Impacts

- 5.40 The decommissioning of a sandy base and the installation of a concrete liner in the base of the pond is a step away from the natural coastal environment. However once the modifications have been completed it is likely that the environmental impacts would be similar to what exists currently.
- 5.41 The construction phase of this option would need to be managed to minimise environmental impacts.
- 5.42 The pumping of seawater from the Centennial Park pump station and the corresponding emptying of the pond into the estuary at low tides may have an environmental impact. However given the intended frequency of seawater input it is likely that the emptying and/or overflow will be predominantly seawater.

Resource Consents

- 5.43 The current resource consents are outlined in clause 5.5.
- 5.44 The works associated with this modification would involve some earthworks therefore a resource consent would be required. In this option the contaminated material would be covered by the concrete base. Potentially some of the contaminated material within the upper layers may need to be removed to make room for compacted basecourse on the underside of the concrete slab. If this were to occur then Council would need to comply with the permitted standards of the NES or operate within the parameters of the existing resource consents.
- 5.45 The modifications to the pipework at the Centennial Park pumpstation and at the pond weir would trigger the requirement for a resource consent. It is intended that the modification to the both structures will

include automation. The key imperative to the consideration of either compliance with the permitted standards or the effects of an activity needing resource consent will be an understanding of the quality of the water being discharged, and the concentration/dilution of contaminants. This will have to be evaluated during the detailed design phase when the operating and maintenance regime is established.

Cost Estimates

- 5.46 The capital cost of the 'modify pond' option is estimated at \$1,160,000. This includes \$60,000 should there be a need to apply for a new consent for variations to current resource consents.
- 5.47 Based on the comments from Parklink Ltd and NIWA, the annual costs of maintenance have been assessed as follows:

Pumping (Electricity)	\$ 1,000
Pumping (Maintenance)	\$ 10,000
Cleaning (Weed/detritus)	\$ 20,000
Annual Clean	\$ 14,000
Total per year	\$ 45,000

- 5.48 With an initial capital cost of \$1,160,000 and an annual maintenance cost of \$45,000 the Net Present Value (NPV) over 30 years is **\$1,640,000**. (NPV = the value of 30 years expenditure in today's dollars.)
- 5.49 The CGW Report 8 April 2015 did not assess the proposal of frequently flushing the pond with seawater in detail. It therefore assesses much higher annual maintenance costs. Although the report refers to pumping seawater as an option it was not proposed as the option. The upgrade option it proposes adopts a similar maintenance regime as status quo.
- 5.50 The higher maintenance costs in the CGW report are primarily due to the uncertainty around what impact the concrete base and use of Council top-up water will have on the growth of algae. Nelmac provided advice to the CGW Report and indicated that in this scenario it believes the maintenance will only decrease around 20% compared to status quo. Consequently the CGW Report outlines the annual maintenance costs as \$123,000 per year.
- 5.51 The CGW Report outlines the capital cost at \$1,120,000 but has not allowed for the resource consent costs. With the capital cost estimate of \$1,120,000 and an annual maintenance cost estimate of \$123,000 the NPV is calculated as \$2,540,000.
- 5.52 It could therefore be stated that the NPV for the modify pond option could range between \$1,640,000 and \$2,540,000. It is more likely to be at the lower end of this range based on the commentary of ParkLink Ltd

and NIWA around potentially much reduced maintenance of algae and ruppia.

Summary of NPVs

5.53 The NPV for each of the three options are summarised as follows:

Option	Net Present Value
Option 1 – Status Quo	\$2,180,000
Option 2 – Decommission Pond	\$ 760,000
Option 3 – Modify Pond	\$1,640,000 to \$2,540,000

6. Discussion

- 6.1 The Net Present Value analysis shows that Option 2 – Decommission Pond is the least cost option at \$760,000 over the next 30 years. The next least cost option is more likely to be Option 3 – Modify pond with an NPV of likely to be closer to \$1,640,000 than the \$2,540,000. The highest cost option is likely to be Option 1 – Status quo with a NPV of \$2,180,000.
- 6.2 From a purely economic perspective the status quo is not the most cost-effective option long-term.
- 6.3 There is community value in this facility. Although the economics suggest that decommissioning is the most cost-effective option, this economic analysis does not account for community value. Parts of the community would see sufficient value precluding decommissioning as an option.
- 6.4 As indicated earlier in this report Council officers have been consulting with the Modellers' Society and the Tahunanui Community. We understand that there is also interest from other community groups to get involved in this project. We understand that potential sponsors have been canvassed to help facilitate the implementation of Option 3 – Modify Pond. At this stage the lack of certainty around the detailed design and direction from Council has curtailed commitments to this option.
- 6.5 If Council were to decide to decommission the pond based on the economic analysis in this report then there is likely to be and negative response from users and sections of the community.
- 6.6 There is community interest in progressing with Option 3 – Modify the Pond, Council should consider adopting this as the preferred option at this stage. This would then allow Council to complete the detailed design and assess the resource consent requirements in more detail. This would bring more certainty allowing users and community groups to assess and confirm their input and/or contributions. Once this has been completed, the details and final costs should be referred back to Council

for further consideration. At that point Council could decide whether to progress with what has been developed. If council is not comfortable with the outcome it could either retain the status quo or adopt the decommissioning option.

7. Alignment with relevant Council policy

- 7.1 Improvements to the pond align with the intent of the Annual Plan 2014/15 and with the intent of the Draft Long-term Plan 2015-25. The Annual Plan 2014/15 has a budget of \$143,000 of which \$80,000 has been spent on pond cleaning and option assessment. The Draft Long Term Plan 2015-25 included \$1,000,000 for work on the modellers' pond.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 This is not a significant decision.

9. Consultation

- 9.1 The Council has met twice with the Modellers' Society and a representative of the Tahunanui Community to review the options and obtain their input and advice. There have also been ongoing informal discussions between the parties on specific ideas and options.
- 9.2 The Modellers' Society and the Tahunanui Community intend presenting their own views to Council. However it is clear from these discussions that they strongly prefer Option 3 – Modify the Pond. They are opposed to Option 2 – Decommission the Pond. They also indicated that in their view Option 1 – status quo was not sustainable.
- 9.3 The Modellers' Pond is located within the Coastal Marine Area, so it is necessary that the Department of Consultation is briefed on the proposal. Their comments can be incorporated into the detailed design as appropriate.

10. Inclusion of Māori in the decision making process

- 10.1 There has been no consultation with Maori, outside of the Annual Plan processes. Consultation will be undertaken with Maori around the proposal and incorporate their feedback into the proposal as appropriate.

Richard Kirby
Consulting Engineer

Attachments

Attachment 1: A1340871 - CGW Report 8 April 2015



Tahunanui Modellers Pond - Options Report

Nelson City Council

Document Number: 14000-225-RPT-5b

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1. Executive Summary

With respect to the Modellers Pond in Tahunanui, Nelson City Council have identified three options for further evaluation. The options are;

- Continue to manually clean the pond into the future,
- Fill in the Modellers' Pond, landscape and maintain into the future,
- Modify the Modellers' Pond to minimise ongoing operational and maintenance costs.

This evaluation is to include Net Present Value figures, based on a 30 year period, for each of the three options.

The options considered and the corresponding Net Present Values are presented in the table below.

Table 1 – Options Cost and NPV	
Option	NPV
Option 1 – Continue with Manual Cleaning	\$2,465,456.97
Option 2 – Fill in the Pond	\$759,887.23
Option 3 – Modify the Pond	\$2,543,776.40

2. Brief

Ongoing issues with the Modellers Pond at Tahunanui Reserve, have resulted in excessive weed and algae growth, low water levels and generally poor water quality. This has meant limitations for the ponds' originally intended use, being a place where sailors of model boats can sail their boats.

In December 2014, the Nelson City Council Community Services Committee agreed to commission a detailed assessment on the capital investment and associated long-term operational and maintenance costs of the three options listed in Table 1.

A meeting was also held with representatives of the Modellers Society and the Tahunanui Business Association in January 2015. The purpose of the meeting was to gain feedback from these parties. Although a large number of points were discussed, the view from the representatives present was that the pond should stay as a modeller's pond (i.e. generally retain its current configuration and depth) and that lining the pond base with concrete was probably the best method to reduce weed & algae growth issues, reduce water loss and enable a reasonably easy cleaning regime.

CGW Consulting Engineers (CGW) have then been engaged by Nelson City Council (NCC) to report on the capital investment and longer term costs of the three options, including the Net Present Value (NPV) of each option, to assist in decisions

regarding any future work to mitigate the issues identified. Nelmac were then engaged as sub-consultant, at NCC request, to advise on maintenance requirements for each option and associated maintenance costs. Some comment on environmental impact has also been included where appropriate. Also, several alternative aspects with respect to some options are presented.

The options being reported on are;

1. Continue with manual cleaning. Continue with current maintenance work to remove weed, algae and rubbish. Some minor work to install a ball-cock and backflow prevention on an NCC water supply pipe that discharges into the pond.
2. Fill in pond. Fill in most of the pond but retain an area for existing stormwater connections to drain into either a reduced pond area or for stormwater to free drain to the nearby estuary.
3. Modify the pond. Lining to the pond base, including hydro-static valves, or similar measures, to release expected groundwater pressure if the pond is empty. Some minor work to install a ball-cock and backflow prevention on an NCC water supply pipe that discharges into the pond.

3. General Site Description

The Modellers Pond at Tahunanui Reserve has been a Nelson icon for over 50 years and enjoyed by many generations.



Figure 1: Aerial view of Modellers Pond

The pond area is approximately 8,200m² in a symmetrical elongated spherical shape. The perimeter has a vertical concrete nib wall and a 2.0m wide concrete walkway adjacent. To the north and east, grassed elevated areas of varying widths provide open space for the public, for model boats and Sunday rides on the model trains. Within the pond area, a 560m² section is walled off with a concrete breakwater to provide a settled area for small boats to be run separately from the deeper main sailing pond.

At the west end of the pond, a 2.6m wide weir is set in a concrete channel. This weir provides pond level control, overflow and pond emptying to Tahunanui's Back Beach. The weir has a top level of 14.19mRL, however the normal pond water level is slightly lower at 14.18mRL (possibly due to the very top of the weir not being water tight). To drain the pond down, somebody must enter the channel to unbolt the weir gate and manually activate it.

The discharge channel does not fully drain to the back beach as standing water has been observed with a depth of 150mm from the base of the channel between the pedestrian bridge and weir gate. The channel has an invert of 13.60mRL, which indicates that the static water level on the downstream side of the pond weir plate is 13.75mRL.

From the normal water level of 14.18mRL the existing main pond water depth ranges from 0.46m (13.72mRL) around the outside edge to 0.93m (13.25mRL) at the deepest point, with an average depth of 0.59m. The small boat area has a water depth range of 0.36m to 0.52m. The base is clay and gravel type material.

The Centennial Park stormwater pump station discharges to Modellers Pond via twin 360m long 600mmØ concrete rising mains, emptying into the pond at a raised, rocky outlet point adjacent to the pond weir outlet.

A 375mmØ concrete stormwater pipe discharges directly to the Modellers pond on the northwest side. This pipe is from the Beach Café carpark/Hounsell Circle carriageway area. Also, twin 300mmØ concrete stormwater pipes discharge directly to the Modellers Pond on the northern end. These pipes are from the Natureland and Hounsell Circle carriageway areas.

4. Summary of Issues

From previous reports, discussions with NCC staff, the meeting with representatives of the Modellers Society and Tahunanui Business Association and discussions with Nelmac, the current maintenance contractor, we have developed a brief summary of the issues with the pond.

- Weed and algae growth. Conditions in the pond are favourable for several types of aquatic plant growth. *Ruppia megacarpa* has been identified as the main weed and there are several types of algae. Weed and algae growth can be so prolific, especially in the spring and summer months, that the modellers' boats become entangled in the vegetation and the pond is unusable for this purpose.
- Low water levels. Water from the pond evaporates and is also believed to be lost to percolation through the base. The low water levels also prevents the pond from being used for model boat sailing.
- Poor water quality. A combination of stagnation of the water in the pond, high water temperatures, especially in the summer, and high levels of nutrients from the breakdown of organic matter, water fowl faeces and stormwater contributions, mean the water quality can be quite poor. The breakdown of organic material can also produce unpleasant odours.
- Sediment accumulation. A combination of the sediment in stormwater inflows and windblown sediment, results in sediment accumulating in the pond. The sediment, combined with the organic material, provides a sludge layer in the base of the pond that supports weed growth, and contributes to the poor water quality.
- Rubbish. Bottles, cans, various packaging and other detritus is often present in the pond.
- Contaminated sediment. Historically, the weed and algae growth in the pond was controlled by adding copper sulphate into the pond water. Although this practice has been discontinued for a number of years, the copper will persist in the sediment. We understand a layer of the sediment and base material was removed several years ago. We do not know what level of copper contamination remains.

5. Current Pond Management.

When required, the pond can be drained, as low as the standing water level in the outlet channel, by opening the weir gates manually to release the pond water out to the back beach area during low tides. Pumping can be carried out to remove water that is not self-draining. Pond draining is done to enable the pond water to be replaced with fresh sea water. It is also done to facilitate cleaning. At times, the pond may be left drained for several days to attempt to kill weed plants present through desiccation.

High tide events are currently used to recharge the pond water levels, both after the pond has been drained and also to top up the pond if water levels have receded. This is achieved when tides exceed 14.19mRL (approximately 4.3m tide) and over-top the weir or alternatively, the weir gate is manually opened.

Weed and algae (and rubbish) are removed from the pond manually. NCC contractors have devised several specific items of equipment that float on the water

surface and are dragged around the pond to try and accumulate the weed and algae at the pond edge. The vegetation is then scooped from the pond and forked onto trucks to be taken away for disposal. This work is done as and when required. In the summer months, when plant growth is at its optimum, it is an almost full time operation for the staff involved. Unfortunately, this system is most efficient when the weed covering is thick, meaning the pond will have been unusable by the modellers for some time prior to cleaning out and will have become quite unsightly as well.



