



AGENDA

Ordinary meeting of the

Nelson City Council

**Thursday 23 July 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**

- 1.1 Apologies have been received from Councillors Luke Acland and Ruth Copeland

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 - Forestry Harvest on Dun Mountain: Where to from here?

Christopher St Johanser and Moira Bauer, of the Brook Valley Community Group, will speak about the forestry harvest on Dun Mountain and where to from here.

- 4.2 Stuart Walker - Access Road to the Trafalgar Centre
- Stuart Walker will speak about the access road to the Trafalgar Centre.

5. Confirmation of Minutes

- 4.3 28 May, 4 June, and 9 June 2015

13 - 25

Document number A1371400

Recommendation

THAT the minutes of the meeting of the Nelson City Council, held on 28 May, 4 June and 9 June 2015, be confirmed as a true and correct record.

4.4	Council Minutes 11 June 2015	26 - 51
	Document number M1264	
	Recommendation	
	<u>THAT</u> the minutes of the meeting of the Nelson City Council, held on 11 June 2015, be confirmed as a true and correct record.	
5.1	23 June 2015	52 - 70
	Document number M1331	
	Recommendation	
	<u>THAT</u> the minutes of the meeting of the Nelson City Council, held on 23 June 2015, be confirmed as a true and correct record.	
5.2	Extraordinary Meeting - 16 July 2015	71 - 74
	Document number M1354	
	Recommendation	
	<u>THAT</u> the minutes of the extraordinary meeting of the Nelson City Council, held on 16 July 2015, be confirmed as a true and correct record.	
6.	Status Report - Council - 23 July 2015	75 - 85
	Document number R4558	
	Recommendation	
	<u>THAT</u> the Status Report Council 23 July 2015 (R4558) and its attachment (A1168168) be received.	
7.	Mayor's Report	86
	Document number R4525	
	Recommendation	
	<u>THAT</u> the Mayor's Report (R4525) be received.	

8. Developer Advisory Group

87 - 95

Document number R4450

Recommendation

THAT the report Developer Advisory Group (R4450) and its attachment (A1374504) be received;

AND THAT Council nominate Mayor Rachel Reese and Deputy Mayor Paul Matheson to be Council representatives on the Developer Advisory Group;

AND THAT Council nominate Deputy Mayor Paul Matheson to be Chair of the Developer Advisory Group;

AND THAT the attached draft Terms of Reference (A1374504) are adopted by Council for finalisation at the first Developer Advisory Group meeting after which they will be confirmed by the Mayor and the Chair of the Planning and Regulatory Committee.

9. Representation Review 2015

96 - 104

Document number R4510

Recommendation

THAT the report Representation Review 2015 (R4510) and its attachment (A1376423) be received;

AND THAT in accordance with Section 19H of the Local Electoral Act 2001:

1. The Council shall consist of 12 members, plus the Mayor;

2. The members of the Council shall be elected on an at large basis by the electors of the City as a whole;

AND THAT in accordance with Section 19J of the Local Electoral Act 2001, there shall be no communities or community boards established.

10. Trafalgar Centre - Geotechnical Assessments, Structural Implications and Costings 105 - 118

Document number R4542

Recommendation

THAT the report Trafalgar Centre - Geotechnical Assessments, Structural Implications and Costings (R4542) be received;

AND THAT Council confirm the continuation of strengthening of the Southern Extension and Main Building of the Trafalgar Centre;

AND THAT the detailed design phase be completed and the final priced schedule for the Southern Extension and Main Building be prepared and reported back to Council at its meeting 3 September 2015;

AND THAT Council confirm the demolition and new build of the northern building of the Trafalgar Centre including the Victory Room;

AND THAT options for the scope and design of the new build of the northern building be developed, work-shopped with Councillors and reported back to Council for final approval at its meeting on 15th October 2015.

11. Forestry Harvest on Dun Mountain Walkway 119 - 138

Document number R4573

Recommendation

THAT the report Forestry Harvest on Dun Mountain Walkway (R4573) and its attachments (A1387171, A1389463, A1388793, A1385932, A1389460, A1387097, A1389281, A1388952 and A1384931) be received;

AND THAT the harvesting of the Dun Mountain Trail forest block proceeds forthwith.

12. Sister City Trip to China Presentation

Bill Findlater, Charles Eason and Tony Gray will be in attendance to give a brief presentation on the Sister City Trip to China.

REPORTS FROM COMMITTEES

13. Nelson Regional Sewerage Business Unit - 13 March 2015 139 - 142

Document number M1268

Recommendation

THAT the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 13 March 2015, be received.

14. Chief Executive Employment Committee - 15 June 2015 143 - 147

Document number M1274

Recommendation

THAT the unconfirmed minutes of a meeting of the Chief Executive Employment Committee, held on 15 June 2015, be received.

15. Planning and Regulatory Committee - 25 June 2015 148 - 160

Document number M1302

Recommendation

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 25 June 2015, be received.

15.1 Election signs - current practice and issues

Recommendation to Council

THAT election sign rules in the Nelson Resource Management Plan be considered for change as part of the Nelson Plan review.

15.2 Plan Change 18 Nelson South Operative Date

Recommendation to Council

THAT Council resolves to make Plan Change 18 – Nelson South operative on 17 August 2015, pursuant to Clause 20(1) of the First Schedule of the Resource Management Act 1991.

16. Community Services Committee - 2 July 2015 161 - 172

Document number M1318

Recommendation

THAT the unconfirmed minutes of a meeting of the Community Services Committee, held on 2 July 2015, be received.

16.1 Reserve Management Plan: Sports Ground Reserves

Recommendation to Council

THAT a Reserve Management Plan for the Sports Ground Reserves is developed under The Reserves Act 1977 for the provision of areas for recreation and sporting activities, and the physical welfare and enjoyment of the public.

16.2 Stoke Community and Sports Facility

Recommendation to Council

THAT the Concept design (with additional space) (A1380158) to construct the new Stoke Community and Sports Facility at the Greenmeadows site be approved to allow detailed design to commence and resource/building consents to be secured with the inclusion of:

- **Acoustic folding doors**
- **Environmental options**

As detailed in report R4167;

Recommendation to Council

THAT the budget to complete the Stoke Community and Sports Facility at Greenmeadows is increased to \$6.14 million (over two financial years).

16.3 Community Assistance Policy Review

Recommendation to Council

THAT the amended Community Assistance Policy (A1366133) be adopted;

AND THAT the Community Investment Funding Implementation Plan (A1367556) be adopted.

A copy of the amended Community Assistance Policy can be found on the Google Drive for Councillors and is available on request from an Administration Adviser.

17. Governance Committee - 9 July 2015 173 - 181

Document number M1338

Recommendation

THAT the unconfirmed minutes of a meeting of the Governance Committee, held on 9 July 2015, be received.

17.1 Memorandum of Understanding for Uniquely Nelson 2015-16

Recommendation to Council

THAT the amended Memorandum of Understanding between Uniquely Nelson and Nelson City Council (A1380525) is approved for signing.

A copy of the amended Memorandum of Understanding can be found on the Google Drive for Councillors and is available on request from an Administration Adviser.

17.2 The Ridgeways Joint Venture Half Yearly Report and Draft Statement of Intent 2015/16

Recommendation to Council

THAT the Ridgeways Joint Venture Statement of Intent 2015/16 (A1377704) be approved for signing, subject to minor edits.

18. Commercial Subcommittee - 9 July 2015 182 - 183

Document number M1337

Recommendation

THAT the unconfirmed minutes of an extraordinary meeting of the Commercial Subcommittee, held on 9 July 2015, be received.

19. Chief Executive Employment Committee - 15 July 2015 184 - 186

Document number M1349

Recommendation

THAT the unconfirmed minutes of an extraordinary meeting of the Chief Executive Employment Committee, held on 15 July 2015, be received.

PUBLIC EXCLUDED BUSINESS

20. 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	Nelson City Council Public Excluded Minutes 9 June 2015	Section 48(1)(a) The public conduct of this matter would be	The withholding of the information is necessary: <ul style="list-style-type: none">• Section 7(2)(g) To maintain legal

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		likely to result in disclosure of information for which good reason exists under section 7	professional privilege
2	Nelson City Council Public Excluded Minutes 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)(c)(ii) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest • 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	Status Report - Council - 23 July 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)
4	Appointment of additional District Licensing	<p>Section 48(1)(a)</p> <p>The public conduct of</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Committee members	this matter would be likely to result in disclosure of information for which good reason exists under section 7	To protect the privacy of natural persons, including that of a deceased person
5	Chief Executive Employment Committee Meeting - Public Excluded - 15 June 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)(a) To protect the privacy of natural persons, including that of a deceased person.
6	Planning and Regulatory Committee Meeting - Public Excluded - 25 June 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.
7	Community Services Committee Meeting - Public Excluded - 2 July 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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
8	Governance Committee Meeting - Public Excluded - 9 July 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)(a) To protect the privacy of natural persons, including that of a deceased person.
9	Extraordinary Chief Executive Employment Committee	Section 48(1)(a) The public conduct of this matter would be	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Meeting - Public Excluded - 15 July 2015	likely to result in disclosure of information for which good reason exists under section 7.	of natural persons, including that of a deceased person.

21. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note:

- **Board members of the Chamber of Commerce will join Councillors for morning tea**
- **This meeting is expected to continue beyond lunchtime.**
- **Lunch will be provided at 12.30pm.**

Minutes of a meeting of the Nelson City Council

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

On Thursday 28 May 2015, commencing at 9.05am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, I Barker, R Copeland, E Davy, P Matheson (Deputy Mayor), B McGurk, G Noonan, T Skinner, and M Ward

In Attendance: Chief Executive (C Hadley), Group Manager Corporate Services (N Harrison), 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), Senior Accountant (T Hughes), Manager Administration (P Langley), Administration Adviser (S McLean), and Walter Clarke of Rationale Ltd

Apologies: Councillors K Fulton, M Lawrey and P Rainey

Opening Prayer

Councillor Davy gave the opening prayer.

1. Apologies

Resolved

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

McGurk/Ward

Carried

2. Confirmation of Order of Business

Late item memo A1361864 refers.

Her Worship the Mayor acknowledged the short timeframes given to read the necessary information for the meeting.

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4.3. Council Minutes 28 May, 4 June, and 9 June 2015 - Attachment 1 - A1371400 - Nelson City Council Minutes 28 May, 4 June, and 9 June 2015

Resolved

THAT the item regarding Deliberations on Submissions on the Draft Development and Financial Contributions Policy 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 adoption of the Development and Financial Contributions Policy 2015.

Barker/Matheson

Carried

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 Cynthia McConville

Ms McConville spoke about the proposed Maitai shared path.

Attendance: Councillor Acland joined the meeting at 9.06am.

Ms McConville raised concerns about recent Long Term Plan deliberation decisions being made without adequate engagement with the community. She emphasised that the debate and design should be in the public arena.

In response to a question, Ms McConville suggested that Council involve the community in drawing up a new plan for the pathway.

Attendance: Councillor Copeland joined the meeting at 9.14am.

Her Worship the Mayor assured Ms McConville that including funding in the Long Term Plan allowed Council to have the option to progress the Maitai shared pathway project if it was confirmed. She advised that appropriate consultation would take place prior to any construction, and Council would be focusing on establishing principles behind how it develops walking and cycling in the region.

5. Deliberations on Submissions on the Draft Development and Financial Contributions Policy 2015

Document number A1356038, late item A1361864 refers.

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Resolved

THAT the report Deliberations on Submissions on the Development and Financial Contributions Policy 2015 (A1356038) and its attachment (A1333294) be received.

Matheson/McGurk

Carried

Attendance: The meeting adjourned from 9.28am to 9.29am.

It was advised that the Draft Development and Financial Contributions Policy (the Policy) was not required to be part of a special consultative procedure under legislation.

Senior Strategic Adviser, Nicky McDonald, summarised the principles under the Local Government Act 2002 (LGA) which were adhered to in the consultation of the Policy.

Questions were raised about the working group which had met to develop the Policy. It was noted that the outcomes of those meetings had been taken into account when officers had developed reports to Council.

In response to a question, Ms McDonald confirmed there was no definition of growth in the LGA.

Ms McDonald explained that financial contributions were part of the Nelson Resource Management Plan so could not be altered at this stage, but were included in the Policy for completeness.

Walter Clarke of Rationale Ltd gave a PowerPoint presentation (A1368539).

It was highlighted that when assets were constructed, many included a provision for growth, and it was then Council's responsibility to decide how it funded that growth portion.

In response to questions, Group Manager Corporate Services, Nikki Harrison advised that development contributions made up 1-1.5% of gross revenue. She said that approximately 6% of rates was used to service debt.

In response to a question, it was confirmed that officers assessed capacity when carrying out asset renewals.

Attendance: Councillor Ward left the meeting from 10.23am to 10.25am.

There was discussion on the potential for zoning areas for development contributions and growth.

Attendance: The meeting adjourned for morning tea from 10.32am to 10.50am.

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In response to a question, Mr Clarke confirmed average growth could be calculated for each activity and then be split across catchments or zones. It was noted that the working group direction and the subsequent decision of Council had been that a one catchment approach was the most appropriate option.

It was asked that decisions and information on long run average cost of growth methodology be reported to the next meeting of Council.

It was noted that the timing of the next Policy review was a decision for Council but that in the past it have been reviewed every three years.

Attendance: Councillor Noonan left the meeting at 11.33am.

It was confirmed that the cost apportionment methodology in the Policy tended to deliver a more conservative result over the activity as a whole.

Attendance: Councillor Noonan returned to the meeting at 11.35am.

There was discussion on variances at project level and applications to the commercial and industrial sector.

Mr Clark confirmed the Policy was based on growth in Household Unit of Demand, not population. He said the growth projections in the Long Term Plan had been used for the Policy.

Resolved

THAT the meeting be adjourned to 9.00am Thursday 4 June, to be held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson.

Her Worship the Mayor/Matheson

Carried

There being no further business, the meeting adjourned at 11.45am.

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Minutes of a reconvened meeting of the Nelson City Council

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

On Thursday 4 June 2015, commencing at 9.05am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, I Barker, K Fulton, M Lawrey, P Matheson (Deputy Mayor), B McGurk, G Noonan, T Skinner, and M Ward

In Attendance: Chief Executive (C Hadley), Group Manager Corporate Services (N Harrison), 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), Senior Accountant (T Hughes), Manager Administration (P Langley), Administration Adviser (S McLean), and Walter Clarke of Rationale Ltd

Apologies: Councillors E Davy and P Rainey

Opening Prayer

Her Worship the Mayor gave the opening prayer.

6. Apologies

Resolved

THAT apologies be received and accepted from Councillors Davy and Rainey.

Her Worship the Mayor/Matheson

Carried

Attendance: Councillor Skinner joined the meeting at 9.09am.

7. Deliberations on Submissions on the Draft Development and Financial Contributions Policy 2015 (cont.)

Senior Strategic Adviser, Nicky McDonald, tabled a correction to the Draft Development and Financial Contributions Policy (the Policy) regarding community outcomes (A1366138). Ms McDonald advised the recommendation under item 5.10 should read 'years 6-10' instead of

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5-6. She said there was a new recommendation regarding Wastney Terrace for Council to consider.

Ms McDonald tabled an outline of meetings and actions on the Policy to date (A1365559).

It was explained that Council officers had prioritised projects through asset management plans, which had then been included in the Long Term Plan 2015-25 (LTP), which the Policy had been based on.

In response to a question, it was confirmed that developers sighted the percentage of development contribution growth when the Policy was released for consultation with the LTP.

There was discussion on building a one or two bedroom unit on a new title versus adding to an existing title, and the difference this made to development contributions.

There was discussion about incentivising smaller dwellings and it was noted that the Nelson Plan development process would consider this further.

Attendance: Councillor Lawrey left the meeting at 9.55am.

In response to a question, Walter Clarke of Rationale Ltd advised that charging development contributions at consent stage was the earliest chance for Council to recover its costs.

Attendance: Councillor Lawrey returned to the meeting at 10.01am.

Concern was raised about using Nelson Plan strategic outcomes which had not been fully tested with the community. It was pointed out that the Policy was not based on the strategic outcomes, but was one of many inputs considered.

Attendance: The meeting adjourned from 10.07am to 10.10am.

There was discussion on the ability to give effect to strategic outcomes in the Policy, and how this aligned with the Nelson Plan development. It was noted that the Policy may need to be reviewed once the Nelson Plan had been developed.

Attendance: Councillor Ward left the meeting from 10.24am to 10.26am. The meeting adjourned for morning tea from 10.27am to 10.46am, during which time Her Worship the Mayor left the meeting, and the Deputy Mayor assumed the chair.

In response to a question Ms McDonald advised that reference to possible incentives had been made in the report to Governance Committee meeting in December 2014.

Attendance: Her Worship the Mayor returned to the meeting at 10.49am and resumed the chair.

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There was discussion on the reconfiguration of an existing house to create multiple dwellings. It was confirmed that if a one or two bedroom unit was created in this process then it would receive a discount on development contributions. It was highlighted that no submission had been received on this matter so it could not be addressed, but may be brought up through the Nelson Plan development.

It was agreed that reference to the Land Development Manual would be added to item 2 on page 9 of the Policy regarding Private Development Agreements.

There was discussion on the treatment of stormwater and flood protection activities in the Policy.

It was advised that some elements of projects Council had categorised as flood protection dealt with stormwater collection and management and therefore could be included with development contributions charges. Senior Asset Engineer – Utilities, Phil Ruffell, advised that Council was collecting some historical development contributions for projects such as these.

Mr Ruffell said the 2012 version of the Policy was derived from a Long Term Plan in which flood protection and stormwater activities had been separated.

Mrs Hadley advised that the areas of flood protection and public transport had been assessed by Simpson Grierson and the advice had been to remove integrated ticketing.

Attendance: Councillor Noonan left the meeting from 11.25am to 11.29am. Councillors Barker and Skinner left the meeting at 12.02pm.

There was discussion on Private Development Agreements (PDA). It was confirmed that Council may decline to provide infrastructure in a PDA, in which case the developer would need to provide the required infrastructure if they wished to proceed.

Attendance: Councillor Skinner returned to the meeting and Councillor Fulton left the meeting at 12.05pm. The meeting adjourned from 12.08pm to 12.10pm, during which time Councillor Fulton returned to the meeting.

Further information was provided on PDA's and how development contributions were applied to these situations. It was confirmed that PDAs had been discussed with developers in table 5 of the Policy.

Attendance: Councillor Ward left the meeting from 12.19pm to 12.24pm. Councillor Fulton left the meeting at 12.26pm. The meeting adjourned for lunch from 12.29pm to 1.03pm, during which time Councillor Noonan left the meeting.

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In response to a question, Ms McDonald provided detail on aspects of the Policy which had been legislatively required by 1 December 2014.

Attendance: Councillors Fulton and Noonan returned to the meeting at 1.07pm.

In response to a question, Group Manager Strategy and Environment, Clare Barton, confirmed that if a kitchen or certain aspects of a kitchen were installed in a unit then it was classed as a Household Unit of Demand under the Nelson Resource Management Plan.