Figure 2: Contractors cleaning weed & algae from pond

The annual cost of weed and algae removal from the pond is approximately \$95,000.00 for 2014/2015.

There is no set programme for sediment removal. We are aware of at least one circumstance in recent years where contractors have been engaged to remove sediment and sludge from the pond base, to waste.

5.1. Existing Water Sources

Even though sea water is the main source of water to refresh the pond, there are a number of other sources of water to top up the pond. To summarise the water sources;

Sea Water

At high tides of 4.3m (Chart Datum) or above, sea water will over-top the weir and fill the pond.

Bore Water

A number of ground water bores have been developed on the site adjacent to the pond in recent years to provide top-up water. The total consented flow is 80l/min

with a max volume of 800m³ per week. However, it is understood that the fine flowing sub-soil sands limits the flow rate to be significantly less than this.

NCC Reticulation

A potable water supply connection from the NCC reticulation is provided at the edge of the existing pond.

Stormwater

The pond is also a discharge point for several stormwater outlets. The surface runoff from the Hounsell Circle carriageway, Natureland and Beach Café carpark all drain into the pond. Also, as discussed below, the Centennial Park pump station discharges into the pond.

Centennial Park Pump Station

This pump station, constructed circa 1998, operates at times of combined high rainfall and high tides, when the gravity stormwater reticulation in Tahunanui is not operating efficiently. At these times, the excess stormwater flow over-tops a weir within the pump station, into the pump wet well, and is pumped to the Modellers Pond.

Nelson City Council have advised that no flow meter data or telemetry is installed at the pump station and therefore no current data is available as to frequency or discharge rate from the pump station. However, a Discharge study by MWH *Appendix I: Tahunanui stormwater upgrade discharge study* (Jan 1998), indicates that the feasibility for the pump station was set with a maximum discharge capacity of 1.8m³/s and minimum discharge capacity of 0.5m³/s operating up to four times a year.

As part of the maintenance regime for the pump station, the pumps are exercised on a bi-monthly basis. During a high tide event, contractors open a tide flap on pipework at Parkers Road and the tidal water flows back up the pipe to the pump station. A valve within the pump station weir is opened and tidal water drains into the wet well and is then pumped to the Modellers Pond. The pumps are run for approximately half an hour during each exercise cycle.

Anecdotal evidence suggests this maintenance pumping releases very dirty water into the pond. It is suggested that the water that has been sitting within the rising main water pipes, which may have been sitting in the pipes for a number of weeks since the previous maintenance pumping, may become discoloured and odorous due to the organic sediments that were present in the water, breaking down.

The Resource Consent for the Centennial Park pump station specifically names the Tahunanui Reserve Modellers' Pond as the location for the diverted stormwater from the pump station. Changes to the location of the rising main outlet, or indeed

changes to the pond that potentially alter it from being the 'Tahunanui Reserve Modellers' Pond' may require an alteration to the approved consent.

5.2. Water Losses

Three main forms of discharge or water loss have been identified for the Modellers Pond. These being:

1. Discharge through or over the weir and concrete channel
2. Evaporation
3. Base liner infiltration

We have attempted to try and quantify some of these losses. The reason for these calculations is to approximately estimate what quantity of make-up water would be required to sustain the pond at a pre-set level, possibly just below the existing weir crest.

Discharge through or over the weir and concrete channel.

Water lost over the weir is generally due to tidal sea water that has inundated the pond when tide levels are higher than the weir or stormwater discharge to the pond that fills the pond to a level higher than the weir. As these outflows are over and above that needed to sustain a pre-set level below the weir, these outflows do not need to be accounted for.

Discharge through the weir is manually managed, generally to drain the pond. The reasons for draining the pond could include an annual clean. The volume of the pond is approximately 4,800m³.

Evaporation and Rainfall

Evaporation rates are difficult to estimate for any particular location. In a paper, *Evaporation and transpiration* (published 2004), by David Scotter and Francis Kelliher, estimated rates of evaporation for a number of situations for various areas throughout New Zealand are given. Using figures from that paper for the location closest to Nelson, a very approximate estimate of monthly evaporation rates can be assumed.

However, in contrast to the evaporation, is the rainfall that falls directly onto the pond. From the NIWA website (<https://www.niwa.co.nz/education-and-training/schools/resources/climate/meanrain>) the average monthly rainfall for Nelson is available.

In calculating an annual water balance for the pond of evaporation and rainfall, for the months where evaporation is higher than rainfall, there is expected to be a net

loss from the pond, however, for the months where there is higher rainfall than evaporation, no loss (or gain) is calculated. (for the purpose of this estimation of water losses, flows from the stormwater inlets are not considered). From our calculations, we have estimated an annual water loss due to evaporation, less rainfall, of up to 2,500m³.

Base liner infiltration

In the report 'Management options for Modellers Pond, Tahunanui, Nelson' (NIWA November 2010), a figure of up to 11mm/day is quoted as the water loss to evaporation and percolation through the base. Although the date this figure was derived is not stated, if we assume the measurement was made during the month of January, when evaporation would be highest, and therefore most likely to be of interest for somebody to record, then we can subtract the estimated evaporation for January from the Scotter and Kelliher paper, which is 5mm/day.

11mm/day less an estimated 5mm/day due to evaporation leaves a value of 6mm/day that is expected to be lost due to infiltration. This is approximately 1,500m³ of water lost through the base, per month. Assuming infiltration through the base remains constant throughout the year, our calculations indicate an annual water loss due to infiltration as 17,670m³.

6. Ground Water Level

Some initial soil investigations have been undertaken by CGW on Friday 05th July 2013. This consisted of ten Scala penetrometers and one auger hole, at various locations on the pond perimeter, to provide an understanding of the sub-soil ground conditions. Ground water was measured in the auger hole at a depth of 600mm below ground on the west side of the pond. The water level within an onsite bore was also measured. The resulting reduced levels for the observed ground water level in the auger hole and in the bore was 14.08mRL and 14.14mRL respectively.

These measurements, taken above, coincided with a low tide with an approximate level of 11.0mRL. This would indicate that the ground water level is not immediately sensitive to fluctuations in tidal levels. Anecdotal evidence from a modeller society member, noted no fluctuation of the bore water level had been observed in the past, which also corroborates this assessment.

During October 2013, the NCC drained down the pond to provide access into the pond base for stripping of debris and weeds. Anecdotal information provided

verbally to CGW, by NCC staff involved in that work, suggests that the groundwater water surface level, within the pond, is approximately 13.60mRL.

The current pond base level is between 13.60mRL and 13.25mRL therefore it is inferable that the pond would be subjected to hydrostatic pressure if fully emptied.

7. Various Factors Considered During Evaluation

7.1. Water Sources for filling and top up of pond

NCC Reticulation.

There is an existing potable water supply point at the edge of the pond. Water from the reticulation could be used to fill and/or top up the pond as needed. Currently, this pipe discharges directly into the pond.

This water supply has been considered as the primary option for water as it has certainty of supply and the value of the water can be determined.

Some modification would likely be needed to bring this supply point up to required standards, which would include a backflow prevention device, possibly separate metering and a ballcock or level control device to enable automatic top of the water level if it dropped below a pre-set level. The cost of completing the modification has been estimated at \$18,000.00.

Bore Water

There is an existing bore near the pond, however, this bore cannot supply sufficient water to maintain the water level in the pond. A drilling contractor was spoken with regarding developing another bore. He was aware of several bores within a several kilometre radius but noted that Nelson is not well endowed with aquifers. However, that would not exclude the possibility of a bore near the Modellers' Pond being developed to produce good flows. It would need to be deep enough to penetrate the sediment and sand layers to access possible gravel layers below. His ballpark estimation for developing a 20m bore near the pond was in the order of \$10,000.00. \$3,000 - \$4,000 of that would be the drilling and from that a good idea of what the ground profile is like should be ascertained as well as the likely flow rates.

Additional Stormwater Flows.

There are two possible stormwater flows that may be able to be tapped to provide top up water for the pond. Neither of these ideas have been fully investigated at this time.

One is from the Centennial Park pump station. The configuration of the pump station is such that most stormwater bypasses the pump station and flows by gravity to an open drain near Parkers Road. It may be possible to alter aspects of the pump station to enable more stormwater to enter the wet well and therefore more frequent pumping from the pump station to the Modellers' Pond. The quality, quantity and feasibility of the water from this stormwater source would need to be confirmed.

The second source is a surcharged stormwater main that runs beneath Tahunanui Drive and discharges at Tahunanui Beach, the outfall being approximately 200m north east of the Bisley Walk carpark beside Rocks Road. This stormwater main has small base flows running, even in dry weather. Again, the quality, quantity and feasibility of the water from this stormwater source would need to be confirmed.

Additional Sea Water Flows

In addition to the sea water that tops up the pond during very high tides or is used to fill the pond after draining, additional sea water could be pumped into the pond. The quantity proposed would be sufficient to provide a flushing effect for weed/algae and sediment to be washed out to the back beach.

An option for this is to use the Centennial Park pump station. The configuration of the pump station and the pipe work draining to the Parkers Road drain, may be able to be altered to enable sea water to flow back up the pipes during smaller high tides than those normally needed to over-top the weir at the Modellers Pond, and then be pumped to the Modellers Pond.

7.2. Lining Pond Base

From previous reports completed for the NCC on the Modellers Pond, lining of the base has been mooted as an aspect of civil works that is expected to reduce the issues occurring with the pond. Lining is expected to reduce the losses of water through the base. Also, lining is expected to provide a much more difficult surface for weeds to take root. Finally, the lining should enable easier regular cleaning and sediment removal than the existing base.

Concrete Lining

Concrete lining is the preferred methodology for lining the base of the pond and this option was supported by the Modellers Society. A well detailed and constructed concrete lining will be very resistant to water ingress or egress, it will be a material that weeds will struggle to get a root hold with and it should be a straight forward surface to sweep or flush sediment off for collection and disposal.

The main advantage of the concrete lining is that it will be able to be constructed to withstand the expected pressure from the groundwater beneath the pond. If the pond is empty, for cleaning for example, then the pressure from the groundwater beneath the pond will provide an uplift force on the liner. Any liner will need to be able to resist the uplift force or have facility to release the pressure.

Clay Lining

It is possible to line ponds or reservoirs with a clay lining. Such a lining would be cheaper than concrete but would be a surface that was not as straight forward to clean and remove sediment from. Also, resolving the issue of uplift forces from the groundwater would be problematic with this type of lining.

Plastic Lining

There are plastic liners to line the base of ponds or reservoirs. However, as for the clay liner, these flexible liners would be more difficult to clean than concrete and would be subjected to similar issues as to how to resist the groundwater pressure.

7.3. Water Treatment via Circulation, Filtration and Chlorination

Brief consideration has been given to treating the water within the pond with similar technology to that used in swimming pools. That is, by circulating the water through filters and then using chemicals such as chlorine to kill bacteria and algae. Although it is not expected that the water in the Modellers' Pond be of such quality that it is suitable for swimming in, some elements of this methodology are worth considering.

Circulation & Filtration

Filtering the water of the pond through a reasonably coarse screen to remove the larger elements of the weed, algae and rubbish may be a viable consideration. Filtering the water to remove the finer elements, such as the sediment or small plant organisms would require a sophisticated filtering arrangement. Any filters or screens will require ongoing maintenance and the material filtered out would need to be disposed of. To enable a filtration or screen to be effective, the water of the pond would need to be circulated so that the floating material would pass through the filter/screen area.

Chlorination

Chlorine can be dosed into ponds to control algae growth and kill bacteria. It is worth noting that water that is dosed with chlorine to the degree required to control algae and kill bacteria, such as swimming pool water, is required to be disposed of through the waste water reticulation. The location of the Modellers Pond at the head of the back beach estuary, the role the pond has as an outlet for stormwater as well as the fact that tidal water, on certain tides, flushes in and out of the pond, means there is the potential for chlorinated water to discharge directly to the back beach.

8. Option 1 – Continue with Manual Cleaning

Retaining the status quo, in terms of the pond physical attributes, is the first option to be considered. In summary, this involves

- Maintain stormwater discharges from surrounding surfaces into the pond.
- Maintain stormwater discharges from Centennial Park pump station into the pond.
- Provide water level control function. Provide top up water from NCC potable water reticulation.
- Continue with manual removal of weed and algae.
- Continue with mechanical removal of accumulated sediment as and when it is needed.

Water level control. To achieve this, the existing NCC potable water reticulation connection at the Modellers Pond will need to be modified. This will involve installing a ball-cock or some other level control device that will open the valve to the water supply when the pond level requires to be topped up. It is also expected a backflow prevention device will need to be installed on the pipework. The cost of this work is estimated at \$18,000. (\$15,000 + 20% contingency)

Top up water. As noted above, the annual water losses through the pond base ($17,670\text{m}^3$) and to evaporation ($2,540\text{m}^3$) are estimated to be $20,210\text{m}^3$. In this particular scenario, a certain amount of additional recharge is expected due to the rain falling directly on the pond, so the total water losses have been estimated to be $18,660\text{m}^3/\text{year}$. The cost of this water at current rates is \$46,960.00 ($\$2.086/\text{m}^3$ + \$202.20 pa line charge + 20% contingency) per year.

Manual removal of weed and algae. The cost of this work over the last calendar year has been advised to us as approximately \$114,040.00 ($\$95,033$ + 20% contingency).