Attendance: Councillor Matheson left the meeting at 1.25pm.

There was discussion on stormwater, wastewater and water supply projects listed in the Schedule of Assets in the Policy.

Attendance: Councillor Skinner left the meeting at 1.26pm, Councillor Matheson returned to the meeting at 1.27pm, then left the meeting at 1.37pm.

Attendance: At 1.38pm Councillor Acland left the meeting and the meeting lapsed due to lack of quorum. Councillor Rainey joined the meeting at 1.39pm and the meeting resumed.

Resolved

THAT the meeting be adjourned to 9.00am Tuesday 9 June, to be held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson.

Her Worship the Mayor/Fulton

Carried

There being no further business, the meeting adjourned at 1.42pm.

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Minutes of a reconvened meeting of the Nelson City Council

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

On Tuesday 9 June 2015, commencing at 9.03am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors I Barker, K Fulton, M Lawrey, P Matheson (Deputy Mayor), B McGurk, G Noonan, T Skinner, and M Ward

In Attendance: Chief Executive (C Hadley), Group Manager Corporate Services (N Harrison), 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), Senior Accountant (T Hughes), Manager Administration (P Langley), and Administration Adviser (S McLean)

Apologies: Councillors R Copeland, E Davy, and P Rainey

8. Apologies

Resolved

THAT apologies be received and accepted from Councillors Copeland, Davy and Rainey.

Her Worship the Mayor/Fulton

Carried

9. Deliberations on Submissions on the Draft Development and Financial Contributions Policy 2015 (cont.)

The Chief Executive, Clare Hadley, advised that legal advice had been received about including flood protection in the Draft Development and Financial Contributions Policy.

10. Exclusion of the Public

Resolved

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

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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	Legal Advice on Development Contributions	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: • Section 7(2)(g) To maintain legal professional privilege

Her Worship the Mayor/Matheson

Carried

The meeting went into public excluded session at 9.06am and resumed in public session at 9.28am.

11. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Matheson

Carried

12. Deliberations on Submissions on the Draft Development and Financial Contributions Policy 2015 (cont.)

There was discussion on transportation projects listed in the Schedule of Assets in the Draft Development and Financial Contributions Policy (the Policy).

In response to a question, Asset Engineer – Transport, Chris Pawson, advised the Sundry Land Purchases line was to allow Council to respond to opportunities in relation to growth.

In response to a question, Mr Pawson explained the growth aspect of cycleways and walkways. He advised that development in the region had a cumulative effect on transport, which was then averaged across different modes of transport.

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Some concern was raised that there may be no growth component to cycleway projects which resulted from changes to levels of service. It was also pointed out that there had been no formal resolution of Council to include regional council functions in the Policy.

Attendance: Councillor Fulton left the meeting at 9.47am.

Mr Pawson provided detail on the aspects which contributed to the development contributions calculation, being when the asset was constructed and its estimated life.

Attendance: Councillor Fulton returned to the meeting at 9.55am.

It was agreed that the project lines regarding Stoke would be combined in the transport section of the Schedule of Assets in the Policy.

It was agreed that if walkway/cycleway projects did not progress then Council would need to increase other roading assets in the network in order to address the pressure of growth.

Officers were asked to reassess the development contributions percentages for current and past walkways/cycleways projects and have this information available at the next Council meeting. It was asked that the information include reasons for and against the current percentages, the rationale for including those projects, detail about the interchange projects and advice about integrated ticketing.

12.1 Wastney Terrace

Resolved

THAT Area R of the Development and Financial Contributions Policy, Wastney Terrace, be moved from Table 5 (Development Areas outside the city-wide catchment) of the Policy to Table 4 (Development Areas catered for under the Policy) to correct an error and enable a 29 lot yield in years 6-10.

Barker/Matheson

Carried

12.2 Specific Development Areas

It was advised that the Toi Toi Grove development and its associated transport projects would not interfere with the proposed Southern Link.

Attendance: Councillor Ward left the meeting at 10.33am.

In response to a question, Mr Pawson advised that the transport projects referred to in clause 2 of the officer recommendation were programmed for years 6-10 of the Long Term Plan 2015-25 (LTP).

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Attendance: Councillor Ward returned to the meeting at 10.37am.

Resolved

THAT Area K, Toi Toi Grove, be moved from Table 5 (Development Areas outside the city-wide catchment) of the Development and Financial Contributions Policy to Table 4, (Development Areas Catered for under the Policy), to enable a 202 lot yield by year 6;

AND THAT Long Term Plan transport projects be amended to include the improvements to safety and capacity at the intersection of Vanguard and Toi Toi Streets and the upgrading of Toi Toi Street between Montreal Avenue and Abraham Heights.

Lawrey/Her Worship the Mayor

Carried

There was discussion on a high level, high capacity reservoir in the Atawhai hills. Senior Asset Engineer – Utilities, Phil Ruffell, advised that a reservoir would be beneficial if it was in the right location. He confirmed there were plans to find a site for a reservoir this year.

Attendance: The meeting adjourned for morning tea from 10.49am to 11.01am.

Resolved

THAT the works to facilitate this project, Areas O and P of the Development and Financial Contributions Policy - Lower Bayview and Upper Bayview remain in Table 5 (Development Areas outside the city-wide catchment) of the Development and Financial Contributions Policy;

AND THAT staff be requested to work with the submitter to identify projects that support development in this area for consideration in an annual plan.

Barker/Skinner

Carried

Senior Planning Adviser, Lisa Gibellini, provided detail on the options for an internal road at the Marsden Valley development. She advised that the decision about a connecting road was a resource consent matter and could not be decided in this forum.

A1371400

Nelson City Council Minutes
28 May, 4 June, 9 June 2015

Group Manager Strategy and Environment, Clare Barton, advised that if Council was to look at contributing toward the connecting road, it would need to fund this through the LTP.

Resolved

THAT funding for the Marsden Valley development internal roading is not included in the Long Term Plan 2015-25;

AND THAT once the resource consent application is received, officers be invited to review it and if it raises issues of fairness and equity in relation to Council's policies, a report be made to the Governance Committee.

Barker/Noonan

Carried

In response to a question, the Chief Executive, Clare Hadley, advised that considerable discussion with developers representatives about timeframes had resulted in the Tasman Heights recommendation.

Resolved

THAT Area G of the Development and Financial Contributions Policy, Tasman Heights, be moved from years 1-5 in Table 4 (Development Areas Catered for under the Policy) to years 6-10 to correct an error.

Barker/Matheson

Carried

Resolved

THAT the meeting be adjourned to the next meeting of Council

Her Worship the Mayor/McGurk

Carried

There being no further business the meeting adjourned at 11.36am.

Please note, the item Deliberations on Submissions on the Draft Development and Financial Contributions Policy 2015 was further discussed at the Council meeting on 11 June 2015, refer to minutes M1264.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

A1371400

Nelson City Council Minutes
28 May, 4 June, 9 June 2015

Minutes of a meeting of the Nelson City Council

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

On Thursday 11 June 2015, commencing at 9.04am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, I Barker, R Copeland, E Davy, K Fulton, M Lawrey, P Matheson (Deputy Mayor), B McGurk, G Noonan, P Rainey, T Skinner and M Ward

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Manager Communications (P Shattock), Administration Manager (P Langley), Administration Adviser (G Brown), and Youth Councillors H Malpas and B Shaw

Opening Prayer

Councillor Davy gave the opening prayer.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

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

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

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

Nelson City Council Minutes - 11 June 2015

M1264

2.1 Late Item - Public Excluded

Resolved CL/2015/001

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

Ward/Copeland

Carried

3. Interests

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

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

4. Public Forum

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

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

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

4.2 Nigel Gibbs - Nelson Society of Modellers

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

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

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

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

M1264

4.3 Gayle Petch - Keep Victory Safe

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

Ms Petch spoke to a PowerPoint presentation (A1369452).

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

Attendance: Councillor Copeland left the meeting at 9.42am.

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

4.4 Denis Moriarty

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

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

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

Attendance: Councillor Fulton left the meeting at 9.47am.

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

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

5. Petition – Save the Modellers' Pond

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

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

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

Resolved CL/2015/002

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

Matheson/Davy

Carried

Attachments

1 A1371118 - Petition to Clean our Modellers' Pond

M1264

6. Confirmation of Minutes

6.1 30 April 2015

Document number M1237, agenda pages 13 - 27 refer.

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

Resolved CL/2015/003

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

Barker/Noonan

Carried

7. Status Report - Council - 11 June 2015

Document number R4364, agenda pages 28 - 31 refer.

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

Resolved CL/2015/004

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

Her Worship the Mayor/Rainey

Carried

8. Mayor's Report

Document number R4382, tabled document refers.

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

Resolved CL/2015/005

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

Her Worship the Mayor/Skinner

Carried

Attachments

- 1 R4382 - Tabled Document - Mayor's Report

M1264

9. Draft Brook Recreation Reserve Management Plan

Document number R4135, agenda pages 32 - 38 refer.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

M1264

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

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

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

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

Resolved CL/2015/006

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

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

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

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

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

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

Her Worship the Mayor /Fulton

Carried

Attachments

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

M1264

10. Housing Accord

Document number R4250, agenda pages 39 - 64 refer.

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

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

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

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

Attendance: Councillor Lawrey left the meeting at 11.33am.

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

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

Attendance: Councillor Davy left the meeting at 11.47am.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Attendance: Councillor Davy left the meeting at 1.00pm.

Resolved CL/2015/007

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

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

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

Barker/Ward

Carried

Attachments

1 A1314265 - Tabled Document - Housing Accord Attachment 2

M1264

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

11. Modellers' Pond – Detailed Assessment of Options

Document number R4199, agenda pages 76 - 115 refer.

Consulting Engineer, Richard Kirby, presented the report.

Resolved CL/2015/008

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

Noonan/Lawrey

Carried

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

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

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

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

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

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

Attendance: Councillor Acland left the meeting at 1.59pm.

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

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

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

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Councillor Rainey, seconded by Councillor Fulton, moved a motion

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

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

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

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

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

Attendance: Councillor Davy left the meeting at 2.26pm.

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

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

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

With the agreement of the meeting the amendment was withdrawn.

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

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

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

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

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

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

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

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

Closure Motion

Resolved CL/2015/009

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

Fulton/Copeland

Carried

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

Resolved CL/2015/010

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

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

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

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

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

Rainey / Fulton

Carried

12. Bringing Expenditure Forward for the Nelson School of Music

Document number R4152, agenda pages 65 - 68 refer.

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Resolved CL/2015/011

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

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

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

Matheson/Her Worship the Mayor

Carried

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

Document number R4354, agenda pages 69 - 75 refer.

Attendance: Councillor Copeland left the meeting at 3.09pm.

Resolved CL/2015/012

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

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

Noonan/Rainey

Carried

14. Local Government New Zealand Annual General Meeting

Document number R4370, agenda pages 116 - 118 refer.

Administration Manager, Penny Langley, presented the report.

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

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Resolved CL/2015/013

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

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

Presiding Delegate: Her Worship the Mayor

Other Delegates: Councillor McGurk

Councillor Lawrey

Or if Her Worship the Mayor is unavailable

Presiding Delegate: Councillor McGurk

Other Delegates: Councillor Lawrey

Chief Executive

Her Worship the Mayor/Fulton

Carried

15. Administrative Matters

Document number R4315, agenda pages 119 - 135 refer.

Administration Manager, Penny Langley, presented the report.

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

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

Resolved CL/2015/014

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

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

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

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Matheson/Barker

Carried

REPORTS FROM COMMITTEES

16. Planning and Regulatory Committee - 8 May 2014

Document number M1239, agenda pages 136 - 139 refer.

Resolved CL/2015/015

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

McGurk/Fulton

Carried

17. Resource Management Act Procedures Committee - 3 October 2014

Document number M1213, agenda pages 140 – 142 refers.

Resolved CL/2015/016

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

Matheson/Her Worship the Mayor

Carried

18. Works and Infrastructure Committee - 5 May 2015

Document number M1200, agenda pages 143 – 150 refers.

Resolved CL/2015/017

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

Lawrey/Skinner

Carried

19. Planning and Regulatory Committee - 14 May 2015

Document number M1219, agenda pages 151 – 158 refers.

Resolved CL/2015/018

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

McGurk/Fulton

Carried

M1264

20. Community Services Committee - 22 May 2015

Document number M1230, agenda pages 159 – 165 refers.

Resolved CL/2015/019

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

Rainey/Noonan

Carried

21. Hearings Panel - Other - 22 May 2015

Document number M1242, agenda pages 166 refer.

Resolved CL/2015/020

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

Matheson/Barker

Carried

22. Governance Committee - 28 May 2015

Document number M1233, agenda pages 167 – 174 refers.

Resolved CL/2015/021

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

Barker/Noonan

Carried

22.1 Appointment of Trustee to the Nelson Municipal Band Trust

Resolved CL/2015/022

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

Barker/Her Worship the Mayor

Carried

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

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

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

Resolved CL/2015/023

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

Barker/McGurk

Carried

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

Resolved CL/2015/024

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

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

Barker/McGurk

Carried

Extension of Meeting Time

Resolved CL/2015/025

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

Her Worship the Mayor/Matheson

Carried

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

23. Exclusion of the Public

Resolved CL/2015/026

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

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to

M1264

each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Her Worship the Mayor/Matheson

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Simpson Grierson Advice	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

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

24 Re-admittance of the Public

Resolved CL/2015/027

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Rainey

Carried

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

25.1 Single Catchment

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

Resolved CL/2015/028

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

Barker/McGurk

Carried

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Attachments

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

25.2 Land value to Calculate Development Contribution Policy

Resolved CL/2015/029

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

Fulton/Barker

Carried

25.3 Historic Growth

Resolved CL/2015/030

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

Fulton/Matheson

Carried

25.4 Capital Expenditure

Resolved CL/2015/031

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

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

Barker/Matheson

Carried

25.5 Cap on Financial Contributions For Pre 2006 Sites

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

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

M1264

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

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

Resolved CL/2015/032

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

Barker/Ward

Carried

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

25.6 Extend Inner City Waiver

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

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

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

Resolved CL/2015/033

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

M1264

Her Worship the Mayor/Fulton

Carried

25.7 New Residential Units on One Title

Resolved CL/2015/034

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

Noonan / Fulton

Carried

25.8 Second Dwelling

Resolved CL/2015/035

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

Barker/Davy

Carried

25.9 Exemptions

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

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

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

Resolved CL/2015/036

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

Noonan/Acland

Carried

M1264

25.10 Iwi, Hapu and Whanau Land

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

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

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

The amendment was passed and became the substantive motion.

Resolved CL/2015/037

THAT the Whakatu Marae be exempted from development contributions.

Matheson/Fulton

Carried

Attendance: Councillor Rainey left the meeting at 4.28pm

25.11 Delayed Payments

Resolved CL/2015/038

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

Her Worship the Mayor/Matheson

Carried

25.12 Objection Costs (section 6.2 Policy)

Resolved CL/2015/039

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

Her Worship the Mayor/Matheson

Carried

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

Resolved CL/2015/040

AND THAT the Development and Financial

M1264

Contributions Policy 2015 be provisionally adopted with amendments to be confirmed alongside the Long Term Plan 2015-25.

Ward/Davy

Carried

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

Resolved CL/2015/041

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

Her Worship the Mayor/Matheson

Carried

25.15 Integrated Ticketing

Resolved CL/2015/042

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

Her Worship the Mayor/Davy

Carried

26. Exclusion of the public

Resolved CL/2015/043

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

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

Matheson/Her Worship the Mayor

Carried

M1264

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	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)(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	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 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	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 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 October 2014	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or

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M1264

M1355

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		good reason exists under section 7.	disadvantage, negotiations (including commercial and industrial negotiations)
5	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	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	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).
8	Update on Farmers Trading Company	Section 48(1)(a) The public conduct of	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(h)

M1264

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

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

27. Re-admittance of the Public

Resolved CL/2015/044

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/McGurk

Carried

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

Confirmed as a correct record of proceedings:

M1264

Chairperson	Date
<hr/>	<hr/>

Nelson City Council Minutes - 11 June 2015

M1264

Minutes of a meeting of the Nelson City Council

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

On Tuesday 23 June 2015, commencing at 9.02am

Present: Her Worship the Mayor R Reese, Councillors I Barker, R Copeland, E Davy, K Fulton, M Lawrey, P Matheson (Deputy Mayor), B McGurk, G Noonan, P Rainey, T Skinner, and M Ward

In Attendance: Chief Executive (C Hadley), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Policy Coordinator (S Holman), Senior Accountant (T Hughes), Manager Capital Projects (S Davies), Manager Administration (P Langley), and Administration Adviser (G Brown)

Apologies: Councillor L Acland for attendance and Councillor Davy for early departure

Opening Prayer

Councillor Davy gave the opening prayer.

1. Apologies

Resolved

THAT apologies be received and accepted from Councillor Acland for attendance, and Councillor Davy for early departure.

Her Worship the Mayor/Matheson

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 – 20 & 21 May 2015

Document number A1364455, agenda pages 13-49 refer.

It was noted that Deputy Mayor, Paul Matheson was missing from the attendance of the minutes.

Resolved

THAT the amended minutes of the meeting of the Nelson City Council – to Deliberate on Submissions to the draft Long Term Plan 2015-25, held on 20 and 21 May 2015, be confirmed as a true and correct record.

Davy/McGurk

Carried

6. Adoption of the Long Term Plan 2015-25

Document number A1364570, agenda pages 50-62 refer.

Senior Strategic Adviser, Nicky McDonald, presented the report.

Ms McDonald advised the amendments received from Audit New Zealand did not impact projects; they were mainly aimed at providing greater clarity and accuracy. She added that legal advice had been received in relation to the ratings recommendations which had led to some proposed amendments.

The following documents were tabled A1375452, A1375455 and A1375458.

Resolved CL/2015/019

THAT the report Adoption of the Long Term Plan 2015-25 (A1364570) and its attachments (A1373558) be received;

Her Worship the Mayor /Ward

Carried

Resolved CL/2015/020

AND THAT it be noted that funding of \$500,000 for the 2017 British and Irish Lions Tour has been removed from the Long Term Plan;

Rainey/Noonan

Carried

Ms McDonald advised that an integrated approach had been previously discussed in relation to transport projects in the Development and Financial Contributions Policy (the Policy), and as a result a further recommendation was proposed.

Attendance: The meeting adjourned at 9.14am until 9.19am.

In response to a question, Policy Coordinator, Sarah Holman, said that an example of an integrated approach in relation to transport would be viewing footpaths, cycleways and roads as an integrated network.

Resolved CL/2015/021

AND THAT the Council adopts an integrated approach to the management of its infrastructure with respect to the Development and Financial Contributions Policy;

Matheson/Fulton

Carried

Resolved CL/2015/022

AND THAT the reference in section 4.1 of the Development and Financial Contributions Policy to a "district wide" catchment be amended to "single catchment" consistent with the wording in the rest of the Policy;

Ward/Fulton

Carried

Ms McDonald referred to tabled document A1375452 and the first bullet point on page 309 of the Long Term Plan 2015-25 (LTP) in relation to stormwater remissions.

Senior Asset Engineer – Utilities, Phil Ruffell, advised the change sought to introduce more transparency into the assessment of development contributions by adding criteria that Council could use when considering new developments and stormwater disposal.

In response to questions, Mr Ruffell clarified that stormwater networks were designed to detain stormwater for at least a Q15 event, and there was a charge for connection to the network.

Attendance: Councillor Davy left the meeting at 9.28am.

In response to a question, Ms McDonald explained that this amendment was more beneficial to users than the proposal that was consulted on.

Resolved CL/2015/023

AND THAT the remission, in section 2.5 of the Development and Financial Contributions Policy, for low impact design be amended to read "Developments that are required to detain stormwater from no less than a Q15 event to pre-development levels will be assessed on a case by case basis according to the following criteria and will pay no more than 0.5HUD.

Stormwater Assessment Criteria:

- i) Volume of stormwater detained on site***
- ii) Flow rate of discharge to the Council network***
- iii) Timing of discharge to the Council network"***

Fulton/McGurk

Carried

Attendance: Councillor Davy returned to the meeting at 9.34am.

Ms McDonald provided councillors with feedback received in relation to the Policy. The amendments raised were:

- Page 301, first paragraph the reference to the Nelson Plan should be changed to read Nelson Resource Management Plan
- Page 303, section 2.2 the wording should perhaps be 'Council will' rather than 'Council may'. It was noted that this could be tidied up as a minor editorial amendment
- Page 321, wording in relation to a Commissioner requiring remission of costs had been checked against the Council resolution

The Chief Executive, Clare Hadley, clarified that there had been an interpretation issue at the Council meeting on 11 June 2015. She said the resolution relating to Whakatu Marae needed to show that the whole of the Whakatu Marae would be exempt from development contributions, and that this would be reflected in the 11 June 2015 minutes.

- Page 322 (f), there was agreement that it should be the whole of the Whakatu Marae that would be exempt from development contributions, therefore the Policy would reflect this. It was specified that the Policy should say developments at Whakatu Marae.

There was a discussion relating to integrated schools and it was suggested that Nelson School of Music (NSOM) should be included for exemptions to development contributions.

Ms McDonald highlighted that NSOM had not received any special exemptions in the past.

It was highlighted that the titles needed updating in the graphs on pages 325 and 326.

It was suggested that the Household Unit of Demand (HUD) definition should be added to the LTP glossary.

Resolved CL/2015/024

AND THAT the Development and Financial Contributions Policy (A1333294, which appears in the Long Term Plan appendices pages 300-343) as amended, be confirmed and adopted;

Noonan/Fulton

Carried

Ms McDonald referred to tabled document A1375455.

Resolved CL/2015/025

AND THAT the Revenue and Financing Policy (which appears in the Long Term Plan on pages 225 to 251) be adopted;

Barker/McGurk

Carried

Ms McDonald referred to tabled document A1375458.

It was clarified the attachments referenced in document A1375458 would replace the Funding Impact Statements included in each activity of the LTP.

Attendance: Councillor Lawrey left the meeting from 9.51am to 9.55am.

Group Manager Corporate Services, Nikki Harrison, advised the lines which would change in the Transport Funding Impact Statement would

be targeted rates, fees and charges, increase (decrease) in debt, and increase (decrease) in reserves, if applicable.

In response to a question, Ms Harrison advised that reserves were removed and reclassified into debt movements.

Attendance: The meeting adjourned at 10.07am until 10.08am.

Resolved CL/2015/026

AND THAT Council approves the amendments to the Long Term Plan 2015-25 as outlined in the document Changes to the Long Term Plan (A1375458);

Ward/Fulton

Carried

Ms McDonald advised Council of the comments received in relation to the activities in the LTP.

Attendance: Councillor McGurk left the meeting at 10.10am until 10.12am.

The comments received from councillors were:

- Page 12, clarification on the \$35,000 rates figure for 2015/16 for Commercial – Outside Inner City/Stoke

Transport

- Page 47, first paragraph, second sentence, re-write in relation to combined projects to make it clear traffic management was an integral part of the Stoke revitalisation project
- Page 50, walking and cycling service levels to be amended to make current performance and targets clearer

Attendance: Councillor Davy left the meeting at 10.15am

- Page 55, Senior Asset Engineer – Transport and Roading, Rhys Palmer clarified that Tasman District Council had allocated \$84,000 for the Nelson/Richmond bus service
- Page 118, change 'Nelson Plan' to 'Nelson Resource Management Plan' here and throughout the document

Stormwater

- Page 89, in relation to staff time and renewals being excluded from the cost of maintaining the stormwater network, it was explained that renewals were capital expenditure, and maintenance was operational

Attendance: Councillor Davy returned to the meeting at 10.17am.

Flood Protection

- Page 103, third paragraph, second sentence wording to be improved in relation to Q100 events
- Page 104, page numbers to be inserted
- Page 105, first paragraph, move 'the' and 'likely' to read better. Second paragraph, full stop to be added after 'brought forward'
- Page 105-106, add years for key projects such as Little Go Stream and Orphanage Stream

Environment

- Page 115, specific reference to be made in relation to Council's responsibilities for freshwater, coastal and marine environments

It was suggested that emergency management be moved to the social activity. Ms McDonald advised this would have considerable impacts on the LTP and could not be achieved within the adoption timeframe.

- Page 115, it was highlighted that a reference to other statutory requirements such as the Food Act and Psychoactive substances needed to be added to the 'Why we do it' section

There was a suggestion that the information in relation to Maritime Safety on page 115 was too detailed, however after consideration it was decided that it should remain as is.

- Page 116, it was agreed that under the Nelson Nature heading the ten projects should be listed with a brief descriptor
- Page 116, the problems facing Tasman Bay need to be stated
- Page 117, refer to Saltwater Creek by name
- Page 118, rename section to Nelson Resource Management Plan Review and mention that the Regional Policy Statement was due for review in 2007 and Council was now addressing that. Also mention that the central government and the community have a preference for a single planning document
- Page 118, mention that the Maitai was the first catchment to develop standards under the new National Policy Statement (NPS) for Freshwater Management
- Page 119, acknowledge the significant gains in air quality standards in relation to woodburners

It was suggested that new technologies needed to be highlighted in the LTP, however it was noted that new technologies would be considered as part of the Nelson Plan review.

Group Manager, Strategy and Environment, Clare Barton advised that Council must give effect to the NPS for freshwater. She said while work was currently being undertaken on the Maitai River, the NPS needed to be given effect to across all water catchments.

Ms Barton clarified that on page 122 in relation to targets in years 1-3, departments endeavoured to achieve 100%.

- Page 123, add marina biosecurity incursions to the list of significant negative effects

Attendance: The meeting adjourned for morning tea from 10.31am until 12.16pm. During this time Councillor Davy left the meeting.

Social

- Page 23, suggestion that the Financial Strategy should include ageing demographic issue. It was noted that the Financial Strategy focussed on population growth from a different perspective. The ageing demographic issue was dealt with in the assumptions on page 190

In response to a question, Ms McDonald clarified that the name Nightingale Library Memorial was the name stated in the original bequest for the library.

There were concerns raised about the Nightingale Library Memorial upgrade funding being in year 7 of the LTP. It was suggested that this would not meet the expectations of the users.

Ms Harrison advised the reason for allocating funding in year 7 of the LTP was due to where it best fitted in the debt profile. She added that if this changed Audit New Zealand would need to review the updated financials.

It was agreed that funding could be brought forward through next year's annual plan and wording would be amended to reflect this without adjusting the financials as approved by Audit.

Attendance: The meeting adjourned at 12.28pm until 12.29pm.

It was suggested that community assistance should be referred to as the community investment fund in future. It was highlighted this would be a minor editorial change so there was agreement for this.

- Page 134, grammar, add 'of' to sentence so it would read 'outcomes of Nelson 2060'
- Page 142, pet cremator, wording required to show this was only a provision at this stage until a report was considered

Parks and Active Recreation

- Page 144, refer to the groups that need relocating and that officers would work alongside groups as they looked for accommodation
- Page 146, change wording in relation to marina fees to 'it will be reviewed'

Mrs Hadley clarified that the marina hardstand had a budget provision in previous years which had been carried forward on a number of occasions.

Attendance: Councillor Matheson left the meeting at 12.41pm.

- Page 156, a query was raised in relation to the level of funding for the Maitai Forks Bridge. Ms McDonald said the funding was the current best estimate. If it was not sufficient it could be adjusted through an annual plan. She added that staff were not aware of any government funding that would be suitable for this project.

Attendance: Councillor Matheson returned to the meeting at 12.43pm.

Economic

- Page 163, suggestion that 'Significant negative effects and risk mitigation' wording needed to be reworded to mention the Economic Development Agency review which would help Council identify any weaknesses and mitigate against risks

Corporate

No issues were raised for this activity.

Her Worship the Mayor thanked staff and councillors for their efforts.

Resolved CL/2015/027

AND THAT the Long Term Plan 2015-25 (A1373558) with amendments be adopted;

Her Worship the Mayor /Matheson

Carried

Resolved CL/2015/028

AND THAT the Mayor and Chief Executive be delegated to make any necessary minor editorial amendments prior to the Long Term Plan 2015-25 being released to the public;

Resolved CL/2015/029

AND THAT the \$138,000 of funding for development of Nightingale Library Memorial as a community hub in year 7 LTP 2015-25 be brought forward to year 2 and included in the Annual Plan 2016/17;

Rainey/Fulton

Carried

Mrs Hadley advised that under 'Other Rating Information' in the rating recommendations in the officer's report, the paragraph 'Differential Categories' had been deleted, and the subsequent seven clauses relating to the 'General Rate' were removed and included in the Financial Impact Statement.

Resolved CL/2015/030

AND THAT the Nelson City Council sets the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2015 and ending on 30 June 2016.

The revenue approved below will be raised by the rates and charges that follow.

Revenue approved:

<i>General Rate</i>	<i>\$33,471,487</i>
<i>Uniform Annual General Charge</i>	<i>\$8,044,029</i>
<i>Stormwater and Flood Protection Charge</i>	<i>\$5,018,004</i>
<i>Waste Water Charge</i>	<i>\$7,093,339</i>
<i>Water Annual Charge</i>	<i>\$3,512,608</i>
<i>Water Volumetric Charge</i>	<i>\$8,196,086</i>
<i>Clean Heat Warm Homes and Solar Saver</i>	<i>\$556,142</i>

Rates and Charges (excluding GST) \$65,891,695

**Goods and Services Tax
(at the current rate) \$9,883,754**

Total Rates and Charges \$75,775,449

The rates and charges below are GST inclusive.

(1) General Rate

A general rate set under section 13 of the Local Government (Rating) Act 2002, assessed on a differential land value basis as described below:

- **a rate of 0.65183 cents in the dollar of land value on every rating unit in the "residential – single unit" category.**
- **a rate of 0.65183 cents in the dollar of land value on every rating unit in the "residential empty section" category.**
- **a rate of 0.71702 cents in the dollar of land value on every rating unit in the "single residential unit forming part of a parent valuation, the remainder of which is non-rateable" category. This represents a 10% differential on land value.**
- **a rate of 0.71702 cents in the dollar of land value on every rating unit in the "multi residential" category. This represents a 10% differential on land value.**
- **a rate of 1.63414 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 100% commercial and industrial (occupied and empty) category. This represents a 150.7% differential on land value.**
- **a rate of 1.38840 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 25% residential and 75% commercial"**

category. This represents a 113% differential on land value.

- a rate of 1.14331 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 50% residential and 50% commercial" category. This represents a 75.4% differential on land value.***
- a rate of 0.89757 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 75% residential and 25% commercial" category. This represents a 37.7% differential on land value.***
- a rate of 2.32313 cents in the dollar of land value on every rating unit in the "commercial inner city" subject to 100% commercial and industrial (occupied and empty) category. This represents a 256.4% differential on land value.***
- a rate of 1.90531 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 25% residential and 75% commercial" category. This represents a 192.3% differential on land value.***
- a rate of 1.48748 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 50% residential and 50% commercial" category. This represents a 128.2% differential on land value.***
- a rate of 1.06966 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 75% residential and 25% commercial" category. This represents a 64.1% differential on land value.***
- a rate of 2.22471 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 100% commercial and industrial (occupied***

and empty)" category. This represents a 241.3% differential on land value.

- a rate of 1.83165 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 25% residential and 75% commercial" category. This represents a 181% differential on land value.***
- a rate of 1.43859 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 50% residential and 50% commercial" category. This represents a 120.7% differential on land value.***
- a rate of 1.04489 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 75% residential and 25% commercial" category. This represents a 60.3% differential on land value.***
- a rate of 0.42369 cents in the dollar of land value on every rating unit in the "rural" category. This represents a minus 35% differential on land value.***
- a rate of 0.58665 cents in the dollar of land value on every rating unit in the "small holding" category. This represents a minus 10% differential on land value.***

(2) Uniform Annual General Charge

A uniform annual general charge under section 15 of the Local Government (Rating) Act 2002 of \$400.30 per separately used or inhabited part of a rating unit, (excluding properties subject to statutory declarations for unoccupied or second residential units not being used as separate units).

(3) Stormwater and Flood Protection Charge

A targeted rate under section 16 of the Local Government (Rating Act) 2002 of \$280.00 per rating unit, (excluding rural category, small holding category,

residential properties east of Gentle Annie saddle, Saxton's Island and Nelson City Council's storm water network).

(4) Waste Water Charge

A targeted rate for waste water disposal under section 16 of the Local Government (Rating) Act 2002 of:

- \$406.30 per separately used or inhabited part of a residential, multi residential, rural and small holding rating units (excluding properties subject to statutory declarations for unoccupied or second residential units not being used as separate units), that is connected either directly or through a private drain to a public waste water drain.*
- For commercial rating units, a waste water charge of \$101.60 per separately used or inhabited part of a rating unit that is connected either directly or through a private drain to a public waste water drain and a "trade" waste charge will be levied.*

(5) Water Annual Charge

A targeted rate for water supply under Section 16 of the Local Government (Rating) Act 2002, of:

<i>Water charge (per connection)</i>	<i>\$198.86</i>
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(6) Water Volumetric Rate

A targeted rate for water provided under Section 19 of the Local Government (Rating) Act 2002, of:

Price of water:

<i>0 – 10,000 cu.m/year</i>	<i>\$2.052 per m³</i>
<i>10,001 – 100,000 cu.m/year</i>	<i>\$1.542 per m³</i>
<i>> 100,000 cu.m/year</i>	<i>\$1.218 per m³</i>
<i>Summer irrigation</i>	<i>\$1.797 per m³</i>

(7) Clean Heat Warm Homes

A targeted rate per separately used or inhabited part of a rating unit that has been provided with home insulation and/or a heater to replace a non-complying solid fuel burner under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of:

- For properties levied the Clean Heat Warm Homes as a result of agreements entered into after 1 July 2011, the targeted rate for each year for 10 years will be the total cost of the installed works excluding GST, divided by 10, plus GST.***
- For properties levied the Clean Heat Warm Homes as a result of agreements entered into prior to 1 July 2011 the targeted rate of:***

<i>Loan Assistance Range</i>	<i>Installation after 30 Sept 2010</i>	<i>Completed prior to 30 Sept 2010</i>
<i>\$1,400 to \$1,599</i>	<i>\$140.00</i>	<i>\$143.11</i>
<i>\$1,600 to \$1,799</i>	<i>\$160.00</i>	<i>\$163.56</i>
<i>\$1,800 to \$1,999</i>	<i>\$180.00</i>	<i>\$184.00</i>
<i>\$2,000 to \$2,199</i>	<i>\$200.00</i>	<i>\$204.44</i>
<i>\$2,200 to \$2,399</i>	<i>\$220.00</i>	<i>\$224.89</i>
<i>\$2,400 to \$2,599</i>	<i>\$240.00</i>	<i>\$245.34</i>
<i>\$2,600 to \$2,799</i>	<i>\$260.00</i>	<i>\$265.78</i>
<i>\$2,800 to \$2,999</i>	<i>\$280.00</i>	<i>\$286.22</i>
<i>\$3,000 to \$3,199</i>	<i>\$300.00</i>	<i>\$306.67</i>
<i>\$3,200 to \$3,399</i>	<i>\$320.00</i>	<i>\$327.11</i>
<i>\$3,400 to \$3,599</i>	<i>\$340.00</i>	<i>\$347.56</i>
<i>\$3,600 to \$3,799</i>	<i>\$360.00</i>	<i>\$368.00</i>

\$3,800 to \$3,999	\$380.00	\$388.44
\$4,000 to \$4,199	\$400.00	\$408.89
\$4,200 to \$4,399	\$420.00	\$429.34
\$4,400 to \$4,599	\$440.00	\$449.78
\$4,600 to \$4,799	\$460.00	\$470.22
\$4,800 to \$4,999	\$480.00	\$490.67

(8) Solar Hot Water Systems

A targeted rate for any separately used or inhabited parts of a rating unit that has been provided with financial assistance to install a solar hot water system under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of the following factors on the extent of provision of service (net cost of the work including GST after deducting EECA grant, plus funding cost):

- **0.14964 (including GST) for agreements entered into prior to 1 July 2011, multiplied by the Net Cost of the Work adjusted for any increased GST.**
- **0.13847 (including GST) for agreements entered into after 1 July 2011 multiplied by the Net Cost of the Work.**

Other Rating Information:

Due Dates for Payment of Rates

The above rates (excluding water volumetric rates) are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson and shall be payable in four instalments on the following dates:

Instalment Number	Instalment Due Date	Last Date for Payment	Penalty
Instalment 1	1 August 2015	20 August 2015	26 August
Instalment 2	1 November	20 November	25 Noveml

	2015	2015	2015
Instalment 3	1 February 2016	22 February 2016	26 February 2016
Instalment 4	1 May 2016	20 May 2016	26 May 2016

Rates instalments not paid on or by the Last Date for payment above will incur penalties as detailed in the section "Penalty on Rates".

Due Dates for Payment of Water Volumetric Rates

Residential water volumetric rates are payable at the Nelson City Council office, 110 Trafalgar Street, Nelson and shall be payable on the following dates:

<i>Billing Month</i>	<i>Last Date for Payment</i>	<i>Penalty Date</i>
<i>July 2015</i>	<i>15 September 2015</i>	<i>21 September 2015</i>
<i>August 2015</i>	<i>15 September 2015</i>	<i>21 September 2015</i>
<i>September 2015</i>	<i>15 October 2015</i>	<i>21 October 2015</i>
<i>October 2015</i>	<i>15 December 2015</i>	<i>21 December 2015</i>
<i>November 2015</i>	<i>15 December 2015</i>	<i>21 December 2015</i>
<i>December 2015</i>	<i>15 January 2016</i>	<i>21 January 2016</i>
<i>January 2016</i>	<i>15 March 2016</i>	<i>21 March 2016</i>
<i>February 2016</i>	<i>15 March 2016</i>	<i>21 March 2016</i>
<i>March 2016</i>	<i>15 April 2016</i>	<i>21 April 2016</i>
<i>April 2016</i>	<i>15 June 2016</i>	<i>21 June 2016</i>
<i>May 2016</i>	<i>15 June 2016</i>	<i>21 June 2016</i>
<i>June 2016</i>	<i>15 July 2016</i>	<i>21 July 2016</i>

Special (final) water volumetric rates will be payable 14 days from the invoice date of the special (final) water reading as shown on the water invoice.