Mechanical sediment removal. The base of the pond has been cleaned of accumulated sediment previously. Although the actual cost of this work is not readily available, we have included a sum in our estimates for such an exercise. This amount is based on an annual drain and clean and is estimated at \$14,400.00. ($\$12,000$ + 20% contingency) Under this item, we also need to include the cost of filling the drained pond with water from the NCC reticulation. The volume of water needed would be $4,840\text{m}^3$, at a cost of \$12,110.00 per fill. ($\$2.086/\text{m}^3$ + 20% contingency)

Table 2 – Anticipated Cost and NPV		
Option 1 – Continue with Manual Cleaning		
Initial costs.		
• Backflow Prevention	\$18,000.00	
Annual Costs		
• Top up water	\$46,960.00	
• Weed clearing	\$114,040.00	
• Annual clean	\$14,400.00	
• Maintenance fill – water	\$12,110.00	
Net Present Value (refer Appendix A for equation)		\$2,465,456.97

8.1. Discussion

This option may not adequately address the issues that are apparent with the pond. The most efficient time to begin removal of the weed and algae is when the growth has reached a stage the pond is unsuitable for the sailing of model boats. Also, the use of reticulated water to maintain the water level in the pond may not be perceived by the wider public as an efficient use of this resource, particularly during dry times. The improvement to the pond may not be to the level desired at the outset of this project

9. Option 2 – Fill in the Pond

This option requires the bulk of the pond to be filled in, with the exception of a small area near the existing Centennial Park pump station outlet, that is to remain as a 'pond' for the discharge of stormwater. The concrete footpath and a number of other structures within and beside the pond would need to be removed. A detail of a possible fill outline is included in the appendices of this report. The fill level is noted as 14.60mRL. This level is higher than the existing pond footpath but has been selected as it is also higher than the expected very high tides that can occur. The filled area would be left level and sown with grass.

The Resource Consent for the Centennial Park pump station specifically notes the Tahunanui Reserve Modellers' Pond in the text. For the pump station to continue pumping to this potentially reduced area, may require an alteration to the consent, if this is possible.

This option has significant changes to the way the pond was managed. In summary, this involves

- Discontinue the flushing of the pond with tidal sea water.

- Maintain stormwater discharges from surrounding surfaces into the pond.
- Maintain stormwater discharges from Centennial Park pump station into the pond.
- Retain the existing weir and concrete channel structure to retain a certain amount of water and form a pond.
- Do not provide any top up water from NCC potable water reticulation.
- Periodic removal of accumulated sediment and/or rubbish as and when it is needed.

Fill in pond area. As mentioned above, the fill level would be high enough so as not to be inundated during the very high tides that occur. The costs noted are for fill material to be imported into the pond. The cost of filling the pond is estimated at \$615,770.00. (\$513,140 + 20% contingency)

Water level control. Not required.

Top up water. Not required.

Manual removal of weed and algae. Not required.

Periodic sediment and rubbish removal and mowing of grass surface. An allowance for the maintenance of the area, which would be done as part of the NCC maintenance of the wider Tahunanui Reserve, has been estimated. That allowance is \$9,600.00 per year. (\$8,000 + 20% contingency)

Resource Consent amendment. We have also included an allowance of \$60,000.00 for costs associated with preparing, applying for and processing an amendment to the existing discharge consent for the Centennial Park pump station, should this be required. This allowance is an estimate only and based on a simple, non-notified, straight forward consent amendment application.

Table 3 – Anticipated Cost and NPV		
Option 2 – Fill In Pond		
Initial costs.		
• Fill In	\$615,770.00	
• Consent Variation	\$60,000.00	
Annual Costs		
• Maintenance - mowing	\$9,600.00	
Net Present Value (refer Appendix A for equation)		\$759,887.23

9.1. Discussion

Although this option presents the least cost in the longer term, it is expected to be a highly unpopular option with the Modellers Society in particular, and the general public.

10. Option 3 – Modify the Pond

This option has been based on installing a concrete liner to the base of the pond. Of the lining options considered, concrete was the preferred material of the Modellers Society and is the most appropriate material for this particular situation. The concrete liner will enable the removal of sediment to be completed more easily than the current base. The liner will discourage the establishment of weeds that require a root system into the base, both through being impervious to the roots as well as there being less sediment to support weed growth. In addition, the liner will reduce the water losses to the ground. In summary, this involves:

- Install concrete liner to base of pond.
- Maintain stormwater discharges from surrounding surfaces into the pond.
- Maintain stormwater discharges from Centennial Park pump station into the pond.
- Provide water level control function. Provide top up water from NCC potable water reticulation.
- Continue with mechanical removal of accumulated sediment as and when it is needed.

Install concrete liner. A detail of a possible liner is included in the appendices of this report. The liner is to be of sufficient strength to enable light vehicle traffic on it when the pond is drained. It will also need to include hydro-static valves to release ground water pressure from beneath the slab, or be designed to withstand these pressures, when the pond is drained. The cost of installing a concrete liner is estimated at \$1,102,210.00. (\$918,510 + 20% contingency)

Water level control. To achieve this, the existing NCC potable water reticulation connection at the Modellers Pond will need to be modified. This will involve installing a ball-cock or some other level control device that will open the valve to the water supply when the pond level requires to be topped up. It also expected a backflow prevention device will need to be installed on the pipework. The cost of this work is estimated at \$18,000. (\$15,000 + 20% contingency)

Top up water. With a concrete liner, water losses to the ground are expected to be significantly reduced, if not eliminated. Therefore, the amount of top up water needed will be limited to water that evaporates less water gained by rainfall. This is

estimated to be 2,500m³. The cost of this water at current rates is estimated to be \$6,590.00 (\$2.086/m³ + \$202.20 pa line charge + 20% contingency) per year.

Manual removal of weed and algae. With the concrete lining to the base of the pond, and an anticipated annual cleaning regime to remove sediment, weed and algae growth is anticipated to be reduced. It is anticipated however, that some vegetation growth, algae in particular, will continue, even with this option. For that reason, an estimate of the maintenance costs have been included. While the costs are less than the un-lined option, it is expected work will still be required. The estimated cost is \$90,000.00 per annum. (\$75,000 + 20% contingency)

Mechanical sediment removal. An annual maintenance clean is expected to be required to remove accumulated sediment and organic deposits. This is anticipated to help improve water quality and reduce the possibility of weeds becoming established. To achieve this clean, the water in the pond would be drained and/or pumped out. Then the sediment could be swept or scooped up and disposed of before the pond is re-filled. The cost to clean the pond is estimated at \$14,400.00 (\$12,000 + 20% contingency) plus the \$12,110.00 (\$2.086/m³ + 20% contingency) cost of water to re-fill the pond.

Table 4 – Anticipated Cost and NPV		
Option 3 – Modify Pond – Concrete Lining		
Initial costs.		
• Backflow Prevention	\$18,000.00	
• Pond Lining	\$1,102,210.00	
Annual Costs		
• Top up water	\$6,590.00	
• Vegetation clearing	\$90,000.00	
• Base cleaning	\$14,400.00	
• Maintenance fill - water	\$12,110.00	
Net Present Value (refer Appendix A for equation)		\$2,543,776.40

10.1. Discussion

This option involves a significant amount of civil works. However, a concrete liner has been recommended in several of the previous reports commissioned by NCC to consider the issues at the Modellers Pond, as a method the report writers had some degree of confidence would mitigate the issues.

Again, this option uses reticulated water to provide top-up water when needed, which may be an issue during dry periods, but is expected to be far less than the un-lined option.

We would note that the concept design is based on existing base and water levels. Raising the floor level to build the required base thickness on the existing pond base would reduce the need for excavation and removal of material, but, in order to retain a minimum depth of water for the model boats, the lip of the pond would also need to be raised. This is noted as a slight variation of the concrete lining option, which would have some advantages (exclusion of very high tides overtopping the outlet weir, less (or no) need to remove possibly contaminated material from pond base, further out of the anticipated ground water zone) and some disadvantages (issues of stormwater runoff not being able to drain to pond, having to build new footpath around the pond).

11. Limitations of this report

This report has been prepared solely for the benefit of Nelson City Council in accordance with the brief.

The reliance by any other parties on the information or opinions contained in this report shall, without our prior agreement in writing, be at such parties' sole risk.

The designs presented in this report are not intended for construction and are conceptual for the purpose of indicating possible final designs. Detailed design will be needed to confirm the parameters used in drafting the conceptual designs, which may well result in alterations to the design.

Where possible, the costings prepared for this report have been estimated from records of similar work or based on the experience of Nelmac and other contractors that have been involved. However, much of the work proposed is not common and, therefore, records of similar work are not available to us. In these situations, costs have been estimated by those involved based on their judgement of the work and materials required. Future maintenance costs, in particular, are difficult to ascertain. Actual costs will be dependent on the judgement of others, risk, contract specifications, contractual conditions and market conditions prevailing at the time. It must be appreciated that actual costs may vary from this estimate.

Appendix A Net Present Value

The Net Present Value (NPV) is derived using the following equation

$$NPV = \sum_{t=0}^n R_t / (1 + i)^t$$

where R_t is the amount of money being considered for a particular period
 t is the number of periods being considered, which is 30 years in this case
 i is the discount rate, which is 6.5% in this case

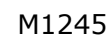
NPV is defined as the sum of the present values of incoming and outgoing cash flows, over a period of time. In this situation, all the values are the costs derived plus a 20% contingency. No income from the Modellers Pond is considered.

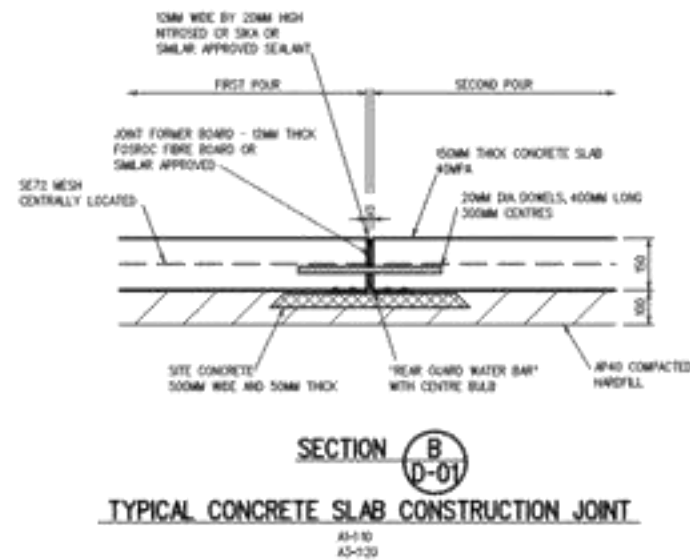
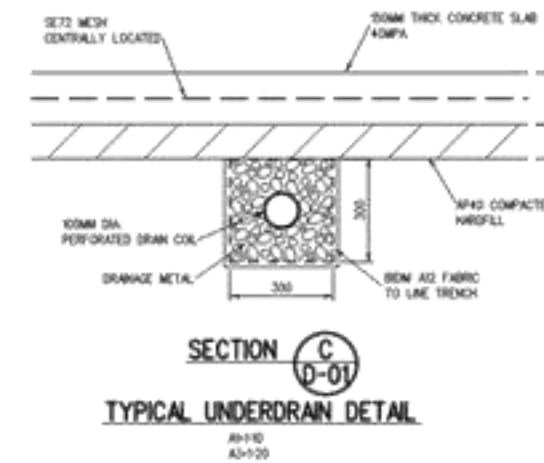
Appendix B Schedule of Quantities and Rates




Table 5 – Schedule and Estimated Rates – Fill in Pond					
Item		Unit	Qty	Rate	Amount
1	Preliminary & General, establishment, site set up, insurances, etc.	LS	1	\$5,000.00	\$5,000.00
2	Remove footpath and other structures. Remove footpath, low walls, nibs and other sundry structures to waste	m ³	120	\$50.00	\$6,000.00
3	Pumping to control water, including sediment control facilities	LS	1	\$5000.00	\$5,000.00
4	1050 dia manhole	ea	3	\$2,800.00	\$8,400.00
5	Wing wall	ea	1	\$750.00	\$750.00
6	375mm dia RCRRJ pipe	m	128	\$200.00	\$25,600.00
7	Small retaining wall around back of new pond area	m	60	\$200.00	\$12,000.00
8	Fill pond. Supply and compact imported fill	m ³	9000	\$40.00	\$360,000.00
9	Topsoil. Supply and place 100mm thick topsoil	m ³	970	\$75.00	\$72,750.00
10	Grassing. Grass seed topsoil, including watering, first cut, spraying, fertiliser	m ²	9700	\$1.20	\$11,640.00
11	Amenity tree planting	ea	20	\$300.00	\$6,000.00
	Sub Total				\$513,140.00
	20% Contingency				\$102,628.00
	Total				\$615,768.00

Table 6 – Schedule and Estimated Rates – Modify Pond – Concrete Lining					
Item		Unit	Qty	Rate	Amount
1	Preliminary & General, establishment, site set up, insurances, etc.	LS	1	\$10,000.00	\$10,000.00
2	Excavation to sub-base levels. Trim pond base to required levels, remove spoil to waste. Including waste from underdrains	m ³	2124	\$25.00	\$53,100.00
3	Underdrains. Excavate drains to correct grade. Line trench with geofabric, supply and install drainage metal and 100mm dia perforated pipe	m	822	\$80.00	\$65,760.00
4	AP40 basecourse. Supply and compact AP40 basecourse for slab base	m ³	820	\$85.00	\$69,700.00
5	Slab joint. Including site concrete, water bar, former board, sealant and dowels	m	780	\$100.00	\$78,000.00
6	Concrete sump. Include mesh and 40 MPa concrete	m ³	0.4	\$500.00	\$200.00
7	Concrete channel. Include mesh and 40MPa concrete.	m ³	13.5	\$500.00	\$6,750.00
8	Hydro-static valves. Supply and install valves, including connection to underdrains	ea	20	\$500.00	\$10,000.00
9	Concrete slab. Include mesh and 40MPa concrete.	m ³	1230	\$500.00	\$615,000.00
10	Pumping to control water, including sediment control facilities	LS	1	\$10,000.00	\$10,000.00
	Sub -total				\$918,510.00
	20% Contingency				\$183,702.00
	Total				\$1,102,212.00

Appendix C Drawings





A SEALS FOR CONCEPT APPROVAL		 	
NO	DATE	REVISION	DESIGN DATE
CAMERON GIBSON & WELLS LTD CONSULTING CIVIL, STRUCTURAL & GEOTECHNICAL ENVIRONMENTAL ENGINEERS PR. 543-4250 NELSON FAX 504 6452 CBWEL, office@gswel.co.nz			
 Nelson City Council Te Kaitiaki o Whakatū			
APPROVED			
EXECUTIVE MANAGER NETWORK SERVICES			
DATE			
JOB TITLE			
NELSON CITY COUNCIL MODELLERS POND, TAHUMANUI REDEVELOPMENT			
DRAWING TITLE			
CONCEPT DESIGN LINING OF POND SECTIONS			
SCALE		REVISION	
A0-110 A2-120		A	
JOB NO		SHEET	
14000-225		0-03	

REPORT R4370

Local Government New Zealand Annual General Meeting

1. Purpose of Report

- 1.1 To consider Council's representation at the Local Government New Zealand (LGNZ) 2014 Annual General Meeting (AGM).