Commercial water volumetric rates: last date for payment will be the 20th of the

month following the invoice date as shown on the water volumetric rate invoice. The penalty date will be the fourth business day after the Last Date for Payment.

Penalty on Rates

Pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002, the council authorises the following penalties on unpaid rates (excluding volumetric water rate accounts) and delegates authority to the Group Manager Corporate Services to apply them:

- a first additional charge of 10% of the amount of each rate instalment remaining unpaid on the penalty date as shown in the above table and also shown on each rate instalment notice.**
- a second additional charge of 10% will be added to any balance remaining outstanding from a previous rating year (including penalties previously charged) as at 31st December 2015.**
- a further additional charge of 10% will be added to any balance remaining outstanding from a previous rating year (including penalties previously charged) as at 30 June 2016.**

Penalty on Water Volumetric Rates

Pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002, the council authorises the following penalties on unpaid volumetric water rates and delegates authority to the Group Manager Corporate Services to apply them:

- an additional charge of 10% of the amount of each volumetric water rate account remaining unpaid on the penalty date as shown in the above table and also shown on each volumetric water rate account.**

Penalty Remission

In accordance with Council's rate remission policy, the council will approve

the remission of the penalty added on instalment one due to late payment provided the total annual rates are paid in full by 20 November 2015. If full payment of the annual rates is not paid by 20 November 2015 the penalties relating to the first instalment outlined above will apply.

The above penalties will not be charged where Council has agreed to a programme for payment of outstanding rates.

The Group Manager Corporate Services is given discretion to remit rates penalties either in whole or part in accordance with Council's approved rates remission policy, as may be amended from time to time.

Discount on Rates

Pursuant to Section 55 of the Local Government (Rating) Act 2002, the Council will allow a discount of 2.0 percent of the total rates (excluding volumetric water rates) where a ratepayer pays the year's rates in full on or before the due date for instalment one being 20 August 2015.

Payment of Rates

The rates shall be payable at the Council offices, Civic House, 110 Trafalgar Street, Nelson between the hours of 8.30am to 5.00pm Monday, Tuesday, Wednesday and Friday and 9.00am to 5.00pm Thursday. Where any payment is made by a ratepayer that is less than the amount now payable, the Council will apply the payment firstly to any rates outstanding from previous rating years and then proportionately across all current year rates due.

Noonan/Barker

Carried

There being no further business the meeting ended at 1.05pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of an extraordinary meeting of the Nelson City Council

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

On Thursday 16 July 2015, commencing at 11.04am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, I Barker, M Lawrey, B McGurk, G Noonan, T Skinner, and M Ward

In Attendance: Chief Executive (C Hadley), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Acting Group Manager Infrastructure (S Davies), Manager Communications (P Shattock), Manager Administration (P Langley), Administration Adviser (S McLean), and Consulting Engineer (R Kirby)

Apologies: Deputy Mayor P Matheson and Councillors R Copeland, E Davy, K Fulton, and P Rainey

1. Opening Prayer

Councillor Noonan gave the opening prayer.

2. Apologies

Resolved CL/2015/010

THAT apologies be received and accepted from Deputy Mayor Matheson and Councillors Copeland, Davy, Fulton, and Rainey

Her Worship the Mayor/Acland

Carried

3. Confirmation of Order of Business

Her Worship the Mayor advised of one minor late item which had been tabled (M1360), regarding the Trafalgar Centre – Geotechnical Assessments, Structural Implications and Costings. She said the public forum section of the agenda was missing in error.

4. Interests

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

5. Public Forum

5.1 Kerry Neal and Ian Hatton

Mr Neal tabled information on the foundations of the Trafalgar Centre (A1387930). He spoke about the need for quality information and highlighted the agreed level of funding for the Trafalgar Centre in the Long Term Plan 2015-25.

Mr Neal provided detail on the piles of the northern building part of the Trafalgar Centre and said he felt it should not have been closed as the integrity of the building had been proven.

Mr Hatton spoke about the design of the existing wooden floor and highlighted that the piles could be adjusted in height.

It was noted that the public forum part of the meeting would be adjourned until after the Trafalgar Centre item.

6. Trafalgar Centre - Geotechnical Assessments, Structural Implications and Costings

Document number R4565, late item memo M1360 refers

Consulting Engineer, Richard Kirby, presented the report.

Mr Kirby emphasised that the second clause under 4.1 of the report, regarding health and safety obligations, was the overall driver of the report and assessments undertaken to date.

Mr Kirby highlighted the involvement of Gibbons Construction and Downer in the development of the estimates within the report.

Mr Kirby pointed out that adding steel to the main building glulam portals may still result in an unusable building after an earthquake, but would allow people to safely exit the Trafalgar Centre. He highlighted the differential deflection that would take place with additional steel and by potential transfer of building loads from the plies to the ground under the Centre.

Mr Kirby said that in light of findings from Arup, the ground remediation works would cost less than previously thought, therefore it had been a good investment by Council.

Mr Kirby highlighted that information previously produced by Tonkin & Taylor was correct and in line with the building code, but had not been linked to a site specific assessment.

Mr Kirby advised that the Arup report was still to be peer reviewed, and would be released to the public once finalised.

Attendance: The meeting adjourned from 11.49am to 11.58am.

In response to questions, Mr Kirby confirmed the existing building braces in the Southern Extension were brittle based on seismic load calculations. He advised the Trafalgar Centre was under 34% of New Building Standards and therefore earthquake prone, which was why Council chose to close the building.

In response to a question, Mr Kirby said that earlier advice on the Trafalgar Centre could have been followed, but aboveground aspects would not have been appropriately addressed.

Attendance: Councillor Acland left the meeting at 12.04pm.

Mr Kirby spoke about involving contractors in design work to minimise risks in costing. He confirmed that work to strengthen the building would bring the Trafalgar Centre up to at least 34% of New Building Standards, with some components being higher than this.

In response to questions, Mr Kirby provided background information on Arup, highlighting they were internationally renowned. He said Holmes Consulting had confirmed the brittleness of the Trafalgar Centre.

Mr Kirby advised that a Quantity Surveyor was involved and helped scope the estimates presented in the report. He said the same Quantity Surveyor would be developing the final priced schedule on the detailed design. He added that Downer and Gibbons Construction would be engaged in pricing the schedules.

In response to questions, Mr Kirby confirmed that a rebuild of the Northern building would include the foyer and bathrooms. He said that any compliance issues in the existing building would need to be addressed in order to obtain consent.

Her Worship the Mayor thanked Mr Kirby, the consultants and contractors for the work undertaken to date on the Trafalgar Centre

7. Public Forum

7.2 Gaire Thompson

Mr Thompson said he was concerned that a three dimensional programme had not been used to assess the Trafalgar Centre. He raised comparisons to Cowles Stadium in Christchurch which had been earthquake strengthened for approximately \$500,000.

Mr Thompson also spoke about the \$1.9 million budgeted for an additional road to the Trafalgar Centre. He said he would rather see this money spent on the building itself.

Her Worship the Mayor confirmed that a three dimensional programme had been used by Arup.

There being no further business the meeting ended at 12.32pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

REPORT R4558

Status Report - Council - 23 July 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 23 July 2015 (R4558) and its attachment (A1168168) be received.

Shailey McLean
Administration Adviser

Attachments

Attachment 1: Status Report - Council - July 2015

Committee: Council				
Action Sheets Report				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
02 April 2013	Nelson Gondola and Adventure Park: Feasibility Study	<p>Resolved CL/2013/006</p> <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> <p>funding the remaining costs of the feasibility study;</p> <p>undertaking to provide Council with the results of the feasibility study by 31 December 2013;</p> <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>23/7/2015</p> <p>The draft Brook Recreation Reserve Management Plan is currently open for consultation. The plan, once adopted will inform next steps for the Nelson Cycle Lift Society.</p> <p>Ongoing</p>
19 June 2014	Trafalgar Centre - Way Forward to Reopening	<p>Resolved CL/2014/007</p> <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>	Shane Davies	<p>23/7/2015</p> <p>A report will be tabled at the Council meeting of 23 July 2015 to report on the options and costs to strengthen and reopen the Trafalgar Centre.</p> <p>Complete</p>
11 December 2014	Solid Waste: Regional Landfill Implementation	<p>Resolved CL/2014/008</p> <p><u>AND THAT</u> the binding deed be brought back to Council before signing for ratification;</p> <p><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</p>	Shane Davies	<p>23/7/2015</p> <p>Council officers, the Mayor and Councillor Acland continue to work with Tasman District Council to progress toward signing the Regional Landfill deed. Deloitte have been</p>

Committee: Council				
Action Sheets Report				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		activities;		commissioned to undertake further work which will be reported back to Council at a future meeting. Ongoing
19 March 2015	Acquisition of Land for the Maitai/Mahitahi Walkway	<p>Resolved CL/2015/009</p> <p><u>THAT</u> Council approve the issue of a Notice of Intention to take the freehold interest in 45m² 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;</p> <p><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.</p>	Michael Homan	<p>23/7/2015</p> <p>The public notification period for this acquisition has just closed. Other statutory processes are underway to complete this matter.</p> <p>Ongoing</p>
30 April 2015	Rutherford Park Upgrade - Roading and Carparking	<p>Resolved CL/2015/001</p> <p><u>AND THAT</u> 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;</p>	Andrew Petheram	<p>23/7/2015</p> <p>The detailed design of the roading 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 cost estimates will be completed by the</p>

Committee: Council				
Action Sheets Report				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
				end of August 2015. Ongoing
30 April 2015	Analysis of Submissions on the draft Urban Environments Bylaw	Resolved CL/2015/002 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.	Matt Heale	23/7/2015 The Planning and Regulatory Committee considered this matter at its meeting on 25 June 2015. The minutes of this meeting are attached to this Council agenda. Ongoing
20 May 2015	Cycling	Resolved CL/2015/014 THAT a Councillor workshop be held to discuss the cycling activity, both as a means of transport and for recreational activity, and its impacts on other users of shared paths and off road walking tracks; AND THAT following the workshop, officers engage with key stakeholders from organisations such as Bicycle Nelson Bays, Greypower, Positive Ageing Forum, NZ Transport Agency, Tasman District Council, Nelson Marlborough District Health Board and others, such as Friends of the Maitai, for site specific issues, to investigate solutions to conflict between cyclists and pedestrians on Council's shared tracks and paths; AND THAT the principles agreed in any workshop and subsequent community engagement be developed into policy to be reported back to Council by September 2015; AND THAT a programme of work from that engagement be reported back to Council by November 2015; AND THAT after feedback from the workshop, off road cycling stakeholders	Shane Davies	23/7/2015 A Councillor Workshop was held on 7 July 2015 to discuss cycling and its impact on other users. A second workshop is scheduled for stakeholders / partners on 21 and 22 July 2015. The feedback and principles developed at this workshop will be reported back to Council by September 2015. This will inform a programme of work to be reported to Council by November 2015.

Action Sheets Report	
Committee: Council	

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		be encouraged to identify a lead agency to gather information for an off road track strategy, which establishes priorities within allocated budgets for agreed areas, with a budget contribution of up to \$10,000 for contracted outcomes.		Ongoing

Committee: Council				
Action Sheets Report				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
20 May 2015	Maitai Walkway	<p>Resolved CL/2015/015</p> <p>THAT funding of \$600,000 for upgrading the Maitai Walkway between Collingwood and Nile Streets be carried forward to 2015/16</p> <p>AND THAT Council review the project as part of its workshop on cycling, and gain feedback from stakeholders, before further consideration by Council in September 2015.</p>	Shane Davies	<p>23/7/2015</p> <p>Funding has been carried forward from the 14/15 financial year into the current 15/16 financial year.</p> <p>The project will be reviewed using the principles developed at the stakeholder/partner workshops, scheduled for 21 and 22 July and then reported to Council by September 2015.</p> <p>Ongoing</p>
20 May 2015	HAIL Material	<p>Resolved CL/2015/019</p> <p>THAT further work be done on a discounted rate for contaminated material from sites classified as being on the Hazardous Activities and Industries List and requiring resource consent for excavation, to be considered at the Works and Infrastructure Committee.</p>	Johan Thiar	<p>23/7/2015</p> <p>A report is scheduled for the Work and Infrastructure Committee on 30 July 2015.</p> <p>Ongoing</p>
20 May 2015	Old Railway Iron Bridge	<p>Resolved CL/2015/021</p> <p>THAT funding not be allocated at this time for an upgrade to the Old Railway Iron Bridge;</p> <p>AND THAT health and safety requirements be addressed through appropriate signage limiting numbers on the bridge at any one time.</p>	Shane Davies	<p>23/7/2015</p> <p>Council Officers confirm signage has been installed limiting the number of users crossing the bridge at any one time.</p> <p>Complete</p>

Committee: Council				
Action Sheets Report				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
20 May 2015	Community Assistance	<p>Resolved CL/2015/022</p> <p><u>THAT</u> an allocation of \$100,000 per annum of partnership funding for home insulation as part of the Warmer Healthier Homes Nelson Tasman project be confirmed for the next three years;</p> <p><u>AND THAT</u> Council recognise its role in community assistance is in setting the purpose, process and a financial contribution;</p> <p><u>AND THAT</u> officers meet with representatives of other funding and social agencies (including Nelson Marlborough District Health Board, Canterbury Community Trust, Ministry of Social Development, Department of Internal Affairs and Tasman District Council and others experienced in the field of social development) to understand strategic outcomes for community funding in Nelson and to agree the purposes for which the fund should be applied;</p> <p><u>AND THAT</u> an annual allocation of \$300,000 be approved in the Long Term Plan 2015-25 for Community Assistance, noting the need to meet existing commitments to ongoing agreements;</p> <p><u>AND THAT</u> of the \$300,000 allocation a maximum sum of \$50,000 be set aside as funding for small scale projects.</p>	Chris Ward	<p>23/7/2015</p> <p>Revised Community Assistance Policy adopted by Community Services Committee on 2 July 2015. Call for nominations for community funding panel members about to be made. Meeting being organised with other funding and social agencies.</p> <p>Ongoing</p>
20 May 2015	Nelson Arts Festival	<p>Resolved CL/2015/023</p> <p><u>THAT</u> an independent governance structure be established for the Nelson Arts Festival with transfer of operations to occur in time for the new entity to be responsible for the 2017 Arts Festival.</p>	Chris Ward	<p>23/7/2015</p> <p>Report being prepared for Community Services Committee with options for the structure of the new entity.</p> <p>Ongoing</p>

Committee: Council				
Action Sheets Report				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
20 May 2015	Light Nelson	<p>Resolved CL/2015/028</p> <p><u>THAT</u> the funding for Light Nelson of \$150,000 over each two year period for base/partnership funding be confirmed to provide the opportunity for Light Nelson to lever additional funding, noting that this will be funded from the Events Fund budget;</p> <p><u>AND THAT</u> the Light Nelson organisers be asked to keep the Chief Executive informed of project performance.</p>	Chris Ward	<p>23/7/2015</p> <p>Funding agreement being drawn up. This will include reporting mechanism for project performance.</p> <p>Ongoing</p>
20 May 2015	Rutherford Park Redevelopment	<p>Resolved CL/2015/034</p> <p><u>THAT</u> in principle Council resolve to give effect to the Rutherford Park concept development plan;</p> <p><u>AND THAT</u> Community Art Works and Smallbore Rifle Club be advised of the need to vacate their buildings by the end of 2015;</p> <p><u>AND THAT</u> the Smallbore Rifle Club and Community Art Works buildings be demolished at Council's cost by the end of 2015/2016, and that \$50,000 for this be included in the Long Term Plan;</p> <p><u>AND THAT</u> Council officers be asked to provide limited assistance (if sought) to the tenants to find alternative accommodation outside of Rutherford Park;</p> <p><u>AND THAT</u> officers report back to Council on 11 June 2015 on any legal issues, other effects, and any necessary revocation of previous Council resolutions, of the above clauses.</p>	Shane Davies/ Michael Homan	<p>23/7/2015</p> <p>The negotiations with the existing tenants are ongoing.</p> <p>A verbal update regarding the final clause of the resolution will be provided at the Council meeting 23 July 2015.</p> <p>Ongoing</p>

Committee: Council				
Action Sheets Report				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
20 May 2015	Marina Strategy	Resolved CL/2015/037 <u>THAT</u> \$50,000 funding be provided for developing and consulting on a Marina Strategy, with \$30,000 being charged to general rates and \$20,000 being charged to the Marina Account; <u>AND THAT</u> the Marina Strategy be delivered by February 2016.	Shane Davies	23/7/2015 Council Officers have finalised the Terms of Reference for the Marina Strategy, to be reported to the Community Services Committee on 13 August. Ongoing
20 May 2015	Surf Lifesaving Club	Resolved CL/2015/041 <u>THAT</u> Council work with the Surf Lifesaving Club to develop new clubrooms on the dunes at Tahunanui Beach; <u>AND THAT</u> Council notes that in resolving to work with the Surf Lifesaving Club to develop new clubrooms at Tahunanui Beach, this decision is inconsistent with the Reserve Management Plan (Section 80, Local Government Act) in that the Reserve Management Plan does not allow for building on the dunes, and Council does not intend to amend its Reserve Management Plan; <u>AND THAT</u> any proposal for clubrooms for the Surf Lifesaving Club at Tahunanui would be subject to all statutory resource and building consent processes.	Andrew Petheram	23/7/2015 Council officers are awaiting progress from the Surf Lifesaving Club. Ongoing
20 May 2015	New Zealand Rugby Union	Resolved CL/2015/042 <u>THAT</u> the New Zealand Rugby Union be advised that Nelson City Council wishes to continue with its bid for the hosting of a match in the 2017 British and Irish Lions tour under the terms advised in December 2014.	Chris Ward	23/7/2015 Bid unsuccessful, funding withdrawn from Long Term Plan. Complete

Committee: Council				
Action Sheets Report				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
20 May 2015	Nelson Marlborough Institute of Technology	Resolved CL/2015/044 <u>THAT</u> Council officers engage with the Nelson Marlborough Institute of Technology and other education providers to develop a partnership strategy.	Chris Ward	23/7/2015 Joint Senior Leadership Team meeting to be held on 27 July 2015. Ongoing
20 May 2015	Nelson Regional Economic Development Agency	Resolved CL/2015/045 <u>THAT</u> Council officers enter into discussions with the Nelson Regional Economic Development Agency as to ways of supporting the Education Nelson Tasman initiative.	Chris Ward	23/7/2015 Discussions to be held with EDA and NMIT over outcomes sought. Ongoing
20 May 2015	Water Fluoridation	Resolved CL/2015/057 <u>THAT</u> the Council supports the Mayor in writing to the Minister of Health expressing the view that fluoridation of water is a public health issue best dealt with by central government.	Mandy Bishop	23/7/2015 Letter is with the Mayor for review. Ongoing
11 June 2015	Appointment of Trustee to the Nelson Municipal Band Trust	Resolved CL/2015/024 <u>THAT</u> 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.	Nikki Harrison	23/7/2015 Letter sent to Roger Cole 7 July 2015 confirming resolution (A1384075). Complete
11 June 2015	Deliberations on Submissions on the Draft Development and Financial Contributions	Resolved CL/2015/043 <u>AND THAT</u> following final adoption of the Policy, Council requests officers disseminate information on the projects and calculations sitting behind the Development Contributions Policy to the development community,	Nicky McDonald	23/7/2015 Officers are compiling material for distribution. Ongoing

Committee: Council				
Action Sheets Report				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
	Policy 2015 (Cont.)	and provide feedback to Council on the responses from that, no later than 30 September 2015.		
		Resolved CL/2015/012		23/7/2015
11 June 2015	Modellers' Pond - Detailed Assessment of Options	<p>AND <u>THAT</u> further information be sought based on questions raised at today's Council meeting 11 June 2015;</p> <p>AND <u>THAT</u> the detailed design of Option 3 – Modify Pond be undertaken and (in report R4199) be consulted on;</p> <p>AND <u>THAT</u> Council invite the Nelson Society of Modellers to confirm community support and funding for option 3;</p> <p>AND <u>THAT</u> the option to return the pond to an estuarine environment be investigated;</p> <p>AND <u>THAT</u> Council signals that whilst it has a \$1million provision for capital expenditure in its Long Term Plan 2015-25, this be capped at \$600,000, for option 3 (modify pond) and that operational expenditure be \$15,000 per annum.</p>	Shane Davies	<p>Council Officers are procuring design expertise to undertake the detailed design of Option 3 'Modify Pond' and to investigate and advise on the option to return the pond to an estuarine environment. Once the detailed design is complete the Nelson Society of Modellers will be asked to confirm their support and funding.</p> <p>Ongoing</p>

REPORT R4525

Mayor's Report

1. Purpose of Report

- 1.1 To update Council on a number of matters.

2. Recommendation

THAT the Mayor's Report (R4525) be received.

3. Discussion**Mayor's Discretionary Fund**

- 3.1 The Nelson Women's Club is currently fundraising to help increase its building fund for the next stage of earthquake proofing its building at 294-296 Trafalgar Street.
- 3.1.1 Her Worship the Mayor agreed to donate \$200 towards this project from the Mayor's Discretionary Fund.

Rachel Reese
Mayor of Nelson

Attachments

Nil

REPORT R4450

Developer Advisory Group

1. Purpose of Report

- 1.1 To adopt the attached Terms of Reference for the establishment of a Developers Advisory Group.

2. Delegations

- 2.1 The Developer Advisory Group will work across the Housing Accord, Development Contributions Policy and the NRMP Review (Nelson Plan). Council has delegations for the Development Contributions Policy, the Planning and Regulatory Committee has delegations for the NRMP Review (Nelson Plan) and the Housing Accord.

3. Recommendation

THAT the report Developer Advisory Group (R4450) and its attachment (A1374504) be received;

AND THAT Council nominate Mayor Rachel Reese and Deputy Mayor Paul Matheson to be Council representatives on the Developer Advisory Group;

AND THAT Council nominate Deputy Mayor Paul Matheson to be Chair of the Developer Advisory Group;

AND THAT the attached draft Terms of Reference (A1374504) are adopted by Council for finalisation at the first Developer Advisory Group meeting after which they will be confirmed by the Mayor and the Chair of the Planning and Regulatory Committee.

4. Background

- 4.1 Council recently entered into a Housing Accord with the Minister of Business, Innovation and Employment. The Housing Accord states that a Developer Advisory Group will be used to discuss issues of common

interest and to provide advice on any Special Housing Areas. Council is required to report progress biannually on the Housing Accord which was signed on 11 June 2015.

4.2 A Land Development Sector Forum Group was sought to be established by a group of developers as part of submissions on the Long Term Plan 2015 - 2025.

4.3 The development and infrastructure work streams of the Nelson Plan (NRMP review) require stakeholder and development industry feedback so that officers can report back to Council for direction by December 2015 prior to plan drafting.

5. Discussion

Developer Advisory Group

5.1 A Developers Advisory Group is proposed to be established to give effect to Council commitments through the Housing Accord, a submission request to the Long Term Plan, and to guide the development and infrastructure work stream of the NRMP review (Nelson Plan). Council wishes to continue to collaborate with the development community in the development and implementation of all policies that affect development within Nelson City.

5.2 A draft Terms of Reference for the Developers Advisory Group is attached, which sets out the roles and responsibilities of the Group, as well as the membership. The proposed membership is that the Group is made up of:

- Mayor Rachel Reese
- Deputy Mayor Paul Matheson
- Three developers
- One housing industry representative
- One development or contractor industry member of the Land Development Manual Steering Group
- Three professional advisers (planner, architect, surveyor)
- Graeme Dick (submitter to the LTP seeking development advisory group)

5.3 As Council are signatories to the Housing Accord it is appropriate the Mayor and Deputy Mayor represent Council on the Developers Advisory Group.

5.4 The developers that are appointed to the Development Advisory Group would need to represent those whose landholdings either currently have sufficient infrastructure to enable them to develop, or that will be provided with sufficient infrastructure through the Long Term Plan in the next 10 years.

5.5 It would be beneficial if the three developer's selected represented one or more of greenfield, intensification and commercial development areas.

It is proposed that all developers that recently submitted to the Long Term Plan, and those involved with the Nelson Plan infrastructure alignment of growth area projects be provided with the opportunity to nominate three representatives.

- 5.6 Nominations for professional advisers from the planning, surveying, architectural and engineering disciplines can be sought through their professional institutes. A contractor or development industry representative from the Land Development Manual Steering Group is considered an efficient way of ensuring alignment between infrastructure standards and growth considerations. A representative from Nelson Tasman Housing Trust could provide the housing industry perspective.

6. Options

- 6.1 Council has the option of establishing a Developers Advisory Group or to engage developers and their professional representatives individually. The latter option is considered inefficient and does not address Council's responsibilities under the Housing Accord.
- 6.2 The Housing Accord requires that Council enter into a Developer Advisory Group to continue to collaborate with the development community in the development and implementation of all policies that affect development within Nelson City. If Council does not establish a Developer Advisory Group then Council would be in breach of the Housing Accord.
- 6.3 To make the most efficient use of such a group, and to ensure that all policies affecting development are aligned, Council has the option of extending the role and function of the Group to the Nelson Plan (NRMP review), and to address the submission to the Long Term Plan requesting such a forum. This is the options recommended in this report.
- 6.4 There is a risk with a Developer Advisory Group, in that those landowners who are developers on the group could have a vested interest in the recommendations of the group. To mitigate this risk the Group needs to be balanced with the inclusion of professional development industry members. The draft Terms of Reference provides that any potential conflicts of interest shall be declared at the start of meetings, with a conflicts register being maintained by the Group.
- 6.5 Members of the Group need to be there to represent the land development sector, not their own interests in land development and can be made aware of this prior to nomination. Officers, the Major Projects Team and the Urban Design Panel are available to continue to meet individually with developers to advise them in respect of their individual development aspirations.

7. Alignment with relevant Council policy

- 7.1 The establishment of a Developers Advisory Group that gives effect to Council's commitments in the Housing Accord. It is also a method of

achieving stakeholder engagement in the review of the NRMP (Nelson Plan).

- 7.2 The resourcing of the Developers Advisory Group for officers will be part of existing budgets and staff resources, and the members of the Advisory Group will be unpaid.

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

- 8.1 This report does not seek any decision that is significant in terms of the Council's Significance Policy.

9. Consultation

- 9.1 Submissions on the Development Contributions Policy and the Long Term Plan sought that a land development sector group be established to ensure that developer input at pre-drafting stage of all Council policies that affect development occurs.

- 9.2 The Developers Advisory Group will provide stakeholder representation for the Housing Accord, Development Contributions and Nelson Plan. Further stakeholder and community engagement will be provided for through the development of the Nelson Plan and any policy changes coming out of the Development Contributions Engagement. The Housing Accords and Special Housing Areas Act 2013 provides limited opportunities for consultation.

10. Inclusion of Māori in the decision making process

- 10.1 Maori have not been consulted on the proposal to establish a Developers Advisory Group.
- 10.2 Iwi consultation on development and infrastructure issues has been undertaken through the Nelson Plan. As part of that consultation Iwi have identified development and infrastructure issues relevant to their own landholdings which will be further explored through the Iwi Working Group for the Nelson Plan.

11. Conclusion

- 11.1 This report seeks to establish a Developers Advisory Group to meet the requirements in the Housing Accord and fulfil Councils commitment to stakeholder involvement in the review of the NRMP (Nelson Plan). The Advisory Group is proposed to be made up of the Mayor and Deputy Mayor, three land development representatives, one housing industry representative, one member of the Land Development Manual Steering group, three development professional representatives and one submitter to the Long Term Plan on development issues.

Lisa Gibellini
Senior Planning Adviser

Attachments

Attachment 1: A1374505 - Developers Advisory Group draft Terms of Reference



Developers Advisory Group

Terms of Reference

1. Purpose

The Developers Advisory Group (the Group) was established by resolution of Council on 23 July 2015.

The purpose of the Group is to give effect to Council commitments through the Housing Accord, submissions to the Long Term Plan, and to guide the development and infrastructure work stream of the NRMP review (Nelson Plan).

It also needs to consider options and provide feedback to staff on the following policy and process development projects:

Policies/Processes	Purpose of Developers Advisory Group
Housing Accord	To discuss issues of common interest on housing, land supply, infrastructure provision and Council consenting processes. To provide advice on any Special Housing Areas recommended by Council or the Minister as a means of implementing the Housing Accord.
Long Term Plan	To address a request for a Land Development Sector Forum Group in submissions to the Long Term Plan.
Nelson Plan	To provide development sector input into the Development and Infrastructure work streams of the Nelson Plan (NRMP Review).

2. Membership

Members will comprise of:

- Her Worship the Mayor Rachel Reese
- Deputy Mayor Paul Matheson(chair)
- Three externally appointed local land development representatives (developers whose property is included in Table 4 of the DC schedule and are interested in developing land in the next 5 years).
- One externally appointed housing industry representative.
- One member of the Land Development Manual Steering Group.
- Three representatives from the development sector professionals (planner, architect, surveyor).

□

- Graeme Dick (submitter to LTP requesting developer advisory group be established).

3. Quorum

Quorum of the Group is set at 5 members and must include the Chairperson.

4. Areas of responsibility

The Group will consider and provide feedback on the following:

- The methods through which Council and developers can collaborate to bring a continuous supply of housing and land to the market in order to achieve the goals in the Housing Accord
- Resource management issues, policy framework and methods for development and infrastructure across the Zones within the Nelson Plan (NRMP Review). This will include the relationship of methods with the other natural environment issues and outcomes to be achieved also as a result of the Plan review. An example of this is the overlap and affect of natural hazards on development.

The Group will not be considering building or resource consent application processes.

5. Powers to decide

None

6. Powers to recommend

None

7. Role of the Developers Advisory Group

- To request, receive and consider any information relevant to the Housing Accord and the Development and Infrastructure work streams of the Nelson Plan (NRMP Review).
- To consider options and provide feedback to staff in relation to a preferred option.
- To encourage community and sector group engagement.

8. Role of the Chair

- To chair meetings according to the agreed agenda and to assist the Group to reach consensus on issues and options.
- To act as spokesperson for the Group

9. Role of staff

Staff will provide technical expertise, project management and administrative support. Their role is to:



- Provide advice and reports to enable full consideration of the options before the Group;
- Provide advice on legal and statutory issues and obligations;
- Lead technical discussions on options under consideration;
- Manage project resources (budget and staff time);
- Manage project issues, risks, changes and advise the Group Chair of issues as they arise;
- Provide staff reports to Council at key decision making points;
- Organise and manage engagement with key stakeholders;
- Keep Group members briefed on key communications with key stakeholders and the public;
- Prepare and distribute agendas for the Group meetings;
- Maintain records of process used, options considered, key decisions made by the Group and reasons for decisions, so that the decision making process can be clearly understood.

10. Project background

Development industry professionals have requested via submissions to the Long Term Plan that Council provide a forum for them to formally engage in the process of policy development that affects land development in Nelson. Council has also indicated that a Developers Advisory Group would be beneficial for policy development and implementation through the Housing Accord.

The Housing Accord commits Council over the next 5 years to increasing 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. Council is required to report on progress in meeting the Housing Accord to the Ministry of Business Innovation and Employment biannually. The Accord was signed on 11 June 2015.

To inform the draft of the Nelson Plan (NRMP Review) stakeholder engagement is required to enable officers to assess options and propose methods through which to address the significant development and infrastructure resource management issues for Nelson. Stakeholder feedback will be reported to Council in December 2015, in order to inform drafting and meet the notification timeframe of mid 2016.

The Developers Advisory Group is a method through which the above tasks can be achieved.

□

11. Meetings

Staff will prepare a schedule of meetings in consultation with the Chairperson of the Group in order to meet the reporting deadlines as follows:

<input type="checkbox"/> Housing Accord	<input type="checkbox"/> Report to Council as and when required in identifying any Special Housing Areas but no later than December 2015
<input type="checkbox"/> Nelson Plan	<input type="checkbox"/> Report stakeholder feedback to Council no later than December 2015.

- Further meetings may be needed in 2016 to continue input on the drafting of the Nelson Plan, and to monitor progress with the Housing Accord.
- Members will not be paid nor reimbursed travel costs.

12. Conflicts of Interest

- Conflicts of interest should be declared at the start of the Group Meetings.
- Due to the potential for commercial conflicts of interest with the Group, a conflicts register will be maintained and updated at the start of each meeting.

13. Reporting

- Notes of the Group meetings will be taken.
- A written report with a recommendation to Council will be prepared by staff on behalf of the Group summarising the options considered and the reasons supporting the recommended option
- Updates will either be given in the Councillors newsletter or within the quarterly report to the relevant committee.
- If the Group has not met for a period of six months it will be considered disbanded

REPORT R4510

Representation Review 2015

1. Purpose of Report

- 1.1 To decide an initial proposal for the representation arrangements for the 2016 and 2019 local body elections.

2. Delegations

- 2.1 Matters relating to representation arrangements have not been delegated to any Council Committee, therefore this is a decision for Council.

3. Recommendation

THAT the report Representation Review 2015 (R4510) and its attachment (A1376423) be received;

AND THAT in accordance with Section 19H of the Local Electoral Act 2001:

1. The Council shall consist of 12 members, plus the Mayor;

2. The members of the Council shall be elected on an at large basis by the electors of the City as a whole;

AND THAT in accordance with Section 19J of the Local Electoral Act 2001, there shall be no communities or community boards established.

4. Background

- 4.1 Under the Local Electoral Act 2001 (the LEA), Council must complete a representation review every six years. Nelson City Council's last review was conducted in 2009 and it is therefore due to undertake a representation review in 2015.
- 4.2 A representation review is a formal process where Council looks at, and proposes to the public, the basis on which it will be elected at the next two triennial elections.

- 4.3 The LEA provides legislative timeframes for the review process and decisions that must be made. The timeline for Nelson City Council is included as Attachment 1.
- 4.4 The aim of the review is to ensure fair and effective electoral arrangements for the community. Accordingly, in undertaking its review, Council must take account of a number of principles set out in the LEA, and the purpose and principles of local government set out in the LGA:
- A fair and effective representation for individuals and communities (LEA s4(1)(a))
 - All qualified persons have a reasonable and equal opportunity to (LEA s4(1)(b)):
 - Cast an informed vote
 - Nominate or stand as a candidate
 - Public confidence in, and public understanding of, local electoral processes (LEA s4(1)(c)) – achieved by regular independently managed elections
 - Provide for democratic and effective local government that recognises the diversity of New Zealand communities (LGA s3)
 - Promotes the accountability of local authorities to their communities (LGA s3(c))
 - To enable democratic local decision-making and action by, and on behalf of, communities; (LGA s10(a))
- 4.5 The establishment of Maori wards, and the choice of electoral system for the 2016 triennial election cannot be considered in this representation review.
- 4.6 In November 2011 Council resolved to establish a Maori ward. This was rejected by a poll of electors in April-May 2012. The result of the poll is binding on Council for the 2016 triennial elections (Local Electoral Act s19ZE) and cannot be considered again until 2018.
- 4.7 On 28 August 2014 Council resolved that the First Past the Post electoral system used for the 2010 and 2013 elections would remain in place for the 2016 election. The public was notified of this, and of their right to demand a poll on the electoral system by 21 February 2015. No such poll was demanded. The decision to use the First Past the Post electoral system for the 2016 triennial election is therefore binding.
- 4.8 The public have a right to make submissions to Council's initial representation proposal, and Council must consider these in deciding its final proposal. If there are no submissions, the initial proposal must be retained and becomes the final proposal.
- 4.9 The public may also appeal or object to Council's final proposal. The process for this is outlined in Attachment 1.

- 4.10 At its 2009 review, Council considered that because Nelson was of a small size, a mainly urban nature, and relatively homogeneous, there was no need to establish communities or community boards, nor was a ward system necessary. Council's initial representation proposal for 2009 contained only one change in representation arrangements, being a reduction in the number of elected members to 11 (including the Mayor). The change did not proceed following public submissions against the reduction.
- 4.11 A copy of the Commission's Guidelines for Representation Reviews can be found on Commission's website <http://www.lgc.govt.nz>, in the Councillors lounge, and on Google drive.

5. Discussion

Communities of interest

- 5.1 Identifying current communities of interest below the district (City) level, how they have changed over time, and whether they are geographically distinct or spread across the City, is essential groundwork for deciding a structure for fair and effective representation.
- 5.2 Based on the most recent figure provided by Statistics NZ, Nelson's estimated resident population at June 2014 is 49,300. This is an increase on the 2009 review figure of 42,880 (drawn from 2006 Census figures).
- 5.3 It is considered that the composition of the City's population and communities of interest have not changed substantially since the 2009 review. In particular, Nelson's population has remained relatively homogeneous, and focussed towards the urban centre.

Basis of election

- 5.4 In determining effective representation for its communities of interest, Council must decide whether elections held at large, from wards, or a mix of both is most appropriate.
- 5.5 Council has been using an 'at large' voting system (all councillors elected by all electors of the City) since the 1992 local body election. The Commission notes that for councils with relatively compact geographical areas, or with communities of interest spread across the district, an at large voting system is generally used.
- 5.6 Wards are beneficial where there are distinct communities of interest that will lack the opportunity for representation without a ward. Wards are only used when communities of interest are located in identifiable geographical areas.
- 5.7 It is considered that under an at large system the population has reasonable access to its elected members and vice versa; elected members are able to effectively represent the view of the wider City; and

elected members are able to attend public meetings throughout the area and provide reasonable opportunities for face to face meetings.