2. Delegations

- 2.1 This is a decision for Council.

3. Recommendation

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***

4. Background

- 4.1 The 28th AGM of LGNZ is to be held in Rotorua on 19 July 2015 as part of the LGNZ Conference.
- 4.2 As Council is a member of LGNZ, it is entitled to representation at the 2015 AGM.
- 4.3 The maximum number of delegates for each local authority at the AGM is determined by that local authority's population and subscription levels. Council is entitled to be represented by three delegates at the 2015 AGM.

- 4.4 Please note that the number of representatives at the AGM does not affect the number of delegates able to attend the conference.
- 4.5 The representation of each member authority is determined by the Mayor or Chair of each local authority. Representation is made up of members which include elected members and staff of all fully financial local authorities.
- 4.6 The AGM is open to members only and delegates must register by 19 June 2015.
- 4.7 Councillors McGurk and Lawrey are currently booked to attend the conference, as is the Chief Executive.

5. Discussion

- 5.1 Representation at the AGM is made up of a presiding delegate, other delegates and observers.
- 5.2 Council should consider who is best to fill these roles.

Presiding delegate

- 5.3 A presiding delegate is the person responsible for voting on behalf of the authority at the AGM. One presiding delegate must be appointed.
- 5.4 It would be usual for the presiding delegate to be the Mayor. However, if the Mayor is unavailable to attend, it is proposed that Councillor McGurk as Chair of the Planning and Regulatory Committee be appointed as the presiding delegate.

Other delegates

- 5.5 Council may be represented by up to two other delegates. According to the LGNZ Constitution a delegate can include officers of local authorities.
- 5.6 If the presiding delegate is absent from the AGM, 'other delegates' may vote on behalf of the local authority.
- 5.7 It is proposed that Councillor Lawrey be appointed as the other delegate in attendance.

Observers

- 5.8 Persons attending the AGM as observers will have no speaking or voting rights and will be seated separately from the main delegation. Based on the numbers attending the AGM this year, no observers are proposed.

Remit process

- 5.9 The remit process was outlined in the Mayor's Report of 19 March 2015.

- 5.10 The deadline for lodging remits with LGNZ has now passed, it was 22 May 2015.

Obituaries

- 5.11 LGNZ request obituary notices for inclusion in the AGM proceedings for the period from 20 July 2014 onwards. These should be advised in writing no later than Wednesday 15 July 2015.

6. Options

- 6.1 Council can either appoint attendees as delegates for the purposes of voting at the 2015 LGNZ AGM or not.

7. Alignment with relevant Council policy

- 7.1 The decision to appoint delegates to vote at the LGNZ AGM is not inconsistent with any previous decisions of Council.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 This decision is not considered to be significant in terms of Council's Significance and Engagement Policy.

9. Consultation

- 9.1 No consultation has been undertaken on this matter.

10. Inclusion of Māori in the decision making process

- 10.1 No consultation with Maori has been undertaken on this matter.

11. Conclusion

- 11.1 That the appropriate delegates represent Council at the 2015 LGNZ AGM as presiding and other delegates respectively.

Penny Langley
Manager Administration

Attachments

Nil

REPORT R4315

Administrative Matters

1. Purpose of Report

- 1.1 To report on a number of administrative matters in order to keep Council up to date.

2. Delegations

- 2.1 This is a report for consideration by full Council.

3. Recommendation

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.

4. Elected Members Travel and Training Expenditure

- 4.1 At the 12 November 2013 Council meeting it was resolved to take a whole of triennium based approach to budgeting for elected members travel and training.
- 4.2 It was agreed that expenditure would be reported back to every alternate Council meeting.
- 4.3 It was also agreed that following attendance at an event, elected members would provide a report back to the Chief Executive for sharing with fellow councillors via the Councillors Newsletter. Councillors are reminded to ensure a report back from any training is provided in a timely manner.

- 4.4 At the 24 March 2015 Council meeting, it was resolved that the costs of Resource Management Act (RMA) Making Good Decisions training be funded from the additional funding pool rather than the individual elected members training budgets for the current triennium.
- 4.5 All Making Good Decisions training costs originally funded from individual councillor training budgets in the current triennium have been reassigned to the additional training pool. These transfers were completed in May, and will be reflected in the next quarterly report.
- 4.6 Attachment 1 is a table showing expenditure to 30 April 2015. Attachment 2 is the agreed criteria for elected members' travel and training.

5. Meeting attendance

- 5.1 Elected members' meeting attendance is recorded for purposes such as official information requests.
- 5.2 In order to improve transparency on this matter and in line with good practice it seems prudent to routinely report meeting attendance. Providing it this way also allows elected members an opportunity to ensure the record is correct.
- 5.3 Attachment 3 is a table showing meeting attendance from 1 March 2015 to 31 May 2015.

6. Interests Register

- 6.1 At the start of the triennium all elected members were requested to declare their interests.
- 6.2 There is a standing item on each Council and committee meeting agenda asking for updates to the Interests Register and for elected members to identify any conflicts of interest in the agenda. The Interests Register is included as Attachment 4.
- 6.3 In order to improve transparency and in line with good practice it seems prudent to routinely report on elected members interests. This allows elected members an opportunity to ensure the Register is correct.

7. Leaves of Absence

- 7.1 Her Worship the Mayor has requested a leave of absence from 25 July 2015 to 22 August 2015 inclusive, Standing Order 3.6.1 refers.

8. Schedule of Documents Sealed

- 8.1 Attachment 5 is the Schedule of Documents Sealed.

9. Other Matters

Delegations Register

- 9.1 At its meeting on 5 May 2015 the Audit, Risk and Finance Subcommittee was advised that the liquidation of the Kahurangi Employment Trust was complete. Accordingly, the Trust has been removed from the Delegations Register (Schedule Four – Council Organisations (COs)).

Linda Canton

Administration Adviser

Attachments

- Attachment 1: A1365398 - Elected Members Travel and Training 1 March 2015–30 April 2015
- Attachment 2: A1103850 - Elected Members' Travel and Training Criteria 2013-2016
- Attachment 3: A1366044 - Elected Members Meeting Attendance 1 March 2015-31 May 2015
- Attachment 4: A1364263 - Elected Members Interests Register 2013-2016
- Attachment 5: A1364221 - Schedule of Documents Sealed 1 March 2015-21 May 2015

Travel and training budget 1 November 2013 to 30 April 2015

Name	Date	Purpose	Total Triennial Budget	Spent to 09/10/2014	Triennial Budget remaining
Prev Triennium	1/7-31/10/13	Expenditure by previous Council	\$ 3,470.00	\$ 3,470.00	\$ -
Induction			\$ 20,000.00		
		Expenditure previous period 1 Nov 2013-30 Jun 2015		\$ 18,953.55	
		No expenditure this period		\$ -	
				\$ 18,953.55	\$ 1,046.45
Mayor: LGNZ			\$ 22,200.00		
		Expenditure previous period 1 Nov 2013-28 Feb 2015		\$ 4,747.50	
	5/03/2015	Flight to Wellington, Rural & Provincial Sector Group Meeting, 12 Mar 2015		\$ 454.78	
	20/03/2015	LGNZ reimburse airfare - presentation on Rules Reduction Taskforce, Zones 2 & 4 mtgs		-\$ 1,158.26	
	15/04/2015	Taxi Tauranga airport to Zone 2 mtg, 27 Feb 2015		\$ 27.30	
				\$ 4,071.32	\$ 18,128.68
Mayor: Non-LGNZ			\$ 12,000.00		
		Expenditure previous period 1 Nov 2013-28 Feb 2015		\$ 2,961.87	
		No expenditure this period		0	
				\$ 2,961.87	\$ 9,038.13
Acland			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-28 Feb 2015		\$ 2,336.13	
		No expenditure this period		\$ -	
				\$ 2,336.13	\$ 2,663.87

Name	Date	Purpose	Total Triennial Budget	Spent to 09/10/2014	Triennial Budget remaining
Barker			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-28 Feb 2015		\$ 3,644.01	
		No expenditure this period		\$ -	
				\$ 3,644.01	\$ 1,355.99
Copeland			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-28 Feb 2015		\$ 1,664.34	
		3/03/2015 Flight to Auckland, Fit for the Future Conference, 19-21 Mar 2015		450.43	
				\$ 2,114.77	\$ 2,885.23
Davy			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-28 Feb 2015		\$ 3,074.34	
		5/03/2015 NZCFS AGM & Conference, Nelson 22-24 May		121.74	
				\$ 3,196.08	\$ 1,803.92
Fulton			\$ 5,000.00		
		Expenditure previous period 1 Nov 2013-28 Feb 2015		\$ 2,695.71	
		No expenditure this period		\$ -	
				\$ 2,695.71	\$ 2,304.29
Lawrey			\$ 5,000.00		
		19/05/2014 LGNZ Conference		\$ 1,256.52	
		Expenditure previous period 1 Nov 2013-28 Feb 2015		\$ 1,256.52	
		1/04/2015 LGNZ Conference 2015 Registration 19-21 Jul 2015		\$ 1,669.57	
		2/04/2015 Flights for LGNZ Conference 19-21 Jul 2015		\$ 441.72	
		7/04/2015 Credit - flight Rotorua, 18-21 Jul 2015		\$ 17.39	
				\$ 3,350.42	\$ 1,649.58

Name	Date	Purpose	Total Triennial Budget	Spent to 09/10/2014	Triennial Budget remaining
McGurk	6/03/2015 Flight to Rotorua, 17-21 Jul 15 LGNZ Conference and Excellence Awards 30/03/2015 LGNZ Conference 2015 Registration 19-21 July		\$ 5,000.00	\$ 391.30 \$ 1,469.57 \$ 5,236.13	\$ 236.13
Matheson	Expenditure previous period 1 Nov 2013-28 Feb 2015 No expenditure this period		\$ 5,000.00	\$ 790.00 \$ - \$ 790.00	\$ 4,210.00
Noonan	Expenditure previous period 1 Nov 2013-28 Feb 2015 No expenditure this period		\$ 5,000.00	\$ 1,914.39 \$ - \$ 1,914.39	\$ 3,085.61
Rainey	Expenditure previous period 1 Nov 2013-28 Feb 2015 No expenditure this period		\$ 5,000.00	\$ 1,226.09 \$ - \$ 1,226.09	\$ 3,773.91
Skinner	Expenditure previous period 1 Nov 2013-28 Feb 2015 No expenditure this period		\$ 5,000.00	\$ 2,726.09 \$ - \$ 2,726.09	\$ 2,273.91
Ward	Expenditure previous period 1 Nov 2013-28 Feb 2015 No expenditure this period		\$ 5,000.00	\$ 1,191.30 \$ - \$ 1,191.30	\$ 3,808.70
One-off Funding Pool			\$ 28,765.00	\$ - \$ - \$ -	\$ 28,765.00
TOTAL			\$ 146,435.00	\$ 59,877.86	\$ 86,557.14

Elected Members' Travel and Training Criteria 2013-2016

Set out below are the criteria agreed by Council for the expenditure of individual travel and training budgets allocated to elected members, and of the travel and training budget pool for one-off opportunities.

When selected training, meeting or event opportunities (events), individual members are responsible for ensuring and demonstrating that their selected options align with these criteria.

Councillors must be able to demonstrate that:

1. The event is held in New Zealand.
2. The event is relevant to local government.
3. The event is preferably, but not exclusively, supported by Local Government New Zealand or aligned organisations.
4. The event supports the member in contributing effectively and appropriately, in their governance role, to present and anticipated future needs of Nelson City Council.
5. The event is the most cost effective option to achieve the identified outcomes and if not, why it is preferred over more cost effective options.
6. The event is within the remaining available budget.
7. Their travel and training meets with the criteria outlined in 1-6, in response to any public or media enquiries about their travel and training, which will be directed to the individual member.