- 5.8 The LEA s4(1) also requires that Council must be confident that the basis of election provides for electors to have a reasonable and equal opportunity to cast an informed vote; and for public confidence in, and public understanding of, local electoral processes. Given that Nelson's communities of interest have not changed sufficiently to warrant the establishment of wards, the simplicity of an at large system best supports both of these requirements.
- 5.9 In light of this, it does not seem necessary or effective to split the City into wards for representation purposes.

Number of members

- 5.10 Council should also decide how many councillors are required in order to provide effective representation and governance, and equitable distribution of workload.
- 5.11 The statutory limit on the number of members for territorial authorities is between 5 and 29 (not including the Mayor).
- 5.12 There is no legislative guidance on the best ratio of elected members to community members. However, analysis provided by the Commission shows that Nelson's estimated population-member ratio is currently 4,108 residents per elected member, based on 12 elected members (not including the Mayor). This is within the range of other unitary authorities, and other local authorities using an at large system.
- 5.13 Council has elected 12 councillors since 1992, prior to that were variations of 14, 12, 11 and 9 councillors. The fact that the composition of Council has remained at 12 councillors for many years, with no changes made through previous representation reviews, suggests that the status quo is preferred by the community.
- 5.14 It is considered that the current number of 12 councillors is suitable in providing for representation of the community, accessibility to elected members and decision making processes, distribution of workload, the size, nature and diversity of the City, and Council's statutory obligations as a unitary authority.
- 5.15 It is worth noting that the majority of councils throughout New Zealand operate with an even number of councillors. It should also be noted that the election of the Mayor is outside the scope of the representation review – every district and city council has a Mayor elected on an 'at-large' basis.

Fairness of representation for electors of wards

- 5.16 The LEA (s19V(2)) provides for fair representation by requiring that wards must provide approximate population equality per member. This

ensures that areas are not over or under represented, and all votes are of approximately equal value.

- 5.17 As it is not recommended to establish wards, further consideration of this is not required.

Establishment of Community Boards

- 5.18 The LEA (s19J) requires Council to consider whether to establish communities (a geographic area usually relating to a community board area) and community boards.
- 5.19 The purpose of a community board is to represent and act as an advocate for the interests of a community. They consider and report on any matter referred to it by their council, and any issues of interest to the community board. Community boards maintain an overview of services provided by their council within the community, and their functions are delegated to them by the council.
- 5.20 Community boards are most useful for distinct and isolated communities, and where it is more efficient for local decisions to be made in close proximity to neighbourhoods and the locality.
- 5.21 The information on Nelson's population indicates that it remains of a relatively small nature, with a geographic proximity to the decision making hub, and ease of access to elected representatives. Due to this, there is no need for devolved or distributed decision-making, or for distinct elected representation for communities constituted and represented by a community board.

6. Options

- 6.1 The following options are identified for an initial representation proposal:

Option 1 – Retain the current representation structure

- 6.2 Based on direction provided by councillors, the preferred option is to retain the current representation structure. This achieves the required outcome of a representation structure that provides for effective and fair representation, is relatively simple in line with a small, relatively homogeneous population, and does not create an increase in cost:
- 6.2.1 Basis of election – Retain the status quo of all councillors elected at large.
- 6.2.2 Number of members – Retain the status quo of 12 councillors for election to the Nelson City Council.
- 6.2.3 Fairness of representation – As no wards would be established under this option, the requirement to ensure approximate population equality per member (+/- 10% rule) is not triggered.
- 6.2.4 Community boards – Retain the status quo of no community boards.

Option 2 – Alter the current representation structure

- 6.3 Councillors may decide to alter the representation structure by establishing wards, changing the number of elected members, and/or establishing community boards.
- 6.4 If one or more wards is established, Council must determine their size, name, boundaries, and number of members.
- 6.5 If one or more community boards is established, Council must determine their structure, membership and boundaries.
- 6.6 The establishment of wards and/or community boards would result in a more complicated representation system for what councillors consider to be a relatively homogeneous and centrally focussed population.
- 6.7 Such complication may hamper electors' ability to access elected members and central decision making processes. It may also hamper electors' opportunity to cast an informed vote and impede public understanding of local electoral processes. The establishment of community boards would also increase the cost of supporting the governance structure.
- 6.8 For these reasons, this option is not recommended.

7. Alignment with relevant Council policy

- 7.1 The decision called for in this report is required under the Local Electoral Act 2001. It is not inconsistent with any other previous Council decision.
- 7.2 Any final changes to the existing representation arrangements that involve cost implications must then be allowed for in the Long Term Plan 2015-25. Final changes will also be reflected in the Governance Statement when it is next reviewed.

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

- 8.1 This decision is moderately significant in terms of the Council's Significance and Engagement Policy, as it is the initial proposal for how the residents of Nelson (and non-resident ratepayers) will be represented in Council.
- 8.2 This decision will be publicly notified, and the public will have an opportunity to make submissions on the initial representation proposal before a final proposal is decided.

9. Consultation

- 9.1 No consultation on the matter of proposing representation arrangements has taken place to date.

- 9.2 Once an initial proposal is decided made by Council, it will be publicly notified and be open for submission for one month. Submitters will then have the opportunity to be heard by Council.
- 9.3 If no submissions are received, the initial proposal will become final. The final proposal will be publicly notified and that is the end of the process.
- 9.4 If submissions are received, Council may amend its proposal after considering submissions, or retain its initial decision. The final decision will then be publicly notified and will be open to appeal to the Local Government Commission.
- 9.5 The Local Electoral Act 2001 provides legislative timeframes for the review process and decisions that must be made. The timeline for Nelson City Council is included as Attachment 1.

10. Inclusion of Māori in the decision making process

- 10.1 No consultation has been undertaken with Māori on the matter of this representation review.

11. Conclusion

- 11.1 Given that Nelson's population remains mainly urban in focus, relatively small and homogeneous, it is recommended that councillors be elected by the City as a whole on an at large basis. The number of councillors is recommended to remain at 12 to enable fair division of work and effective representation of the City. There also appears to be no need to establish any communities or community boards.

Linda Canton
Administration Adviser

Attachments

Attachment 1: A1376423 - Representation Review 2015/2016 Timetable

Representation Review 2015 – Statutory Timeline

	Process	Local Electoral Act Ref.	Legislative Timeframe	NCC Dates
✓	Publicly demanded poll rejected Council's proposal to establish a Maori Ward	s19ZE	Binding until after 2016 triennial election	Apr/May 2012
✓	Determine and publicly notify electoral system	s27, s28, s30	Public notice no later than 19 September 2014	13 Sep 2014
✓1	Council Workshop on Representation Review	-	-	Tue 30 Jun
2	Council determines proposed representation arrangements	19H & 19J	No earlier than 1 March 2015	Thu 23 Jul
3	Public notice of initial proposal and invite submissions, within 14 days of resolution	19M	By 8 September 2015	Sat 25 Jul
4	Submissions close	19M(2)(d)	No less than one month after public notice	Wed 26 Aug

If no submissions received:

5	Council meeting to adopt final proposal			Thu 15 Oct
6	Publicly notify final proposal	19Y(1)	No fixed date	Sat 17 Oct

If submissions received:

6	Hear submissions	19N(1)(a)	Within 6 weeks of close of submissions	Tue 15 Sep
7	Deliberate on submissions and amend proposal if required	19N(1)(a)	Within 6 weeks of close of submissions	Tue 22 Sep
8	Council meeting to adopt final proposal			Thu 1 Oct
8	Give public notice of "final" proposal	19N(1)(b)	Within 6 weeks of close of submissions	Sat 3 Oct

A1376423

	Process	Local Electoral Act Ref.	Legislative Timeframe	NCC Dates
9	Appeals and objections close	19O 19P	No less than one month after public notice, and by 20 December 2015	Wed 4 Nov
10	If no appeals or objections then proposal becomes final and must be publicly notified.	19Y(1)	No fixed date	Sat 7 Nov
11	If appeals or objections received – forward to Local Government Commission.	19Q	By 15 January 2016	
12	Local Government Commission issues a final determination.	19R 19S	By 11 April 2016	
13	Determination subject to appeal to High Court on a point of law.	S.5, Cl.2, LGA	Within 1 month of determination	

A1376423

REPORT R4542

Trafalgar Centre - Geotechnical Assessments, Structural Implications and Costings

1. Purpose of Report

- 1.1 To consider the results of the geotechnical assessments, the structural implications and costings for the reopening of the Trafalgar Centre.

2. Delegations

- 2.1 Council resolved in June 2014 for updates to be reported to full Council.

3. Recommendation

THAT the report Trafalgar Centre - Geotechnical Assessments, Structural Implications and Costings (R4542) be received;

AND THAT Council confirm the continuation of strengthening of the Southern Extension and Main Building of the Trafalgar Centre;

AND THAT the detailed design phase be completed and the final priced schedule for the Southern Extension and Main Building be prepared and reported back to Council at its meeting 3 September 2015;

AND THAT Council confirm the demolition and new build of the northern building of the Trafalgar Centre including the Victory Room;

AND THAT options for the scope and design of the new build of the northern building be developed, work-shopped with Councillors and reported back to Council for final approval at its meeting on 15th October 2015.

4. Background

- 4.1 In December 2013 Council resolved to close the Trafalgar Centre after it was declared an earthquake prone building under the Building Act 2004 (s124 notice issued). The seismic capacity of the building was below 34% New Building Standard (NBS). It is important to note that Council received legal advice that just strengthening the building to 34% NBS (as required under the Building Act) would be insufficient to meet all statutory obligations. As a facility for up to 4000 people, Council had obligations under health and safety legislation that required it to take all reasonable and practicable steps to provide a safe facility.
- 4.2 Council established an objective for the re-opening project of "producing a completed building that meets the necessary statutory criteria and is appropriately appointed for future use by the community".
- 4.3 In December 2014, Council considered a progress report on the development of the concept plans and resolved that to allow for full examination of choices, concept plans and cost estimates, a further report should be made in February 2015.
- 4.4 At its meeting 26 February 2015 Council passed the following resolution;
- THAT the report Trafalgar Centre – Evaluation of Options to Date and Approval of Early Contractor Involvement (A1317937) and its attachments (A1314722, A1319283, A1319301, A1319308, A1319163, and A345448) be received;*
- AND THAT Council implement its health and safety obligations by focusing the structural strengthening on minimising collapse of the building structure and thereby essentially taking all reasonably practical steps to ensure that no harm should befall persons at, or in the vicinity of the Trafalgar Centre during the event of an earthquake;*
- AND THAT Council progress with the detailed design and construction phases utilising an Early Contractor Involvement procurement option to engage a contractor to provide practical and innovative input;*
- AND THAT Council receive a further update report and approve the selection of the preferred contractor at its meeting on 30 April 2015.*
- 4.5 The ground assessments undertaken by Council prior to February 2015 followed the code-based earthquake loadings. These type of assessments were considered standard practice for normal buildings at sites around New Zealand to determine the appropriate earthquake loading for the given site location. However the outcome of these assessments meant significant ground improvements would be required.
- 4.6 In order to assess the robustness of these outcomes, Council decided to undertake further ground assessment utilising a seismic hazard analysis

specifically for this site. This seismic hazard analysis built on the code-based loading assessments that were undertaken previously. It should be noted that the information collated and investment made by Council on previous geotechnical assessments was relevant and informed this more recent site-specific assessment.

- 4.7 At its meeting 30 April 2015, Council considered the outcomes of the Early Contractor Involvement tendering process. Subsequently the Gibbons Construction/Downer consortium was engaged to provide input into the ECI process.

5. Geoseismic Site Assessment

- 5.1 A site-specific seismic hazard assessment has been completed for the Trafalgar Centre site. The focus of the study was to clarify the seismic hazard impacting the Trafalgar Centre structure, and also to assess the geotechnical hazards at the site, principally liquefaction and its associated impact on the structure. The study has been coordinated and undertaken by Arup New Zealand Ltd ("Arup").

Seismic Loading

- 5.2 The bedrock ground motion for the site has been determined from a site specific seismic hazard study conducted by GNS Science. GNS Science develops the New Zealand Seismic Hazard Model (NZSHM), which is the basis of the site-specific probabilistic seismic hazard assessment (PSHA) for the Trafalgar Centre. This PSHA considers both the major known active faults in New Zealand for which studies estimating recurrence rates have been documented, as well as the regional seismicity based on historical recordings of earthquakes. The characterisation of the sources of earthquake and recurrence rates is used as an evidential basis to establish the likelihood of a specific bedrock ground motion amplitude occurring at a particular location in New Zealand. GNS Science developed a PSHA for the bedrock below the Trafalgar Centre site. The bedrock surface is approximately 25 metres below ground surface.
- 5.3 Arup incorporated the bedrock ground motion spectra obtained from GNS Science into a site response model. This model evaluated the response of the overlying soil profile to the bedrock ground motion to determine how it would amplify the bedrock ground motion and affect the Trafalgar Centre structure and in the assessment of the liquefaction hazard.
- 5.4 Arup has designed for ground motion (acceleration amplitude) at the site that has a low chance of being exceeded in the design life of the structure. In this case it is 1/1000 Annual Exceedance Probability (AEP) which equates to a 5% chance of being exceeded within a 50 year design life. The design is not focused on a single fault rupture event. The spectra plot Arup has provided is called a "Uniform Hazard Response Spectra" or UHRS. This spectra plot contains the contribution from all known and unknown sources of earthquakes, from small faults that may be nearby the site that we don't see from the ground surface, to the large ones (e.g. Alpine Fault and Waimea-Flaxmore Fault).

- 5.5 The following Figure 5.5 compares the 1/1000 (AEP) surface uniform hazard response spectra (UHRs) as recommended by NZS1170.5 (solid black linear line) with the mean response derived from the specific modelling undertaken by Arup. The broken line (coloured yellow) is the envelope recommended for design of the structure.

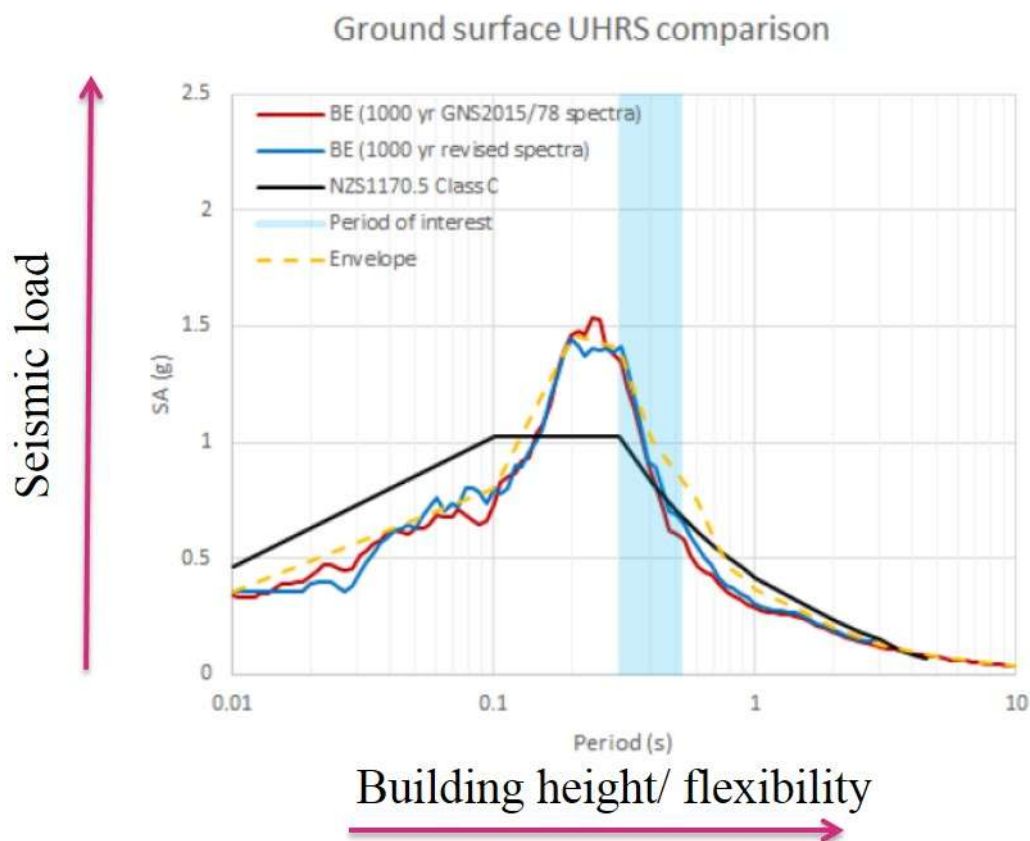


Figure 5.5: Comparison of 1/1000 AEP surface UHRs as recommended by NZS1170.5 and the mean response derived from the site specific study. The envelope is recommended for design.

- 5.6 As shown in Figure 5.5, the surface response spectra indicate that the ground motions likely to be experienced are higher than those determined by the New Zealand loadings code NZS1170.5:2004 where the natural period of vibration of the building is between 0.15 and 0.4. The natural period of the Trafalgar Centre structure, which is not a very ductile structure, has been assessed at around 0.4 sec. The shaded area highlights the assessed natural period of the Trafalgar Centre structure in this spectra. Recently, more advanced modelling of the structure has refined this to between 0.2 and 0.7 seconds depending on the direction of shaking.
- 5.7 Arup has also indicated that the 45 metre span of the glulam portals is such that the seismic waves through the ground during an earthquake could result in the portal supports at each end oscillating out of phase with each other. This would put additional strain on the glulam portals and likely exceed their capacity.

Liquefaction Assessment

- 5.8 Arup also conducted liquefaction susceptibility and a triggering assessment. This was performed using an assessment methodology that correlates the field measurements of penetration resistance, shear wave velocity to the liquefaction resistance of the soil. The Cone Penetrometer Test (CPT) measures density and allows interpretation of soil type (sand, clay etc). The Shear Wave Velocity test (Vs) measures stiffness and the Multi-channel Analysis of Surface Waves (MASW) also measures ground stiffness.
- 5.9 Based on this assessment liquefaction is predicted and it varies with depth and location within the site. The assessment has indicated that extensive liquefaction is not expected to occur at the site under earthquake events within the spectra plot. Isolated horizons and zones may be expected to liquefy, but the impact of the effects is likely to be limited in extent.
- 5.10 Below 6 metres depth the shear wave velocity (Vs) indicated no liquefaction, however the penetration tests suggest some pockets of liquefaction may occur but not continuous within the soil strata. Arup indicate that the penetration tests are likely to be conservative in light of the Vs data, so they do not consider liquefaction at depths below 6 metres to be of major concern.
- 5.11 In the top 3 metres which are generally above the water table, Arup indicate that due to the absence of water there is unlikely to be any liquefaction.
- 5.12 In the soil strata between 3 metres deep and 6 metres deep, both the shear wave velocity (Vs) and the penetration tests indicate that liquefaction may occur in some layers. The evaluation indicates that the potentially liquefiable layers are quite discontinuous across the site, due to the variable nature of the fill deposits and variations of density within the alluvium. The continuous estuarine silt clay-layer is identified to be largely non-susceptible to liquefaction. Zones of loose fill overlying loose alluvium occur in few locations, notably a possible zone exists to the south west of the Trafalgar Centre between the building and Saltwater Creek.
- 5.13 Arup has also indicated that in its view the risk of liquefaction and consequential lateral spread is not likely to impact the structure during the earthquake. However it may impact the structure after the earthquake. The timing could range from less than a minute to several minutes after the event. Designing the structural refit to accommodate the seismic spectra loadings during the earthquake is likely to be the governing criteria.
- 5.14 The main conclusions reached by Arup in regard to level ground settlement and liquefaction severity are;

- Free field settlements (i.e. ignoring any structures) have been calculated to be in the range of 10 to 40mm over the top 6 metres of the ground profile. Considering the method of analysis, the liquefaction triggering assessment and the profiles of calculated settlement, Arup considers it is reasonable to assume free field settlement of 40mm with a differential settlement of 20mm across the structure;
- An assessment of the Liquefaction Potential Index (LPI) and the Liquefaction Severity Number (LSN) for the various investigation data records was completed. The assessment indicates that based on damage assessed for typical structures, at this site the likely damage would generally be "Low Risk/Little to no Liquefaction" for the two methods.

Slope Stability and Lateral Spread Assessment

- 5.15 The Trafalgar Centre is situated in close proximity to Saltwater Creek, situated to the immediate west of the building and to its north as the creek orientation bends to the north east. Located to the east of the building is the Maitai River.
- 5.16 As a consequence of the close proximity to Saltwater Creek, the slope has been evaluated for stability under both static and earthquake conditions.
- 5.17 A review of the geotechnical data suggests that in static conditions the slopes appear to be inherently quite stable. The western slope (2H:1V) which is closer to the building is more stable than the northern slope (1.5H:1V) which is further away from the building.
- 5.18 From a review of the critical slip circles resulting in instability under seismic acceleration, the analysis indicates that the critical slope would be expected to daylight 150mm or so approximately 15-20metres back from the crests of the channel edge. On the basis that the main hall is located some 20 metres back from the channel at its closest point (south-west corner) and the foundations are buried slightly below the ground surface, it is reasonable to assume that the initial instability, if triggered would not significantly affect the main hall structure.
- 5.19 The southern extension is located closer to the channel and therefore there is the potential for the seismically triggered slope instability to affect the western portion of this structure. Some sort of ground improvement will need to be undertaken to protect the southern extension foundations at the western end.
- 5.20 The main conclusions reached by Arup in regard to the slope stability and lateral spreading are;
- The existing channel embankments are considered to be stable in their current conditions;

- Under seismic acceleration the slopes are likely to experience instability and lateral movement;
- It is considered reasonable to assume movements in the order of 150mm may occur within 20m of the slope crest;
- Slope instability during the seismic event is likely to affect the western end of southern extension, although it may not affect the main hall;
- Based on the liquefaction susceptibility and triggering assessment, Arup considers that extensive lateral spreading associated with large scale liquefaction is unlikely. However there are localised pockets and bands of weaker material which may liquefy and may consequently result in localised areas of lateral movement after the seismic event, with some associated permanent lateral displacement of the ground;
- It is likely that this lateral displacement will affect the southern extension and combined with the potential for seismic instability, some form of remedial work is recommended to mitigate the liquefaction risk to the western boundary of the southern extension;
- Based on the liquefaction triggering assessment, Arup considers that the effect of any lateral displacement on the main building would be reduced and any movements, if they extend that far back, would only be likely to occur several minutes after the seismic event. It is not possible to reliably quantify the magnitude or time that this would occur, and on that basis to provide a robust solution it is suggested some partial form of mitigation works is provided along the western boundary of the main building.

6. Structural Implications

- 6.1 As indicated earlier in this report the Trafalgar Centre main building is brittle (i.e. high risk of collapse if design earthquake loading is exceeded). The northern building is also considered to be brittle, but the southern extension is considered to be more ductile apart from its bracing. The natural period of the brittle portions is low and coincides with the peak spectral accelerations as outlined in Figure 5.5 above. If the building was more ductile then the strengthening works could have been designed for much lower ground accelerations, corresponding to the NZ Building Code.
- 6.2 The design of the strengthening work has to focus on dealing with the seismic loads outlined in Figure 5.5. The natural period of the building is in the vicinity of 0.4 seconds which coincides with the peak seismic accelerations in the order of 1.4g to 1.5g. This is 40-50% higher than that required by the NZ Building Code due to the brittle nature of the building.
- 6.3 The geo-seismic assessments have indicated that structural strengthening will need to be undertaken. The detailed design of the

structural components is underway. The details of the final design are due mid-August 2015.

Southern Extension

- 6.4 The current bracing is brittle in nature and has limited ductility. These will need to be replaced with more ductile bracing.
- 6.5 Some of the screw piles supporting the structure will need modification to provide additional shear and tensile strength. It is proposed to undertake jet grouting around these screw piles to increase their capacity.

Main Building

- 6.6 The current glulam portals are very brittle and any differential movement of the order of 100mm between the supports during the earthquake could result in failure. These portals need additional support and/or strengthening. It is proposed that steel plates/beams be fixed to the side and soffit of the portals to provide that support. The effect is that should they fail the additional support will carry the load and minimise the risk of collapse.
- 6.7 The two roof bracing bays between the glulam portals will need to be strengthened. Rather than replace the existing bracing it is proposed to install additional bracing. This new bracing will be installed below the ceiling and between the glulam portals.
- 6.8 Improved bracing elements (concrete walls and masonry walls) with connections to the underside of the concrete mezzanine floors and the foundations will also be required.
- 6.9 The foundation tie beams between the portal supports need additional strength to cater for the seismic loadings. It is proposed to use two steel rods at each portal location, thrust through the foundations and adjacent to the existing concrete tie beams. These steel rod ties will be threaded with nuts at each end. This will allow tensioning of the tie rods to provide the increased strength across the building.
- 6.10 The shear capacity of the piles is insufficient and in this basis remedial works should be provided to mitigate lateral seismic ground displacements affecting the piles. One of the options being considered is increasing the foundation footings on each side of the building so that should the piles fail in shear the vertical loads onto the piles will be transferred through the foundations onto the supporting ground.

Northern Building

- 6.11 At this stage no detailed assessment and design has been undertaken on the northern building. It is generally accepted that the northern building not only has structural deficiencies but also has functional deficiencies. The overall project cost will determine whether there is an opportunity to completely rebuild the northern building.

6.12 In the event that the northern building is not replaced then the strengthening works would comprise;

- Strengthening the steel truss to reinforced concrete bond beam connections;
- Improving the lower roof diaphragm to reinforced concrete bond beam connections;
- New foundation beams sandwiching existing foundation beams around the perimeter;
- New foundation beams through the middle of the structure.

7. Costings

7.1 The following tables 7.1 and 7.2 outline the rough order costs and the associated design concepts that were included in the report to Council 26 February 2015 (as attachments 3 and 4);

Building Element	Scenarios				
	1	2	3	4	5
Main Stadium Option M4	\$7,005,000		\$7,005,000		
Main Stadium Option M5		\$11,437,000		\$11,437,000	
Main Stadium Option M7					\$11,834,000
Southern Extension Option S4	\$3,437,000	\$3,437,000	\$3,437,000	\$3,437,000	\$3,437,000
Northern Building Option N3	\$ 931,000	\$ 931,000			
Northern Building Option N5			\$3,200,000	\$3,200,000	\$3,200,000
Professional Fees	\$ 770,000	\$ 770,000	\$ 820,000	\$ 820,000	\$ 820,000
Construction ROC	\$12,143,000	\$16,575,000	\$14,462,000	\$18,894,000	\$19,291,000

Table 7.1 Table of Rough Order Costs (February 2015)

Option	Option ID (Opus Report)	Building Element	Description
M4	M/4/D	Main Stadium	Superstructure Strengthening, tie beams, pile caps, micro piles for underpinning, strip perimeter ground treatment
M5	M/5/E	Main Stadium	Steel arches over building, tie beams, pile caps, bored large diameter piles, palisade piles
M7	M/7/F	Main Stadium	Steel trusses inside building, bored large diameter piles on eastern side only, replace roof and services in roof space
S4	S/4/C	Southern Extension	Superstructure Strengthening, micro piles for underpinning, strip perimeter ground treatment

	S/4/D		
N3	N/3/C	Northern Building	Superstructure Strengthening, foundation beams upgrade
N5	N/5/F	Northern Building	Demolish and replace with light timber framed single story building on raft foundation

Table 7.2 Table of Design Concepts (February 2015)

- 7.2 The design concept option M4 refers to the main building and is largely aligned with the proposed repair methodology but with reduced ground remediation work.
- 7.3 The design concept option S4 refers to the southern extension and is largely aligned to the proposed methodology but with no ground improvement.
- 7.4 Scenario 3 more closely aligns with what is being proposed for the strengthening and reopening of the Trafalgar Centre. The estimate for Scenario 3 is \$14,462,000, however this does not include the maintenance costs nor the Development Impact Levies (DIL) and Consent Fees. As outlined below adding these two figures would change the Scenario 3 estimate to \$15,040,000.
- 7.5 The Annual Plan 2014/15 included \$465,000 to cover costs associated with the assessment and design of the strengthening to reopen the facility.
- 7.6 The Long Term Plan 2015/25 includes \$9,535,000 for the strengthening and reopening of the Trafalgar Centre.
- 7.7 The estimates that have recently been developed are outlined as follows;
- Main Building \$4,112,000
 - Southern Extension \$1,491,000
 - Northern Building \$4,155,000
 - Ground Improvement \$1,789,000
 - Infrastructure/External Works \$ 831,000
 - Maintenance \$ 483,000
 - DIL and Consent Fees \$ 95,000
 - Total \$12,956,000
- 7.8 The detailed design of the ground improvement, main building and southern extension has not been completed yet so the estimates for these items include a design risk of 20%. This equates to around \$910,000.

- 7.9 The estimates also include a construction risk of 10%. This equates to around \$990,000.
- 7.10 The estimates also include professional fees, preliminary and general and contractor's margin.
- 7.11 The costs incurred on this project during 2014/15 totalled \$662,000. These costs are included in the estimates above.
- 7.12 The Infrastructure and external works estimate comprise the following items;
- Improve Fire Services (150mm diameter water main from Haven Road and 100mm diameter water supply main around facility);
 - Relocate major Electrical cable away from ground improvement;
 - Relocate Telecommunication cables (fibre optic and telephone cabling around ground improvement);
 - External Works (making good around perimeter of building post construction, involves ramping to entranceways, landscaping, sealing and potentially some kerbing).
- 7.13 The maintenance estimate comprises the following items;
- Replace Main Building lighting with LED Lighting;
 - Sand and recoat the floor in the Main Building;
 - Repaint the roof;
 - Fire Proof the Curtains in the Southern Extension;
 - Replace hot water cylinders with gas instant hot water.

8. Programme

- 8.1 Since the start of this project the aim was to have the Trafalgar Centre facility re-opened by the end of February 2016.
- 8.2 The site specific geotechnical assessment has put pressure on the original programme. However initial indications suggest that the content of work has reduced and the indicative programme now suggests that the main building and southern extension be reopened by the end of March 2016. However depending on the extent of work required in the final design the end of February 2016 could still be achieved.
- 8.3 If the northern building is only strengthened then this work could also be completed in time for an opening in March 2016. However if, as recommended, it is a new build then it is likely that it would not be opened until June 2016. This assumes that the scope around

functionality and form of the rebuild is confirmed by the end of September 2015.

- 8.4 The main building and the southern extension could still be utilised while the northern building is being rebuilt. There would be restrictions around crowd capacity largely due to fire compliance and egress requirements.
- 8.5 The detailed design on the ground improvements, Southern Extension and the Main Building, plus the costs associated with the compliance requirements will be used to develop the priced schedule and the Total Out-turn Cost (or Guaranteed Maximum Price). It is intended that this be presented to Council at its meeting on 3 September 2015.
- 8.6 It is intended that the scope and concept design of the new Northern Building be developed and work-shopped with Councillors and confirmed by the end of September 2015. It can then be reported back to Council at its meeting on 15 October 2015. Once this is approved a detailed design will be undertaken along with the development of a priced schedule and a Total Out-turn Cost (or Guaranteed Maximum Price) and then be reported back to Council in November 2015 for final approval for construction.

9. Alignment with relevant Council policy

- 9.1 This decision is not a significant decision in terms of the Council's Significance Policy, as it does not deviate from the Long-Term Plan 2015/25.

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

- 10.1 This report is in line with Council's position of re-opening the Trafalgar Centre.
- 10.2 The Long Term Plan 2015-25 includes \$9.5 million for the reopening of the Trafalgar Centre.

11. Consultation

- 11.1 Council signalled its intention to re-open the Centre as part of its 2014/15 Annual Plan. Council has also included the project in its Long-Term Plan 2015-25.

12. Inclusion of Māori in the decision making process

- 12.1 There has been no consultation with Maori.

13. Options for Council

- 13.1 Council has the following options in regard to what it does with the Trafalgar Centre;
- 13.2 Option 1 – leave the facility closed and dormant;

- 13.3 Option 2 – Demolish the facility and landscape the area;
- 13.4 Option 3 – Demolish the facility and build a new facility (the indicative rough order cost being \$25 - \$35 million);
- 13.5 Option 4 – Strengthen the Facility (as proposed) and only strengthen the northern building (potential saving of \$2.0 to \$2.5 million on the \$12.956 million estimate given);
- 13.6 Option 5 – Strengthen and upgrade the facility as proposed for up to \$12.956 million.

14. Conclusion

- 14.1 The previous geotechnical assessments undertaken prior to Arup's engagement was relevant and informed this more recent site-specific assessment undertaken by Arup;
- 14.2 The specific seismic hazard assessment has indicated that peak ground accelerations during a seismic event are 40-50% higher than the New Zealand loadings code NZS 1170.5 2004 within the first 0.5 seconds of an earthquake event and this is due to the brittle nature of the building.
- 14.3 The liquefaction and lateral spread assessments indicate that liquefaction may occur in isolated locations but are not considered to be a major threat. The lateral spread assessments suggest that some form of ground improvement is required along the western edge of the southern extension and along part of the main building.
- 14.4 The main building structure is very brittle and its natural period largely coincides with these peak ground accelerations. Consequently the glulam portals need strengthening. The foundations need to be improved in the event that the piles are sheared. The foundation ties between the portal column supports need strengthening. Roof bracing needs to be strengthened and bracing walls on each side of the building need upgrading and the connections to floors and foundations improved.
- 14.5 The southern extension structure is reasonably ductile however its bracing is brittle and needs to be replaced. Some of the screw piles supporting the structure also need to be strengthened.
- 14.6 The northern building can be strengthened, however given its functional deficiencies it is proposed that it be totally replaced with a more functional building that enhances the functionality and performance of the whole facility.
- 14.7 The estimates indicate that all this work could be completed for up to \$12.956 million.
- 14.8 The proposed strengthening will bring the Trafalgar Centre to at least 34% NBS thereby meeting the statutory requirements of the Building Act 2004. Specific structural elements would be strengthened to minimise the risk of collapse. In doing this Council is taking all reasonable and

practicable steps to provide a safe facility thereby meeting its obligations under health and safety legislation.

Richard Kirby
Consulting Engineer

Attachments

Nil

REPORT R4573

Forestry Harvest on Dun Mountain Walkway

1. Purpose of Report

- 1.1 To advise the Council of proposed forestry harvesting activities in the Brook Valley and the impact of this on the community and recreational use of the Dun Mountain Trail and to seek advice on whether to proceed with this or not.

2. Delegations

- 2.1 The Commercial Subcommittee at its meeting on 9 July 2015, resolved to refer this matter to the Governance Committee.
- 2.2 The Governance Committee at its meeting on 9 July 2015, resolved to refer this matter to Council.

3. Recommendation

THAT the report Forestry Harvest on Dun Mountain Walkway (R4573) and its attachments (A1387171, A1389463, A1388793, A1385932, A1389460, A1387097, A1389281, A1388952 and A1384931) be received;

AND THAT the harvesting of the Dun Mountain Trail forest block proceeds forthwith.

4. Background

- 4.1 The Council owns a 25 hectare block within the Dun Mountain area that requires harvesting. This forest is on its second tree crop rotation and is located adjacent to the Brook Waimarama Sanctuary. (refer to attachment 1 for location). PF Olsen, Council's management consultant, identified the block has reached its optimum harvest age, and the net present value of this block will decline after 2015.
- 4.2 Matters relating to forestry have not previously been put before Council; they have been treated as operational decisions. The Chief Executive has requested that staff seek Council direction on all forestry matters and this report comes before Council now because of staff endeavours to accommodate all users of the surrounding area within the harvesting

timetable, whilst achieving best outcomes for Council. In addition, the Chief Executive has initiated a review of forestry activities (which the Commercial Subcommittee will be considering).

- 4.3 Forestry harvesting itself is a permitted activity and requires no specific consent. However the harvesting requires resource consent to carry out associated soil disturbance and earthworks activities. An earthworks consent was granted on 6 July 2015.
- 4.4 Council has an operational Forestry and Harvesting contract with a management consultant, PF Olsen. The contract is not geographically site specific but rather covers all Council owned forestry management. That contract is due to expire at the end of 2017. PF Olsen has robust health and safety requirements and procedures in place for their logging sub contractors and are TELARC registered. These agreements mean that the activity will not be the subject of a separate tender.
- 4.5 Several forestry methodologies have been discussed with PF Olsen. All require the closure of the Dun Mountain Trail for most of the intended period (of up to four months) of harvesting, planned to start around August 2015. PF Olsen advise it is preferable to log trees in summer due to wet ground conditions. However an assessment of this block suggests it is higher and with better drainage than the Codgers block and that soil moisture levels will be adequately low enough for the harvest to take place from August.
- 4.6 As this is the second rotation of pine trees, the site has already been heavily modified during the harvesting of the first crop. The proposal is to clear the existing track network that was used in the previous harvest of this stand in 1986. It is planned to use some of the existing tracks to skid logs to the central ridge where they will be picked up with a falcon grapple and hauled down by cable to the existing skid site. The Dun Mountain trail will be re-instated on completion of the harvesting.
- 4.7 Councils Forestry management consult PF Olsen have explored opportunities to aggregate this harvest with other forestry operations but the geographical location of this stand-alone block prevents a combined harvest.

5. Discussion

5.1 Economics

- 5.1.1 This block was identified as having reached its optimum harvest age and that the net present value of this block will decline after 2015. The trees will not deteriorate after that date but fixed costs of forestry mean the net value of them will drop as the growth rate slows. If left indefinitely the forestry stand can become unstable in wind events with a subsequent risk of potential damage to surrounding areas.
- 5.1.2 PF Olsen estimate that the harvest contractor's per tonne rate will be high – around \$42 per tonne due to the difficulty of extracting the logs from this steep block of land. Net revenue to Council is expected to be

within the range of \$300,000 - \$350,000, however this will depend on the market opportunities available at the time the trees are logged. Significant changes in the export market prices, particularly in Asia, have resulted in a drop of expected revenue. Any change to this estimated revenue will be notified at the meeting on 23 July 2015. The block has been inventoried, (attachment 3) and approximately 39% of the logs are of export quality. The best, most valuable wood is kept here in New Zealand for house framing and the remainder would be used in the domestic market for posts or chip depending on quality.