Elected Members Meeting Attendance 1 March-31 May 2015

Legend:

Yes: Attended as member, for more than 50% of meeting duration

Apols: Did not attend, apology entered

DNA: Did not attend, no apology entered

Other LG: Did not attend due to attendance at another Council commitment

Partly: Attended as member for 50% or less of the meeting (by duration)

Att: In attendance, as a non-member of the committee

n/a: Not a member, did not attend

Meeting Name	Date of meeting	Meeting Type - Council, Committee	Mayor Rachel Reese	Cr Luke Adland	Cr Ian Barker	Cr Ruth Copeland	Cr Eric Davy	Cr Kate Fulton	Cr Matt Lawrey	Cr Paul Matheson	Cr Brian McGurk	Cr Galie Noonan	Cr Pete Rainey	Cr Tim Skinner	Cr Mike Ward	External Appointee - Glenice Paine	External Appointee - John Murray	External Appointee - John Peters	External Appointee - Derek Shaw
Governance Committee	3-Mar-15	Committee	Yes	Yes	Yes	n/a	Yes	Apols	n/a	Yes	Yes	Yes	Apols	n/a	n/a	n/a	Yes	Yes	n/a
Joint Committee of Tasman District and Nelson City Councils	3-Mar-15	Committee	Yes	Apols	Yes	Yes	Apols	Apols	Yes	Yes	Yes	Yes	Apols	Yes	Yes	n/a	n/a	n/a	n/a
Audit, Risk and Finance Subcommittee	10-Mar-15	Subcommittee	Att	n/a	Yes	n/a	n/a	n	n/a	Yes	Att	Yes	n/a	n/a	n/a	n/a	Yes	Yes	n/a
Planning and Regulatory Committee - to hear submissions to the draft Urban Environments Bylaw	12-Mar-15	Committee	Apols	n/a	Yes	Yes	Apols	Yes	Yes	Yes	Yes	n/a	n/a	n/a	Yes	Yes	n/a	n/a	n/a
Planning and Regulatory Committee	12-Mar-15	Committee	Apols	n/a	Yes	Yes	Apols	Yes	Yes	n/a	Yes	n/a	n/a	n/a	Yes	Yes	n/a	n/a	n/a
Nelson Regional Sewerage Business Unit Board	13-Mar-15	Committee	n/a	n/a	n/a	Apols	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Apols
Council meeting - to approve LTP for consultation	19-Mar-15	Council	Yes	Yes	Yes	Apols	Apols	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a	n/a
Kotahitanga Hui	23-24 Mar 2015	Council	Yes	Yes	Yes	Yes	Apols	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a	n/a
Works and Infrastructure Committee	25-Mar-15	Kotahitanga Hui	Yes	Apols	Apols	DNA	Apols	Apols	Yes	DNA	Yes	DNA	Apols	Apols	Yes	n/a	n/a	n/a	n/a
Planning and Regulatory Committee	26-Mar-15	Committee	Apols	Apols	Yes	Yes	Yes	n/a	Yes	Att	n/a	Yes	n/a	Yes	Att	Yes	n/a	n/a	n/a
Planning and Regulatory Committee - to deliberate on submissions to the Urban Environments Bylaw	2-Apr-15	Committee	Apols	n/a	Yes	Apols	Yes	Yes	Yes	n/a	Yes	n/a	n/a	n/a	Yes	Yes	n/a	n/a	n/a
Governance Committee	16+23-Apr-15	Committee	Partly	Yes	Yes	n/a	Yes	Partly	n/a	Yes	Yes	Yes	Yes	Yes	n/a	n/a	Yes	Yes	n/a
Joint Shareholders Committee	17-Apr-15	Committee	Apols	n/a	Yes	n/a	Yes	n/a	n/a	Yes	Yes	Att	Yes	n/a	n/a	n/a	n/a	n/a	n/a
Council meeting	30-Apr-15	Council	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a	n/a
Works and Infrastructure Committee	5-May-15	Committee	Yes	Apols	Yes	Yes	Yes	n/a	Yes	Yes	Yes	Yes	n/a	Yes	Att	n/a	n/a	n/a	n/a
Commercial Subcommittee	5-May-15	Subcommittee	Yes	Apols	Att	n/a	n/a	n/a	n/a	Att	Yes	Yes	n/a	n/a	n/a	n/a	Yes	Yes	n/a
Audit, Risk and Finance Subcommittee	5-May-15	Subcommittee	Yes	n/a	Yes	n/a	n/a	n/a	n/a	n/a	Yes	Att	n/a	n/a	n/a	n/a	Yes	Yes	n/a
Council meeting - to hear submissions to the LTP	6-11 May 2015	Council	Yes	Partly	Yes	Yes	Yes	Apols	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a	n/a
Planning and Regulatory Committee	14-May-15	Committee	Yes	n/a	Apols	Yes	Yes	Yes	Yes	n/a	Yes	n/a	n/a	n/a	Yes	Yes	n/a	n/a	n/a
Council meeting - LTP deliberations	20-May-15	Council	Yes	Yes	Yes	Yes	Yes	Apols	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a	n/a
Council meeting - LTP deliberations	21-May-15	Council	Yes	Yes	Yes	Yes	Yes	Apols	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a	n/a
Community Services Committee	22-May-15	Committee	Apols	n/a	n/a	Yes	n/a	n/a	Yes	Yes	n/a	Yes	Yes	Yes	Yes	n/a	n/a	n/a	n/a

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A1366044

Meeting Name	Date of meeting	Meeting Type - Council, Committee	Mayor Rachel Reese	Cr Luke Adland	Cr Ian Barker	Cr Ruth Copeland	Cr Eric Davy	Cr Kate Fulton	Cr Matt Lawrey	Cr Paul Matheson	Cr Brian McGurk	Cr Gaille Noonan	Cr Pete Rainey	Cr Tim Skinner	Cr Mike Ward	External Appointee - Glennice Paine	External Appointee - John Murray	External Appointee - John Peters	External Appointee - Derek Shaw
Hearings Panel - Other (Proposed Temporary Road Closure)	22-May-15	Hearings Panel	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Yes	n/a	n/a	n/a	n/a	Yes	n/a	n/a	n/a	n/a
Council meeting - LTP - Development Contributions (to be reconvened 4 Jun)	28-May-15	Council	Yes	Yes	Yes	Yes	Yes	Apols	Apols	Yes	Yes	Yes	Apols	Yes	Yes	n/a	n/a	n/a	n/a
Governance Committee	28-May-15	Committee	Yes	Yes	Yes	n/a	Partly	Apols	n/a	Partly	Yes	Yes	Apols	n/a	n/a	n/a	Yes	Yes	n/a

Members' Interest Register – 2013-2016

Last updated May 2015

Elected Members:

Member	Last Update	Elected Member Declared Business Interest and value	Spouse/Partner Declared Interest
Her Worship the Mayor Rachel Reese	5 June 2014 (Interests Register received at Council meeting)	Property co-owner 4A Allan Street Shareholder/Director - Rachel Reese Consulting Ltd Shareholder - Wharehunga Forestry 2004 Ltd Beneficiary - Tujaes Trust Minor Shareholder - AMP Ltp Minor Shareholder - Manus Resources Ltd Trustee - Hilda and Auty Harley Trust <u>Council-related appointments</u> Patron - Civic Trust Trustee - Nelson Municipal Band Trustee - Cawthron Trust Board	Property co-owner 4A Allan Street Director/Shareholder - RH Investments Ltd
Councillor Luke Acland	5 June 2014 (Interests Register received at Council meeting)	Property owner 15 Cambria Street	No declared interests
Councillor Ian Barker	5 June 2014 (Interests Register received at Council meeting)	Member – Age Concern Board member – Tahuna Beach Holiday Park Chairman – Guardian of Nightingale Library Trustee – Network Tasman Trust	No declared interests

Councillor Ruth Copeland	5 June 2014 (Interests Register received at Council meeting)	No declared interests	Event Manager - Nelson Arts Festival (2013) \$4,500 per annum Nelson Arts Festival Hireages (2013) \$2,500 Event Manager - Isel in Bloom (October 2013) and Broadgreen Rose Day (November 2013) \$3,000 Event Manager - New Years Eve Event (December 2013) CEL Trafalgar Centre - event preparation and packdown (\$7,500)
Councillor Eric Davy	5 June 2014 (Interests Register received at Council meeting)	No declared interests	No declared interests
Councillor Kate Fulton	5 June 2014 (Interests Register received at Council meeting)	No declared interests	No declared interests
Councillor Matt Lawrey	5 June 2014 (Interests Register received at Council meeting)	Properties (owner): 13/15, 31 and 33 Orsman Cres Contributor - 2013 Nelson Arts Festival 2013 Race Unity Day (MC) 2013 Little Day Out (MC) Contributor - 2014 Nelson Arts Festival 2014 Race Unity Day (MC) Organiser of 'First Responders Parade 2014' - this event received \$575 of NCC Heritage Week Funding.	No declared interests

Councillor Paul Matheson	5 June 2014 (Interests Register received at Council meeting)	NZ Community Trust Nelson Cancer Society NZ Fisheries Museum and Marine Education Centre Trust	No declared interests
Councillor Brian McGurk	18 August 2014	Trustee and beneficiary of BJ and DA McGurk Family Trust	No declared interests
Councillor Gaile Noonan	5 June 2014 (Interests Register received at Council meeting)	Deputy Chair - Big Brothers Big Sisters Nelson Foodbank Volunteer	No declared interests
Councillor Pete Rainey	5 June 2014 (Interests Register received at Council meeting)	Director of Rockquest Promotions Ltd providing events partially funded by proceeds of gaming trusts, as well as having technical production contracts with NCC potentially in excess of \$25,000.00. Approval for this is being sought from the Office of the Auditor General. Artistic Director Opera in the park Trustee - Youth and Community Facilities Trust Trustee - Tawhiri Trust	Sales manager at Media Works Nelson
Councillor Tim Skinner	5 June 2014 (Interests Register received at Council meeting)	No declared interests	No declared interests
Councillor Mike Ward	5 June 2014	Business: Studio (244 Hardy Street), and	No declared interests

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	<i>(Interests Register received at Council meeting)</i>	jewellery sales through Suter Gallery shop Property owner 10 Russell Street	
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Externally Appointed Committee Members:

Governance Committee Members	Last Update	Member Declared Business Interest and value	Spouse/Partner Declared Interest
John Murray	Aug 2014	<p>Personal interest in two properties in Nelson City through my family trust. One at 41 Marybank Rd and the other at 72 Trafalgar Street.</p> <p>Various commercial and residential interests in property in the Nelson City boundary. This arises because of various trusteeships held directly and indirectly on behalf of clients of Crowe Horwath.</p> <p>Principal of Crowe Horwath in Nelson. Various relationships with business and property owners which operate in the Nelson City.</p> <p>Trustee of the Saxton Velodrome Trust.</p> <p>Secretary and financial adviser to Te Atiawa O Te Waka a Maui Trust.</p> <p>Director of Te Atiawa Asset Holding Company Limited.</p> <p>Secretary and financial adviser to Ngati Raua Atiawa Iwi Trust.</p>	
John Peters	July 2014	Co-owner of property at 37 Tresillian Avenue Chairman of the Nelson Tasman Region Hospice Trust	

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Planning and Regulatory Committee Members	Last Update	Member Declared Business Interest and value	Spouse/Partner Declared Interest
Glenice Paine	12 May 2015	Chairperson - Te Atiawa O Te Waka a Maui Trust	No declared interests

Members of Joint Committees administered by Nelson City Council:

NRSBU Members	Last Update	Member Declared Business Interest and value	Spouse/Partner Declared Interest
Councillor Michael Higgins (TDC Councillor)	20 June 2014	No declared interests	No declared interests
Councillor Barry Dowler (TDC Councillor)	20 June 2014	No declared interests	No declared interests
Councillor Ruth Copeland (NCC Councillor)	5 June 2014 (Interests Register received at Council meeting)	No declared	Event Manager - Nelson Arts Festival (2013) \$4,500 per annum Nelson Arts Festival Hireages (2013) \$2,500 Event Manager - Isel in Bloom (October 2013) and Broadgreen Rose Day (November 2013) \$3,000 Event Manager - New Years Eve Event (December 2013) CEL Trafalgar Centre - event preparation and packdown (\$7,500)
Derek Shaw (NCC)	29 August	Nikau Press - sole trader	

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appointee)	2014	Brook Waimarama Sanctuary Trust – Trustee Nelson Environment Centre – Board Chairperson Tasman Regional Sports Event Trust – Trustee Saxton Velodrome Trust – Trustee NZ Masters Athletics Association – Executive member District Licensing Committee – panel member	
Matthew Hippolite (Iwi representative)	16 June 2014	NCC Kotahitanga (Ngati Koata Rep) NCC Compliance and Monitoring Group (Waste Water Overflow RMA Consent compliance) Solid Waste Joint Working Party (NCC & TDC combined Management Strategy) Nelson Biodiversity Forum (Ngati Koata Rep) Waimea Plains Freshwater (Quality) and Land Management Group (Iwi Rep) Tiakina Te Talao Ltd Board of Directors (Koata Alternate Director) Marlborough District Council Iwi Working Group (Ngati Koata Rep) Ngati Koata Trust – Projects Manager (Employer)	No declared interests
Phillip Wilson (Industry Representative)	20 June 2014	No declared interests	No declared interests

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Schedule of Documents Sealed: 1 March 2015 to 21 May 2015

DATE	LEGAL DESCRIPTION	DESCRIPTION	SITE ADDRESS
03/03/2015		Water Supply Bylaw	
20/03/2015		Warrant of Appointment – Enforcement Officers (Building Unit)	
23/03/2015		Renewal of Warrant of Appointment – Deputy Harbourmaster	
		Warrant of Appointment – Enforcement Officer/Authorised Officer (Senior Planner)	
26/03/2015		Warrant of Appointment – Enforcement Officer (First Security)	
26/03/2015	NL2D/352	Deed of Lease between Nelson City Council and Wakatu Cricket Club Incorporated	Victory Square
30/03/2015	NL8/246	Deed of Lease between Nelson City Council and Nayland College Board of Trustees (for Youth Nelson)	Pioneers Park
31/03/2015	Lot 17 DP 17744	Deed of Variation of Lease (rent review) between Nelson City Council and Nelson Playcentres Association (Incorporated) (Enner Glynn Playcentre)	Enner Glynn Reserve
31/03/2015		Warrant of Appointment – Enforcement Officer (First Security)	
21/04/2015	NL5D/438	Deed of Covenant between Brent McLeod Lindqvist, Sandra Gaye Lindqvist and	51 Robinson Road

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DATE	LEGAL DESCRIPTION	DESCRIPTION	SITE ADDRESS
		Glasgow Harley Trustee Limited (as trustees of the Lindqvist Family Trust) and Nelson City Council	
14/05/2015		Nelmac Statement of Intent 2015/16	
21/05/2015		<p>New Zealand Local Government Funding Agency Limited:</p> <ul style="list-style-type: none"> • Amendment and Restatement Deed relating to a Notes Subscription Agreement dated 7 December 2011 • Amendment and Restatement Deed relating to a Multi-Issuer Deed dated 7 December 2011 • Amendment and Restatement Deed relating to an Equity Commitment Deed dated 7 December 2011 	

Minutes of a meeting of the Planning and Regulatory to deliberate on submissions to the draft Reserves Bylaw

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

On Friday, 8 May 2014, commencing at 9.02am

Present: Councillor B McGurk (Chairperson), Her Worship the Mayor (R Reese), Councillors R Copeland, E Davy, K Fulton (Deputy Chairperson), M Lawrey and M Ward

In Attendance: Councillors L Acland, P Matheson and G Noonan, Manager Environmental Programmes (C Ward), Kaihautū/Acting Manager Community Partnerships (G Mullen), Manager Communications (A Ricker), Manager Administration (P Langley), and Administration Adviser (E-J Ruthven)

Apology: Councillor I Barker, and Councillor K Fulton for lateness

1. Apologies

Resolved

THAT apologies be received and accepted from Councillors Barker, and Councillor Fulton for lateness.

McGurk/Davy

Carried

2. Interests

There were no updates to the interests register, and no conflicts of interest with agenda items were declared.

3. Confirmation of Order of Business

There was no change to the order of business.

4. Confirmation of Minutes – 20 March 2014

Document number A1161166, agenda pages 5-8 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council – Planning and Regulatory Committee, to hear submissions to the draft Reserves Bylaw, held on 20 March 2014, be confirmed as a true and correct record.

Davy/Ward

Carried

Attendance: Councillor Fulton joined the meeting at 9.04am.

5. Deliberations on the draft Reserves Bylaw

Document number A1151054, agenda pages 9-35 refer.

Manager Environmental Programmes, Chris Ward, presented the report.

5.1 Use of Tracks in Reserves

Councillors discussed issues of shared track usage raised by submitters, and whether it was appropriate to include within the bylaw guidelines for appropriate signage on tracks, and a schedule of 'shared tracks' and tracks for 'walking only'.

In response to a question, Mr Ward explained that the intent of the draft bylaw was to address issues that were most suitable to be addressed through a bylaw. He said that it was open to the committee to include provisions within the bylaw addressing issues such as signage, and managing shared use of tracks by walkers and cyclists.

However, he added that matters should only be placed within a bylaw if Council was prepared to be able to enforce them. He said that there were a number of non-regulatory ways in which issues could be appropriately addressed, for example through signage, track design and education and messaging about respect for other users of tracks.

With regards to the potential for a schedule of 'shared tracks' and 'walking only' tracks, Mr Ward advised that these issues had not been considered through the consultation process, and it would be appropriate to take legal advice regarding whether a change of this nature would require the consultation process to be re-opened.

Committee members discussed whether any further information should be placed in the draft bylaw regarding signage and specifying tracks as 'shared tracks' or 'walking only'. Several committee members expressed support for identifying specific tracks as 'shared tracks' or 'walking only', whereas other committee members expressed a preference for the bylaw to be silent on this matter, and to encourage education regarding the need to have respect for all users.

It was agreed that it would be useful to prepare:

- a draft schedule of tracks that could potentially be classed as 'shared tracks' and those that could be classified as 'walking only';
- advice regarding whether consultation would need to be re-opened if the committee were of a mind to include such a schedule in the draft bylaw; and
- further information regarding non-regulatory methods of encouraging and monitoring appropriate behaviour by all users of tracks.

Suggestions for how to increase safety on shared tracks outside of the scope of the bylaw included encouraging cyclists to install and use bells on their bikes, increased signage and clearly marked 'slow zones'. In response to a question, Mr Ward confirmed that it was also possible to utilise track design to alter the behaviour of cyclists, for example by using chicanes to slow speeds, and to encourage clear visual sight lines.

5.2 Other Issues in the Draft Bylaw

Councillors discussed the draft bylaw provision regarding playing golf in reserves. In response to a question, Mr Ward explained that the original draft proposal had included a provision regarding playing golf in reserves, but that this had been removed at the Planning and Regulatory Committee's request prior to the Statement of Proposal being released for consultation. He added that consultation had revealed community concerns regarding golf being practised in reserves, and as a result, it was suggested that this provision be put back into the draft bylaw.

There was a further discussion regarding placing or erecting memorials in reserves. In response to questions, Mr Ward noted that this had been suggested through the submission made by the Friends of Nelson Haven. He said that he was not aware of any requirement for written permission to be obtained prior to placing memorials in the city outside of reserves, and said that the provisions relating to the granting of such permission would need to be developed.

A suggestion was made that the words in the 'Activities Requiring Permission' section of the draft bylaw be expanded to clarify that in appropriate circumstances, there may be an obligation to publicly consult.

Resolved

THAT the deliberations on the draft Reserves Bylaw be adjourned;

AND THAT Councillors McGurk and Fulton meet with relevant officers to formulate appropriate amendments to the draft Reserves Bylaw following on from deliberations at the Planning

and Regulatory Committee meeting of 8 May 2014;

AND THAT an updated draft Reserves Bylaw be brought back to the next Planning and Regulatory Committee meeting.

Fulton/McGurk

Carried

There being no further business the meeting ended at 10.03am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Resource Management Act Procedures Committee

Held in Ruma Mārama, Civic House, 110 Trafalgar Street, Nelson

On 3 October 2014, commencing at 9.03am

Present: Her Worship the Mayor R Reese and Councillor Paul Matheson

In Attendance: Group Manager Infrastructure (A Louverdis), Principal Planner (M Heale), Senior Engineering Officer (J Large), and Administration Adviser (E Farrell)

1. Apologies

There were no apologies.

2. Interests

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

3. Confirmation of Order of Business

There was no change to the order of business.

4. Confirmation of Minutes

4.1 Resource Management Act Procedures Committee

Document number A1212833, agenda pages 6-7 refer.

Resolved

THAT the minutes of the meeting of the Nelson City Council – Resource Management Act Procedures Committee, held on 1 July 2014, be confirmed as a true and correct record.

Matheson/Her Worship the Mayor

Carried

5. Submission to Lee Valley Dam Resource Consent

Document number A1251191, agenda pages 8-11 refer.

Resolved

THAT the report Submission to Lee Valley Dam Resource Consent (A1251191) and its attachment (A1251293) be received;

AND THAT the Resource Management Act Procedures Committee adopt the attached submission (A1251293).

Her Worship the Mayor/Matheson

Carried

6. Exclusion of the Public

Recommendation

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Resource Management Act Procedures Committee Minutes – Public Excluded – 1 July 2014	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)(i) To carry out negotiations

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
2	<p>Plan 18 Change Appeals</p> <p>This report contains information regarding progress of the appeals to Plan Change 18 and the strategy to be followed for Environment Court appeals.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations (delete as appropriate)

Matheson/Her Worship the Mayor

Carried

The meeting went into public excluded session at 9.10am and resumed in public session at 9.52am.

7. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Matheson/Her Worship the Mayor

Carried

There being no further business the meeting ended at 9.52am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Works and Infrastructure Committee

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

On Tuesday 5 May 2015, commencing at 9.03am

- Present:** Councillor E Davy (Chairperson), Her Worship the Mayor R Reese, Councillors I Barker, R Copeland, M Lawrey (Deputy Chairperson), G Noonan, and T Skinner
- In Attendance:** Councillors B McGurk and M Ward, Nelson Youth Councillors E Ngawhika-Elliott and J Lankshear, Group Manager Infrastructure (A Louverdis), Senior Asset Engineer – Transport and Roading (R Palmer), Asset Engineer – Transport (C Pawson), Manager Administration (P Langley), and Administration Adviser (S McLean)
- Apologies:** Her Worship the Mayor R Reese for lateness, Councillor L Acland for attendance

1. Apologies

Resolved WI/2015/001

THAT apologies be received and accepted from Councillor Acland for attendance, and Her Worship the Mayor for lateness.

Barker / Noonan

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

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 David Ayre, Friends of the Maitai

David Ayre and Tom Kennedy tabled a handout on the Maitai Shared Pathway Project: Collingwood Street to Nile Street and presented this to the Committee.

Attendance: Her Worship the Mayor joined the meeting at 9.06am.

In response to questions, Mr Ayre spoke about areas along the Maitai walkway having different characteristics and uses. He said wider paths in some areas would change the character of that area and encroach on grassed areas used for leisure activities. Mr Ayre advised that Friends of the Maitai had not been contacted by Council officers about the Maitai Shared Pathway Project.

In response to further questions, Mr Ayre said Friends of the Maitai were not opposed to any change, but were concerned the public were not aware of what was being proposed. He said there was also concern that the proposal was for a path much wider than 2.5 metres in some areas, which was different to what had been described in a recent annual plan.

In response to a question about the intention of the Maitai Shared Path being part of a main arterial network, Mr Ayre said information about that had not been provided to the public.

Attachments

- 1 Friends of the Maitai Public Forum Handout 5May2015 A1351367

5. Confirmation of Minutes

5.1 26 March 2015

Document number M999, agenda pages 7 - 14 refer.

Resolved WI/2015/003

THAT the minutes of the meeting of the Works and Infrastructure Committee, held on 26 March 2015, be confirmed as a true and correct record.

Lawrey / Barker

Carried

6. Status Report - Works and Infrastructure - 5 May 2015

Document number R4202, agenda pages 15 - 16 refer.

In response to questions, Senior Asset Engineer – Transport and Roading, Rhys Palmer, advised that the delay in New Zealand Transport Agency (NZTA) subsidised funding for the Brook Area Walking and Cycling Improvements Project was due to a change to the NZTA funding

category after the project scope was reduced. He confirmed the resolution made on 28 November 2013 was after the reduction in project scope.

Attendance: Councillor Lawrey left the meeting at 9.36am.

In response to a question, Group Manager Infrastructure, Alec Louverdis, confirmed that information on discussions held with building owners about enhancing street frontages on Bridge Street would be included in the status report for the 18 June Committee meeting.

There was discussion on the Highland Pipe Band Hall lease and demolition. Mr Louverdis advised that negotiations were ongoing and it was unlikely that the hall would be demolished by the end of June.

In response to a question, Mr Louverdis said it was his understanding the Band had secured a temporary alternative location. He said there was further discussion to be had about long term accommodation, which was linked to vacating the current premises.

Attendance: Councillor Lawrey returned to the meeting at 9.39am.

In response to a question, Mr Louverdis offered to provide the completion date of the Haven Road stormwater culvert works through the regular councillors newsletter.

Resolved WI/2015/004

THAT the Status Report Works and Infrastructure Committee 5 May 2015 (R4202) and its attachment (A1150321) be received.

Lawrey / Skinner

Carried

TRANSPORT AND ROADING

7. Beatson Road Trial Closure - Investigation Results

Document number R4112, agenda pages 17 - 24 refer.

Senior Asset Engineer – Transport and Roading, Rhys Palmer, and Asset Engineer – Transport, Chris Pawson, presented the report and displayed the map in Attachment 1 (A1343631) on the screen.

Mr Palmer provided detail on the method of data collection for the Beatson Road trial closure investigation. Concern was raised that the data was not adequate to enable a decision on the matter.

In response to questions, Mr Palmer advised that a previous survey on Beatson Road had not been used to inform the officer's report provided. He said the budget confirmed at the Works and Infrastructure Committee meeting in October 2014 had proven too low to enable the originally planned data collection to take place.

It was noted that the Turning Movements table in the attachment to the report should say 'left turn movements to Waimea Road' instead of 'right turn...'.

Concern was raised that closing Beatson Road could result in a number of unintended consequences.

In response to a question, Mr Palmer said information from the Southern Link investigation would create a transport model for the area, but funding would still be required to investigate Beatson Road further if required.

In response to concerns about baseline data, Mr Palmer said the nature of the route was variable and he felt the baseline data obtained over two weeks was adequate. He added that officers were aware the dates in November included NCEA leave days for students, and this had minimal impact on the data collected.

It was suggested that officers should have reported back to the Committee if they had required additional resource to undertake the investigation.

Mr Palmer confirmed that officers had not yet assessed options for closing Beatson Road and the impacts of this, as it would involve considerable resource.

Councillor Davy, seconded by Councillor Barker, moved to receive the report:

THAT the report Beatson Road Trial Closure - Investigation Results (R4112) and its attachment (A1343631) be received;

There was discussion on the original intention of the study, which was to gather data before and after a temporary closure of Beatson Road, to determine whether a permanent closure would improve travel time on Waimea Road.

It was suggested that a sign could be installed to deter through traffic coming off the Beatson/Waimea/Whakatu roundabout and using Beatson Road as a shortcut.

There were opposing views on whether the study should or should not be redone, and what the repercussions would be if Beatson Road was closed.

Attendance: The meeting adjourned for morning tea from 10.31am to 10.45am.

An amendment to the motion to receive the report was made with the approval of the mover and seconder.

THAT the report Beatson Road Trial Closure - Investigation Results (R4112) and its attachment (A1343631) be received;

AND THAT a regulatory sign with appropriate wording be installed to prohibit non residential through traffic exiting from the Waimea/Whakatu/Beatson roundabout into Beatson Road between 7am-9am Monday to Friday;

AND THAT a letter be sent to the New Zealand Police urging them to enforce this.

In response to concerns about policing this, and the ability to install a sign of this nature, it was agreed the matter would be reported back to the Committee if it could not be resolved or if there were any issues. Mr Palmer added that discussions would be had with the New Zealand Transport Agency and New Zealand Police regarding the wording of the sign.

The amended motion was put and carried.

Resolved WI/2015/005

THAT the report Beatson Road Trial Closure - Investigation Results (R4112) and its attachment (A1343631) be received;

AND THAT a regulatory sign with appropriate wording be installed to prohibit non residential through traffic exiting from the Waimea/Whakatu/Beatson roundabout into Beatson Road between 7am-9am Monday to Friday;

AND THAT a letter be sent to the New Zealand Police urging them to enforce this.

Davy / Barker

Carried

8. Licences for Street Stalls and Outdoor Dining

Document number R4132, agenda pages 25 - 33 refer.

Property and Facilities Asset Manager, Michael Homan, presented the report.

In response to questions, Mr Homan advised that going to market for street stall licenses would provide an opportunity to assess the balance of stalls and allow other members of the community to submit applications. He clarified that increasing the number of street stall sites had not been canvassed in the officer report.

In response to further questions, Mr Homan advised that several parts of the officer recommendation enabled the Nelson Parking Strategy 2014-2024 to run its course.

There was support for the removal of the moratorium on using any additional parking spaces for outdoor dining. It was advised that this could not be done at present as there was no policy under which officers could assess new applications.

In response to questions, Mr Homan advised there had been no requests from stall holders to relocate, and there were minimal requests on using parking spaces for outdoor dining. He confirmed that six years ago Council had rolled over the stall holder licenses, creating new licenses for a further six years.

It was suggested that the street stall licenses could be extended for twelve months instead of six months. It was also suggested that the number of stalls and carpark dining spaces be allowed to increase during winter.

Councillor Noonan, seconded by Councillor Lawrey, moved to receive the report:

THAT the report Licences for Street Stalls and Outdoor Dining (R4132) and its attachment (A1341408) be received;

There was support for allowing greater flexibility for stall holders, such as being able to transfer the license if they sold their cart.

A suggestion was made that the number of stall holder sites should be increased.

There was support for rolling over the current licenses for six years as the stall holders had proven to be good tenants.

Concern was raised that stall holders had not been made aware of the officer report and its implications.

Attendance: Councillor Barker left the meeting at 11.38am and returned at 11.39am.

Her Worship the Mayor highlighted the need to provide assurance to members of the community involved in street stalls.

Attendance: The meeting adjourned from 11.46am to 11.54am.

An amendment to the motion to receive the report was made with the approval of the mover and seconder:

THAT the report Licences for Street Stalls and Outdoor Dining (R4132) and its attachment (A1341408) be received;

AND THAT an extension of the current street stall and outdoor dining licences for six years be offered to licensees from 1 July 2015 to 30 June 2021;

AND THAT the policy on Licenses for Street Stalls and Outdoor Dining, including the moratorium on public parking spaces, be reviewed by this Committee;

AND THAT a formal review of the rents for both street stall occupations and outdoor dining be undertaken.

The amended motion was put and carried.

Resolved WI/2015/006

THAT the report Licences for Street Stalls and Outdoor Dining (R4132) and its attachment (A1341408) be received;

AND THAT an extension of the current street stall and outdoor dining licences for six years be offered to licensees from 1 July 2015 to 30 June 2021;

AND THAT the policy on Licenses for Street Stalls and Outdoor Dining, including the moratorium on public parking spaces, be reviewed by this Committee;

AND THAT a formal review of the rents for both street stall occupations and outdoor dining be undertaken.

Noonan / Lawrey

Carried

9. Exclusion of the Public

Resolved WI/2015/007

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:

Davy / Lawrey

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	Council Owned Earthquake Prone Building Earthquake Assessment Update #4	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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities

Attendance: Councillor Barker left the meeting at 12.10pm.

The meeting went into public excluded session at 12.11pm and resumed in public session at 1.00pm, during which time Councillor Barker returned to the meeting and Councillor Copeland left the meeting.

10. Re-admittance of the Public

Resolved WI/2015/008

THAT the public be re-admitted to the meeting.

Davy / Lawrey

Carried

There being no further business the meeting ended at 1.00pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Planning and Regulatory Committee

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

On Thursday 14 May 2015, commencing at 9.00am

- Present: Councillor B McGurk (Chairperson), Her Worship the Mayor R Reese, Councillors R Copeland, E Davy, K Fulton (Deputy Chairperson), M Lawrey, and M Ward and Ms G Paine
- In Attendance: Nelson Youth Councillor Taylah Shuker, Group Manager Strategy and Environment (C Barton), Manager Communications (P Shattock), Senior Strategic Adviser (N McDonald), Administration Adviser (S McLean)
- Apologies: Councillor I Barker for attendance and Her Worship the Mayor R Reese for lateness

1. Apologies

Resolved PR/2015/001

THAT apologies be received and accepted from Councillor Barker for attendance and Her Worship the Mayor for lateness.

McGurk / Davy

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 2 April 2015

Document number M1002, agenda pages 6 - 10 refer.

It was noted that further information was called for under items 4.1 and 7, and this would be added to the minutes.

Resolved PR/2015/002

THAT the amended minutes of the meeting of the Planning and Regulatory Committee, held on 2 April 2015, be confirmed as a true and correct record.

McGurk / Paine

Carried

5.2 2 April 2015

Document number M1003, agenda pages 11 - 15 refer.

Attendance: The meeting adjourned from 9.04am to 9.07am during which time Her Worship the Mayor joined the meeting.

At the request of Councillor Fulton, it was agreed that the sentence at the top of page 4 of the minutes would be expanded to 'After discussion on sandwich boards and relevant submissions,...'

Resolved PR/2015/003

THAT the amended minutes of the meeting of the Planning and Regulatory Committee to deliberate on submissions to the draft Urban Environments Bylaw, held on 2 April 2015, be confirmed as a true and correct record.

McGurk / Ward

Carried

6. Status Report - Planning and Regulatory Committee - 14 May 2015

Document number R4253, agenda pages 16 - 17 refer.

It was agreed that the communications plan for the Urban Environments Bylaw should commence after deliberations on the Long Term Plan 2015-25.

In response to a question, Group Manager Strategy and Environment, Clare Barton, confirmed that sandwich boards would be considered at the 25 June 2015 Committee meeting, and that no new information would be presented.

Resolved PR/2015/004

THAT the Status Report Planning and Regulatory Committee 14 May 2015 (R4253) and its attachment (A1155974) be received.

Davy / Lawrey

Carried

7. Chairperson's Report

Document number R4252, agenda pages 18 - 19 refer.

The Chairperson provided a verbal update on a proposed Nelson Resource Management Plan 101 workshop. It was agreed that a workshop on 23 June 2015 was appropriate.

Attendance: Councillor Fulton left the meeting at 9.20am.

The Chairperson advised that an officer report on the use of glyphosate would be reported to the 25 June 2015 Committee meeting.

Resolved PR/2015/005

THAT the Chairperson's Report (R4252) be received and the contents noted.

McGurk / Lawrey

Carried

REGULATORY

8. Submission on Proposals for Regulations under the Food Act 2014

Document number R4115, agenda pages 20 - 46 refer.

Manager Consents and Compliance, Mandy Bishop, and Manager Environmental Inspections Limited, Stephen Lawrence, presented the report.

In response to a question on the implication of the Food Act 2014 (the Act), Mr Lawrence said he believed the Act would open up more possibilities for home kitchens, as opposed to current food hygiene regulations.

Attendance: Councillor Fulton returned to the meeting at 9.23am

In response to further questions on the impact of the Act, Ms Bishop advised the industry was shifting from a regulation focus to an education focus to help operators achieve standards under the Act. Mr Lawrence added that the onus would be on food operators to take ownership of

their systems, which may result in additional paperwork. He said premises in Nelson which had been involved in the Voluntary Implementation Programme had provided positive feedback.

In response to a question, it was advised that the regulations may be available by the end of 2015, unless a further round of consultation was undertaken by the Ministry for Primary Industries (MPI).

Attendance: Councillor Ward left the meeting at 9.36am.

Councillor Davy, seconded by Councillor McGurk, moved the officer recommendation.

THAT the report Submission on Proposals for Regulations under the Food Act 2014 (R4115) and its attachments (A1325172 and A1335703) be received;

AND THAT the submission in Attachment 1 of this report (A1325172) be confirmed by the Committee as the position of the Council on the proposals for regulations under the Food Act 2014.

Concern was raised that the Act could result in Council undertaking regulatory functions which it had not done previously, and this could result in further cost to the ratepayer.

Attendance: Councillor Ward returned to the meeting, and Councillor Fulton left the meeting at 9.38am.

In response to a question, Ms Bishop advised that when the Act came into force, Environment Inspections Limited would be able to continue providing services until November 2017. She said after this time, there may be new requirements for contractors.

Attendance: Councillor Fulton returned to the meeting at 9.46am.

Concern was raised that Council would be taking on an educative function if MPI did not adequately liaise with affected parties.

It was agreed that a further submission would be presented to MPI, reaffirming Council's stand that costs should be fair and reasonable.

With the approval of the mover and seconder, a third clause was added to the officer recommendation.

Resolved PR/2015/006

THAT the report Submission on Proposals for Regulations under the Food Act 2014 (R4115) and its attachments (A1325172 and A1335703) be received;

AND THAT the submission in Attachment 1 of this report (A1325172) be confirmed by the Committee as the position of the Council on the proposals for regulations under the Food Act 2014;

AND THAT the Chairperson lodge a late submission focusing on the costs of regulation and the costs of implementation.

Davy / McGurk

Carried

9. Strategy and Environment Report for 1 January 2015 to 31 March 2015

Document number R4114, agenda pages 47 - 65 refer.

Manager Planning, Matt Heale, Manager Consents and Compliance, Mandy Bishop, Manager Building, Martin Brown, Environmental Programmes Officer, Mary Curnow, and Manager Environmental Programmes, Dean Evans, presented the report.

In response to questions on waste minimisation, Ms Curnow advised that work was being done on YouTube clips, workshops and library demonstrations.

In response to a question, Mr Evans said he understood the king tide inanga spawning event had been a success.

In response to questions, Mr Heale spoke about the feedback from developers on their need for accurate flood modelling data. He added that officers were working on a practise note to provide more certainty, and more information would be provided at the upcoming Nelson Plan Hazards workshop.

In response to a question on earthquake prone buildings owned by Council, Mr Brown agreed to provide to interested councillors the number of detailed seismic assessments passed to his team for assessment.

In response to a question about resource consents for Council developments, Ms Bishop advised that commissioners with appropriate expertise were chosen to assess consents for Council.

In response to questions, Ms Curnow advised that initiatives had resulted in a 25% reduction in construction waste for building sites that had implemented different methods. She confirmed that officers worked closely with the Nelson Environment Centre.

After questions on recent changes to the Resource Management Act, it was asked that information on resulting amendments to Council processes be presented to the Committee in future reports.

In response to a question on iwi liaison, Group Manager Strategy and Environment, Clare Barton, advised that officers were working on a tender document for comment from iwi. Ms Barton agreed to provide further information on this at the following Committee meeting.

Officers undertook to include trend data on resource consents in future reports. It was confirmed that subdivision and land use consent data would be separated.

Resolved PR/2015/007

THAT the report Strategy and Environment Report for 1 January 2015 to 31 March 2015 (R4114) and its attachments (A1352532 and A1335080) be received.

Davy / Ward

Carried

Attendance: The meeting adjourned for morning tea from 10.35am to 10.47am.

ENVIRONMENT

10. Ecofest 2015

Document number R4137, agenda pages 66 - 107 refer.

Environmental Programmes Officer, Mary Curnow, and Manager Environmental Programmes, Dean Evans, presented the report.

In response to a question, Ms Curnow advised that the officer recommendation was not related to the temporary closure of the Trafalgar Centre.

In response to a question, Ms Curnow confirmed key messages would be delivered through schools, and in particular EnviroSchools. It was highlighted that Council's emphasis should be on engaging the younger generation.

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

THAT the report Ecofest 2015 and its attachments (A915145, A1120552, A1137528 and A1329058) be received;

AND THAT the Nelson Ecofest event is cancelled;

AND THAT budget and resources from the Nelson Ecofest event be reallocated to support the delivery of the Nelson 2060 strategy including targeted sustainability information and educational initiatives throughout the year.

There was some support for the Ecofest event to continue in a format that recognised leaders and celebrated success.

Councillor Ward, seconded by Councillor Davy, moved an amendment to the motion on the table:

THAT the report Ecofest 2015 and its attachments (A915145, A1120552, A1137528 and A1329058) be received;

AND THAT the Nelson Ecofest event become a flagship event;

AND THAT budget and resources from the Nelson Ecofest event be reallocated to support the delivery of the Nelson 2060 strategy including targeted sustainability information and educational initiatives throughout the year.

Concerns were raised that current resources could not include both an Ecofest event and targeted sustainability initiatives. It was suggested that event fatigue was also a factor to be considered.

The amendment was put and lost.

A suggestion was made that the essence of Ecofest could be incorporated into the reopening of the Trafalgar Centre, but there was no further support for this.

An additional clause regarding Council communications about the cancellation of Ecofest was proposed by Councillor Lawrey. This was accepted by the mover and seconder of the original motion.

Resolved PR/2015/008

THAT the report Ecofest 2015 and its attachments (A915145, A1120552, A1137528 and A1329058) be received;

AND THAT the Nelson Ecofest event is cancelled;

AND THAT budget and resources from the Nelson Ecofest event be reallocated to support the delivery of the Nelson 2060 strategy including targeted sustainability information and educational initiatives throughout the year;

AND THAT Council promotes through Live Nelson and letters to previous exhibitors how Council is redirecting its funds and energy.

Copeland / Fulton

Carried

There being no further business the meeting ended at 11.27am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Community Services Committee

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

On Friday 22 May 2015, commencing at 9.01am

- Present: Councillor P Rainey (Chairperson), Councillors R Copeland, M Lawrey, P Matheson, G Noonan (Deputy Chairperson), T Skinner and M Ward
- In Attendance: Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Manager Administration (P Langley), Administration Advisers (G Brown and J Young), and Youth Councillors Emily Thomas and Daniel Leaper
- Apology: Her Worship the Mayor R Reese for attendance, and Councillor Noonan for early departure

1. Apologies

Resolved CS/2015/001

***THAT apologies be received and accepted from
Her Worship the Mayor for attendance and
Councillor Noonan for early departure.***

Rainey / Copeland

Carried

2. Confirmation of Order of Business

The Chairperson advised that since the distribution of the agenda, Elizabeth Dooley would not be speaking at public forum.

There was no other change to the order of business.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 26 February 2015

Document number M1217, agenda pages 7 - 13 refer.

Resolved CS/2015/002

THAT the minutes of the meeting of the Community Services Committee, held on 26 February 2015, be confirmed as a true and correct record.

Ward / Lawrey

Carried

Attendance: Councillor Skinner arrived at 9.03am.

6. Status Report - Community Services Committee - 22 May 2015

Document number R4285, agenda pages 14 - 15 refer.

In response to a question, Group Manager Community Services, Chris Ward advised that consultants had been appointed to conduct the external review of the three campgrounds, and the final report would be received in July.

In response to a question, Manager Community Partnerships, Shanine Hermsen, said the Arts and Heritage Adviser, Debbie Daniell-Smith was dealing with progressing the interpretation panel for the Maitai Walkway.

Resolved CS/2015/003

THAT the Status Report Community Services Committee 22 May 2015 (R4285) and its attachment (A1157454) be received.

Rainey / Noonan

Carried

ARTS, FESTIVALS AND EVENTS

7. Arts Fund - Approval of Concepts

Document number R4133, agenda pages 16 - 22 refer.

Manager Community Partnerships, Shanine Hermsen, presented the report.

There was a discussion regarding not being able to visually review the artworks which made it difficult to approve or decline the six concepts. It was highlighted that it was the Committees responsibility to consider the nature of the works and not their artistic merit.

In response to a question, Ms Hermsen said the funding for these artworks had already been approved as part of the 2014/15 budgets and due to a tight timeframe these needed to be approved or declined.

There was a concern raised about the process for artworks and it was suggested that other funding providers should be considered as well as working in partnership with other organisations.

Group Manager Community Services, Chris Ward, advised that projects would be allocated some funding through the Arts Panel. He added that officers would not be taking a proactive approach to engage with other funders and that officers would be working with Arts Council Nelson for opportunities in relation to artworks.

In response to a question, Ms Hermsen indicated that the majority of the artists were local and that Council's Arts Selection Panel consisted of Andrew Petheram, Nic Foster, Caroline Marshall and Julie Catchpole.

There was a concern raised about costs and instalment, and it was suggested that for kinetic artworks, noise and glare needed to be considered.

In response to a question, Ms Hermsen confirmed the artworks still had to be consulted on and would go through the normal resource consent process.

It was discussed that the Arts Panel had the necessary expertise to progress with the proposed projects as they saw fit.

Resolved CS/2015/004

THAT the report Arts Fund - Approval of Concepts (R4133) and its attachments (A1338048) be received;

AND THAT the following concepts for possible artwork are approved;

- **Hinake**
- **Rock Hoppers**
- **Rocks in the Sky**
- **Sails**
- **Stack**
- **Welcome Cloak**

AND THAT the approved concepts are further considered by Council's Arts Selection Panel for commissioning from the Arts Fund.

Ward / Copeland

Carried

COMMUNITY DEVELOPMENT

8. Council CCTV Provision

Document number R4130, agenda pages 23 - 25 refer.

Manager Community Partnerships, Shanine Hermesen, presented the report.

There was a discussion in relation to having mobile Closed Circuit Television (CCTV) cameras which could be placed at a number of locations and not restricted to only Victory Square.

Group Manager Community Services, Chris Ward, advised that the rationale behind installing cameras was that they were connected directly to the Police Station. He added that if the cameras were mobile technical issues would likely incur.

In response to a question, Ms Hermesen advised the \$3,500 related to the annual lease and maintenance costs for the cameras.

It was noted that in section 1.1 of the Officer's report the date was incorrect and should be 2014 instead of 2015.

Resolved CS/2015/005

THAT the report Council CCTV Provision (R4130) be received;

AND THAT the Committee endorse the provision of \$3,500 in each of 2016/17 and 2017/18 for the ongoing operational costs of the CCTV cameras installed at Victory Square;

AND THAT any subsequent requests for CCTV cameras are considered on a case by case basis and should meet the criteria as set out in this report (R4130).

Noonan / Matheson

Carried

9. Nelson Youth Council Update

Youth Councillors Daniel Leaper and Emily Thomas provided an update on Youth Council activities.

Mr Leaper advised that three youth councillors had resigned half way through the year and three new youth councillors had joined.

Mr Leaper said the youth councillors spoke at the Urban Environments Bylaw hearings and advised that youth councillors were interested in some of the topics raised including busking, alcohol ban and the keeping of animals.

He provided a summary of the topics discussed at the recent Youth Council meeting which covered the Tahunanui Postcard project and sugary drinks.

Emily Thomas spoke about the footpaths at Saxton field, the proposed gondola and Rockquest.

Ms Thomas added that youth councillors were speaking with Viv Rounce from the Elma Turner Library in relation to setting up a study area in the activities room. She also said Youth Week was approaching.

It was suggested that the Youth Council consider ways to celebrate the 175th anniversary of Nelson in 2017.

REPORTS FROM COMMITTEES

10. Nelson Youth Council - 1 April 2015

Document number R4281 refer, agenda pages 26 - 30 refer

Resolved CS/2015/006

THAT the confirmed minutes of a meeting of the Nelson Youth Council, held on 1 April 2015, be received.

Noonan / Lawrey

Carried

11. Exclusion of the Public

Resolved CS/2015/007

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:

Rainey / Ward

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	Community Services – Public Excluded Minutes	Section 48(1)(a) The public conduct of	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(i)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	<p>- 26 February 2015</p> <p>These minutes contain information regarding:</p> <p>Terms of a community lease</p>	this matter would be likely to result in disclosure of information for which good reason exists under section 7	To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	<p>Status Report - Community Services Committee - 22 May 2015</p> <p>The status report contains information regarding:</p> <p>Property Purchase</p> <p>Stoke Community and Sports Facility</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	<p>Community Leases - Omnibus Report</p> <p>This report contains information regarding:</p> <p>Community Leases</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 9.50am and resumed in public session at 10.04am.

12. Re-admittance of the Public

Resolved CS/2015/008

THAT the public be re-admitted to the meeting.

Rainey / Noonan

Carried

There being no further business the meeting ended at 10.04am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Unconfirmed

Minutes of a meeting of the Hearings Panel - Other**Held in Ruma Marama, Civic House, 110 Trafalgar Street, Nelson****On Friday 22 May 2015, commencing at 10.09am**

Present: Deputy Mayor P Matheson (Chairperson) and Councillor M Ward

In Attendance: Investigator/Contracts Supervisor (M Hollows), Manager Administration (P Langley), and Administration Adviser (G Brown and J Young)

1. Temporary Road Closures (Crusaders vs Hurricanes Super 15 Rugby Match)

Document number A1357413, agenda pages 3-8 refer.

Investigator/Contracts Supervisor, Mark Hollows advised that there were no objectors to the proposed road closure.

Resolved

THAT the report Temporary Road Closures (Crusaders vs Hurricanes Super 15 Rugby Match) (A1357413) and its attachment (A1357417) be received;

AND THAT the Hearings Panel - Other approve the application for the Super 15 temporary road closure of Trafalgar Street, Halifax Street and Hathaway Terrace on Friday 29 May 2015.

Matheson/Ward

Carried

There being no further business the meeting ended at 10.11am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Governance Committee

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

On Thursday 28 May 2015, commencing 11.52am

- Present: Councillor I Barker (Chairperson), Her Worship the Mayor R Reese, Councillors L Acland (Deputy Chairperson), E Davy, P Matheson, B McGurk, G Noonan, and Mr J Peters and Mr J Murray
- In Attendance: Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Manager Communications (P Shattock), Manager Administration (P Langley), and Administration Adviser (G Brown)
- Apologies: Councillors K Fulton and P Rainey

1. Apologies

Resolved GOV/2015/001

***THAT apologies be received and accepted from
Councillors Fulton and Rainey.***

McGurk / Matheson

Carried

2. Confirmation of Order of Business

The Chairperson advised the meeting would adjourn at 12.45pm and resume at 2.00pm.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 16 April 2015

Document number M1225, agenda pages 9 - 21 refer.

Resolved GOV/2015/002

THAT the minutes of the meeting of the Governance Committee, held on 16 April 2015, be confirmed as a true and correct record.

Davy / McGurk

Carried

6. Status Report - Governance Committee - 28 May

Document number R4310, agenda pages 22 - 23 refer.

Resolved GOV/2015/003

THAT the Status Report Governance Committee 28 May 2015 (R4310) and its attachment (A1160658) be received.

Davy / Peters

Carried

GOVERNANCE

7. Appointment of Trustee to the Nelson Municipal Band Trust

Document number R4249, agenda pages 24 - 26 refer.

Group Manager Corporate Services, Nikki Harrison, presented the report.

In response to a question, Ms Harrison said the Policy for the appointment of directors to Council Controlled Organisations and Council Controlled Trading Organisations could be varied and it was appropriate in this case, for the Board to recommend a Trustee.

Resolved GOV/2015/004

THAT the report Appointment of Trustee to the Nelson Municipal Band Trust (R4249) be received.

Acland / Murray

Carried

Recommendation to Council GOV/2015/005

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.

Acland / Murray

Carried

8. Sister Cities Update 2015

Document number R4272, agenda pages 27 - 33 refer.

Sister Cities Coordinator, Gail Collingwood, presented the report.

Mrs Collingwood tabled a document (A1363932). She advised that if anyone had an idea for a new Sister Cities logo they should get in contact with her.

Resolved GOV/2015/006

THAT the report Sister Cities Update 2015 (R4272) and its attachment (A1354036) be received.

Noonan / Matheson

Carried

Attachments

- 1 A1363932 - Sister Cities Promoting People to People Exchanges Tabled Document

9. Business case approach for 2015/16 projects - Further Information

Document number R4309, agenda pages 34 - 45 refer.

Group Manager Infrastructure, Alec Louverdis, and Senior Projects Adviser, Arlene Akhlaq, presented the report.

In response to a question, Mr Louverdis said discussions had been held with the deputies and chairs of committees in relation to the projects highlighted yellow in attachment 1 of the officer's report. He said the defining criteria were:

1. Did the project have a clear outcome?
2. Was the project well defined?
3. Did the project have a large value assigned to it?
4. Was there potentially a high degree of political interest in the project?, and

5. Was there potentially a high degree of ratepayers interest in the project?.

In response to a further question, Mr Louverdis said there would be a business case template for all projects going forward which would be dependent on size, complexity and the risks involved.

It was discussed that various items were requested at the Audit, Risk and Finance Subcommittee to clarify why projects were highlighted and that additional information was to be added to the schedule to illustrate the criteria used to select these projects. It was suggested this information would be beneficial and should be provided to the Audit Risk and Finance Subcommittee.

There were concerns raised that not all deputies attended the meeting to discuss the criteria and selection process of these projects, and a whole of Council business case approach was required.

In response to a question, Mr Louverdis advised there was urgency around some projects and if not resolved there would be a delay in progress which would affect next year's capital works programme. He added that projects could be added to the list but would depend on available resource.

It was discussed that it was imperative to progress with these projects as there were project management controls in place and issues such as gravel extraction would not be postponed because it was remediation work.

It was noted that large projects were already progressing under their own work programme.

Resolved GOV/2015/007

THAT the report Business case approach for 2015/16 projects - Further Information (R4309) and its attachments (A1331113 and A1329251) be received.

Noonan / Peters

Carried

Recommendation to Council GOV/2015/008

THAT projects highlighted yellow in document A1331113 follow a business case approach subject to the following amendments:

- ***Clarification of Neighbourhood Reserve***
- ***Completion of schedule with missing additional information requested from the Audit, Risk and Finance Subcommittee including criteria discussed***

- **Indications of projects that are subject to separate reporting processes**
- **Addition of Rutherford Playground**

Noonan / Peters

Carried

Attendance: The meeting adjourned at 12.49pm until 2.09pm. During this time Councillors L Acland, E Davy and P Matheson left the meeting.

REPORTS FROM COMMITTEES

10. Commercial Subcommittee - 5 May 2015

Document number R4308 refer, agenda pages 46-49 refer.

External appointee, Mr John Murray provided a summary of the items discussed at the Commercial Subcommittee meeting.

Resolved GOV/2015/009

THAT the unconfirmed minutes of a meeting of the Commercial Subcommittee, held on 5 May 2015, be received.

Murray / Noonan

Carried

11. Audit, Risk and Finance Subcommittee - 5 May 2015

Document number R4320 refer, agenda pages 50-57 refer.

External appointee, Mr John Peters provided a summary of the items discussed at the Audit, Risk and Finance Subcommittee meeting.

Attendance: Councillor Acland returned to the meeting at 2.13pm.

Resolved GOV/2015/010

THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 5 May 2015, be received.

Murray / Peters

Carried

11.1 Events Resource Consent Charging Regime for RM125012

Recommendation to Council GOV/2015/011

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.

Murray / Peters

Carried

11.2 Business Case Approach for 2015/16 Projects

Please note this recommendation to the Governance Committee was superseded by the decision made in Item 9 of these minutes.

11.3 Corporate Report for the Period Ending 31 March 2015

In response to a question, Manager Administration, Penny Langley, advised that the live streaming of Council meetings would be available through the Nelson City Council website and would be recorded. She clarified that there was no intention for the recording to be televised.

Councillor Noonan moved the following amendment, seconded by Her Worship the Mayor

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

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

Recommendation to Council GOV/2015/012

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.

Peters / Murray

Carried

12. Exclusion of the Public

Resolved GOV/2015/013

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:

Noonan / McGurk

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	<p>Governance Committee – Public Excluded Minutes – 16 April 2015</p> <p>These minutes contain information regarding:</p> <p>Nelmac Limited draft Statement of Intent</p> <p>Nelson Airport Limited Proposed Constitutional Changes</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	<p>Review of Economic Development Services</p> <p>This report contain information regarding:</p> <p>Review of Economic Development Services</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	<p>Bishop Suter Trust Negotiations</p> <p>This report contains information regarding:</p> <p>Bishop Suter Trust negotiations</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	<p>Audit, Risk and Finance</p>	<p>Section 48(1)(a)</p>	<p>The withholding of the information is necessary:</p>

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Subcommittee	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	<ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
5	Commercial Subcommittee Meeting - Public Excluded - 5 May 2015 These minutes contain information regarding: A Property Assets Review	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 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

The meeting went into public excluded session at 2.21pm and resumed in public session at 3.04pm.

13. Re-admittance of the Public

Resolved GOV/2015/014

THAT the public be re-admitted to the meeting.

Barker / Acland

Carried

There being no further business the meeting ended at 3.04pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date