- 5.1.3 Council is currently undertaking a forestry review which will focus on the strategic aspects of our forestry activities. This review will consider the future of forestry and /or retirement of those forested areas that are fragmented or poorly located and whether to replant in native bush or not. It is anticipated that the Forestry Review will provide guidance on the future use of the land if harvesting takes place. Land is usually left for 12 months from harvest to "settle" before the next round of desiccation spraying and planting happens.

5.2 Traffic Management

- 5.2.1 Forestry is a permitted activity under the District Plan and as such specific Traffic Management Plans for movement of the logs are not required. The Brook Valley and connecting roads are 50Max (a subset of High Productivity Motor Vehicle or HPMV) approved routes, (refer attachment 2). In the past, recognition of the community concern about logging truck movements in built up areas means this has been carefully managed. A Voluntary Code of Agreement for Logging Truck movement within the City is well understood by logging contractors. A copy is attached to this report (attachment 4) which relates to previous logging in the Maitai Valley. The code has been standard practice for logging contractors travelling through built up areas and as such remains the intended approach for this harvest. Council has an option of mandating this through a traffic management plan for this harvest. In addition PF Olsen advise truck drivers will be briefed that school children could be on the roads at any time during the day and extra care should be taken.
- 5.2.2 A Forestry Harvesting report was commissioned by Nelson City and Tasman District Council officers in February 2015 to inform roading asset and operations managers of what forests, both Council owned and privately owned, are due for harvest in the period 2015-17 and the impact of those harvests on roading assets. This analysis shows central Nelson Urban routes including sections of Collingwood, Nile, Tasman, Hardy Street East and Milton Streets will carry volumes in the range from 2,000 tonne to 22,000 tonnes per annum. For annual volumes and routes travelled, refer to maps in attachment 5. Note these maps show all forestry operations harvests travelling over Council roads, and not solely produce from Council owned forestry.
- 5.2.3 The most recent harvest out of the Brook Valley occurred within the last 12 months when a salvage logging operation was required after a high wind event. In that case 9.6 hectares was harvested from the Codgers

area in the periods June – July 2014 and again February – April 2015. The harvest was treated as an operational matter at that time and did not come before Council. All truck movements were into and out of the Brook valley and varied from 0 to 20 truck movements a day. A specific Traffic management plan was not required. No complaints or concerns from the Brook Community were received. The route taken is the same as the route proposed for this harvest and is shown in attachment 6. Standard 44 tonne 8 axle trucks were used, as is the plan for the proposed harvest.

5.2.4 This logging operation would result in 6 empty truck movements in, and 6 full truck movements out per day. The operation would be for 5 days a week for a 12-15 week period. June 2015 traffic data shows there are over 100 Class 4 (small truck) heavy vehicle movements per day in the Brook Valley. On average, in the same period, only 1 Class 9 (logging truck sized) movement was recorded per day.

5.2.5 The Tasman Street roading upgrade is due for completion early August and will not impact on logging truck movements.

5.3 Brook Waimarama Sanctuary Trust

5.3.1 Forestry harvesting activities will limit access to work sites for the Brook Waimarama Sanctuary Trust's (BWST) fencing contractor. A map of the forestry in relation to the tracks referred to below is shown in attachment 7. Work on a 5.5 km stretch of the fence programmed for December would not be possible if the forest harvest was started any later than August, and result in further disruption of the Trust's programme going forward, and could delay the planned pest removal by 12 months. A letter from BWST is attached, (attachment 8).

5.3.2 Harvesting the forestry block after the fence is built would be difficult since there is currently no suitable access from the Fringed Hill road network to the timber block. The Classic Track from Brook Street is therefore the only access for logging trucks to remove the timber from the block. A 1.2km section of The Classic Track (from the junction with Coleman's Link Track to the junction with the Dun Mountain Trail) is included in the fence line, which means that once the fence is constructed this section of track will only be wide enough for a standard ute/pick-up sized vehicle to pass—not a logging truck, without significant widening of the track. This is not recommended due to the associated increase in batter height that would provide increased risk of slips and thus may or may not be permitted within the RMA. Airlifting logs out by helicopter is possible however costs may well exceed projected revenue.

5.3.3 It has been suggested that the 1.2km section of fence along The Classic Track could be temporarily removed at a future date for the timber harvest. BWST advise however is not feasible due to the biosecurity of the sanctuary, which would be majorly compromised by such an extensive breach.

- 5.3.4 Efforts to uncover historical feedback from officers to Council relating to a possible sanctuary fence/forestry harvest conflict have to date been unsuccessful.
- 5.4 An opportunity exists to carry out work to remediate the slip on a part of the Dun Mountain trail at the same time as the harvesting. If these two projects could be done at the same time it will reduce closure time of the Dun Mountain Trail. Parts of this work can be undertaken, other areas will require consent and design to be finalised and may be unlikely to meet this timeframe.
- 5.5 If the harvesting can be completed by November 2015, the Dun Mountain Trail will be available for recreational users over the summer period.
- 5.6 Communications
 - 5.6.1 A detailed communications plan would be developed if the harvest proceeds to inform directly affected residents, businesses and stakeholders of the activity. This is likely to include a media release, use of social media such as the council website and Facebook page, Live Nelson, letter box drops, and inserts for school newsletters.

6. Options

- 6.1 The Council could indicate that the harvesting of this block either does or does not proceed forthwith.
- 6.2 It should also be recognised that the financial returns to Council will be affected by economic conditions. Council's investment policy is the guiding document, and the forestry section is provided as Attachment 9. If the harvesting does not proceed over the next 12 months, it is possible that returns to Council will diminish due to market trends and fixed costs incurred.

7. Alignment with relevant Council policy

- 7.1 This report is not inconsistent with Council Policy.
- 7.2 Harvesting the block is assumed in the Long Term Plan.

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

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

9. Consultation

- 9.1 There has been no public consultation on this matter.

10. Inclusion of Māori in the decision making process

10.1 No consultation has been undertaken with Maori.

11. Conclusion

11.1 The forest block is due for harvest and should result in a net income to Council of between \$300,000 and \$350,000.

11.2 The activity has obtained resource consent.

11.3 The harvest will require the closure of the Dun Mountain walkway for a period of time (estimated to be no more than 4 months).

11.4 Harvesting is proposed to commence in August 2015 and will include a traffic management plan and a detailed communication plan.

11.5 Harvesting of this block will in no way over ride or preclude the outcome of the pending forestry Review.

Margaret Parfitt

Team Leader Roding and Solid Waste

Attachments

Attachment 1: A1387171 - Brook Forest Stand

Attachment 2: A1389463 HPMV 50Max approved routes

Attachment 3: A1388793 Inventory of Log Grade - Brook Forestry stand 21.04

Attachment 4: A1385932 Voluntary Code regarding Logging Truck movements in the City

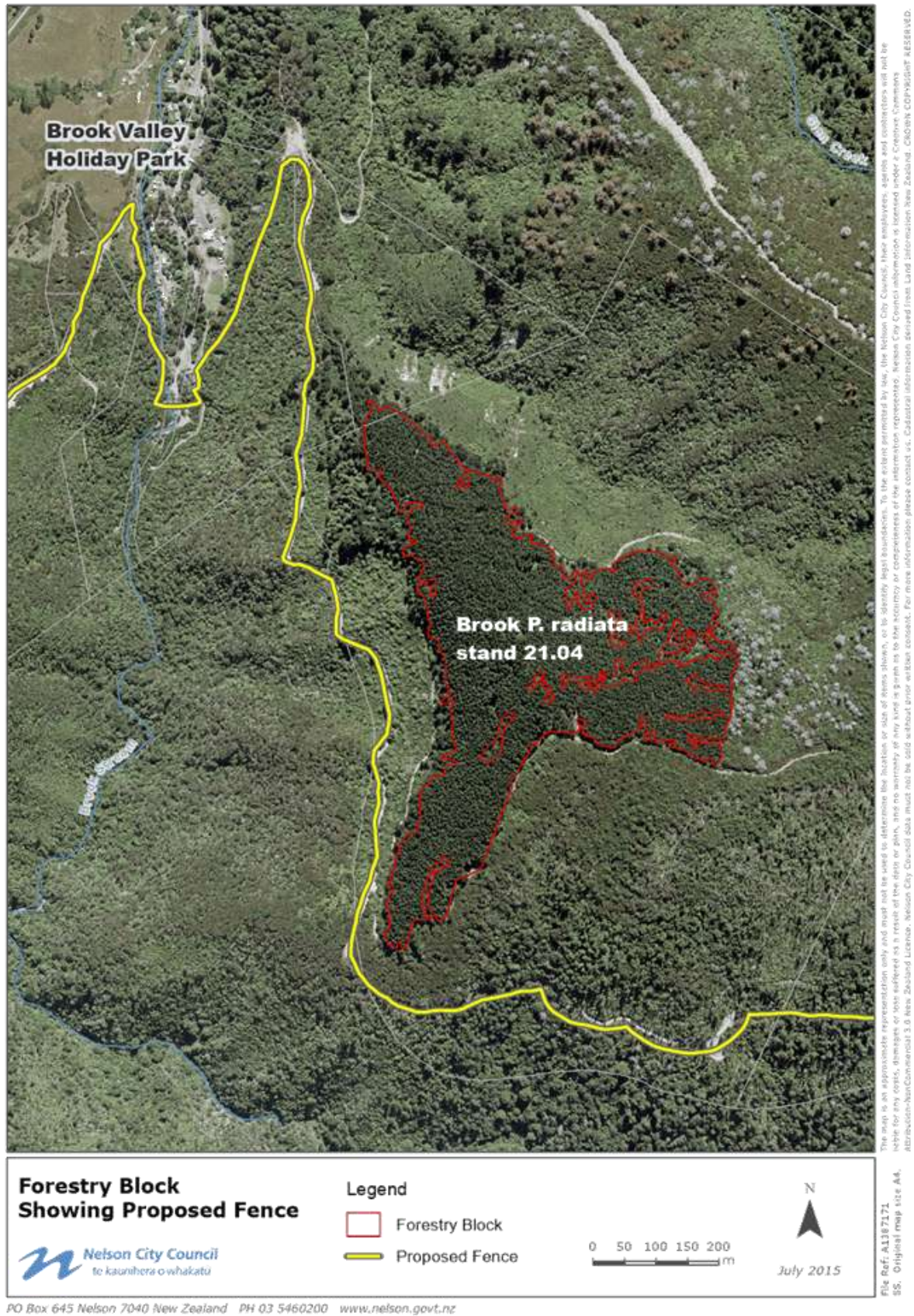
Attachment 5: A1389460 Regional Forestry Harvesting 2015 tonnage over NCC roads

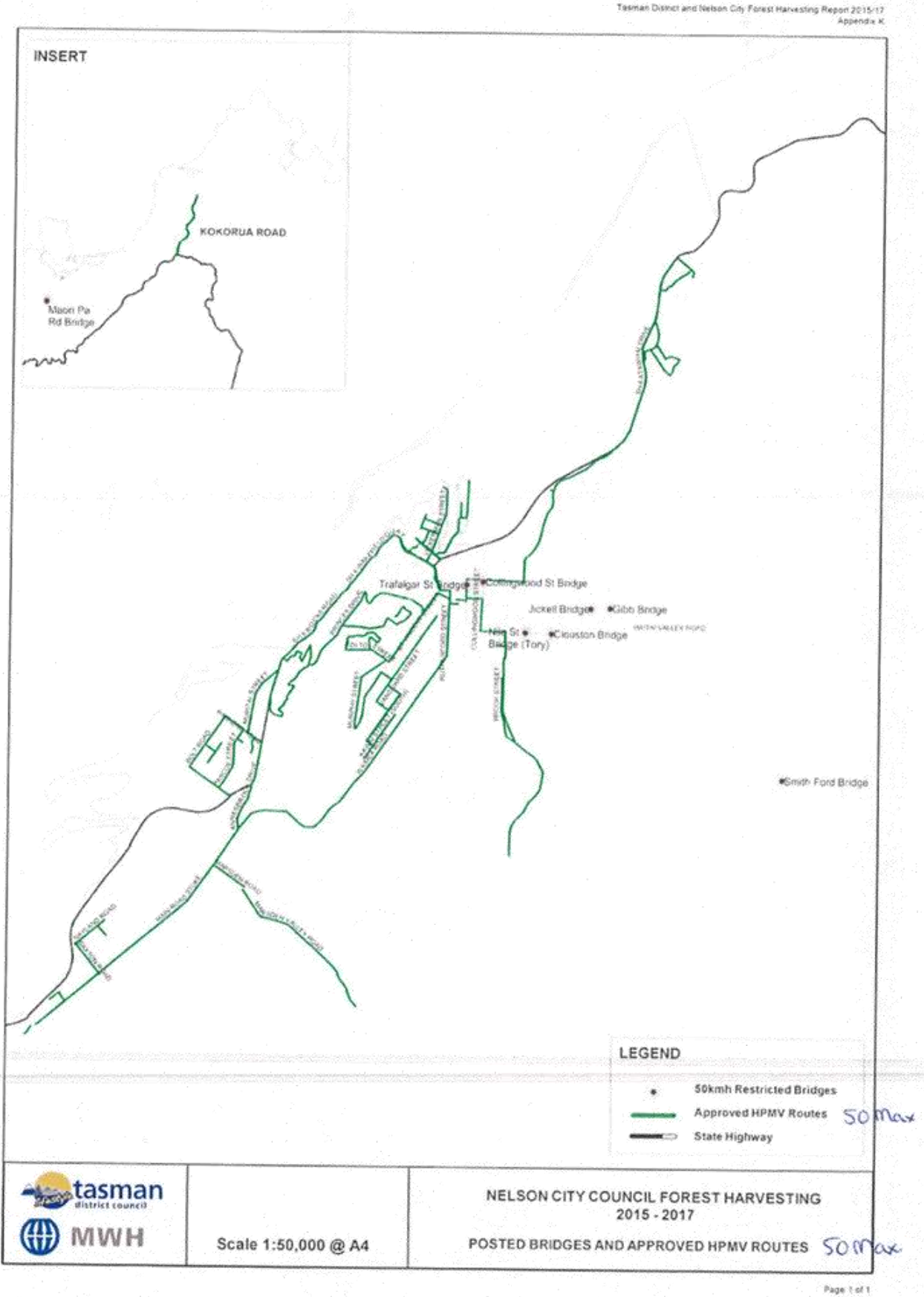
Attachment 6: A1387097 - Proposed Logging Truck Routes - Brook Harvest

Attachment 7: A1389281 Dun Mountain Trail /Forestry/ Classic

Attachment 8: A1388952 BWST submission re tree harvest

Attachment 9: A1384931 - Extract from Investment Policy 2015 - Forestry





Brook stand 21.04

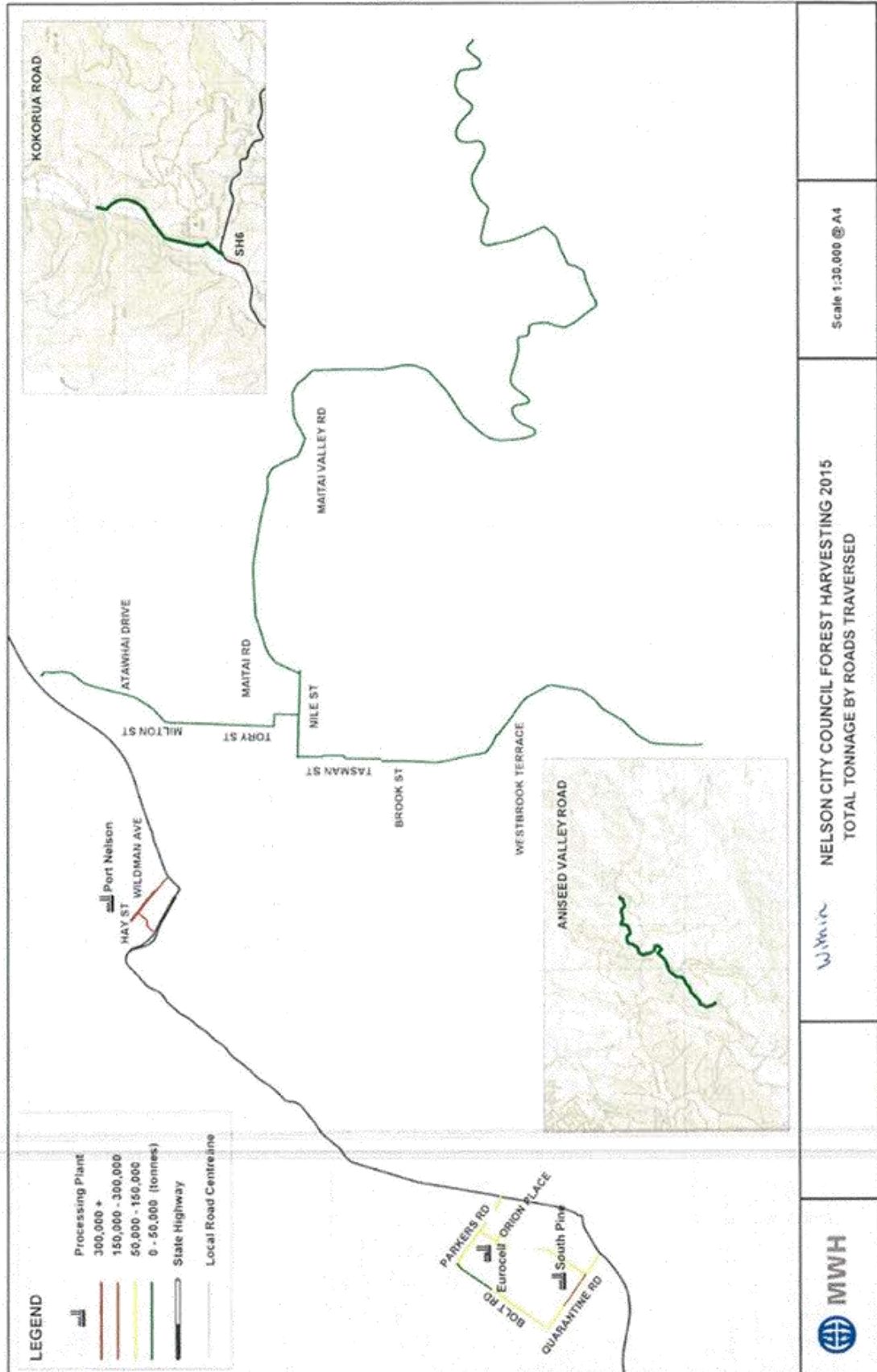
Log Grades from 2013 YTGen Inventory grown to age 29 years

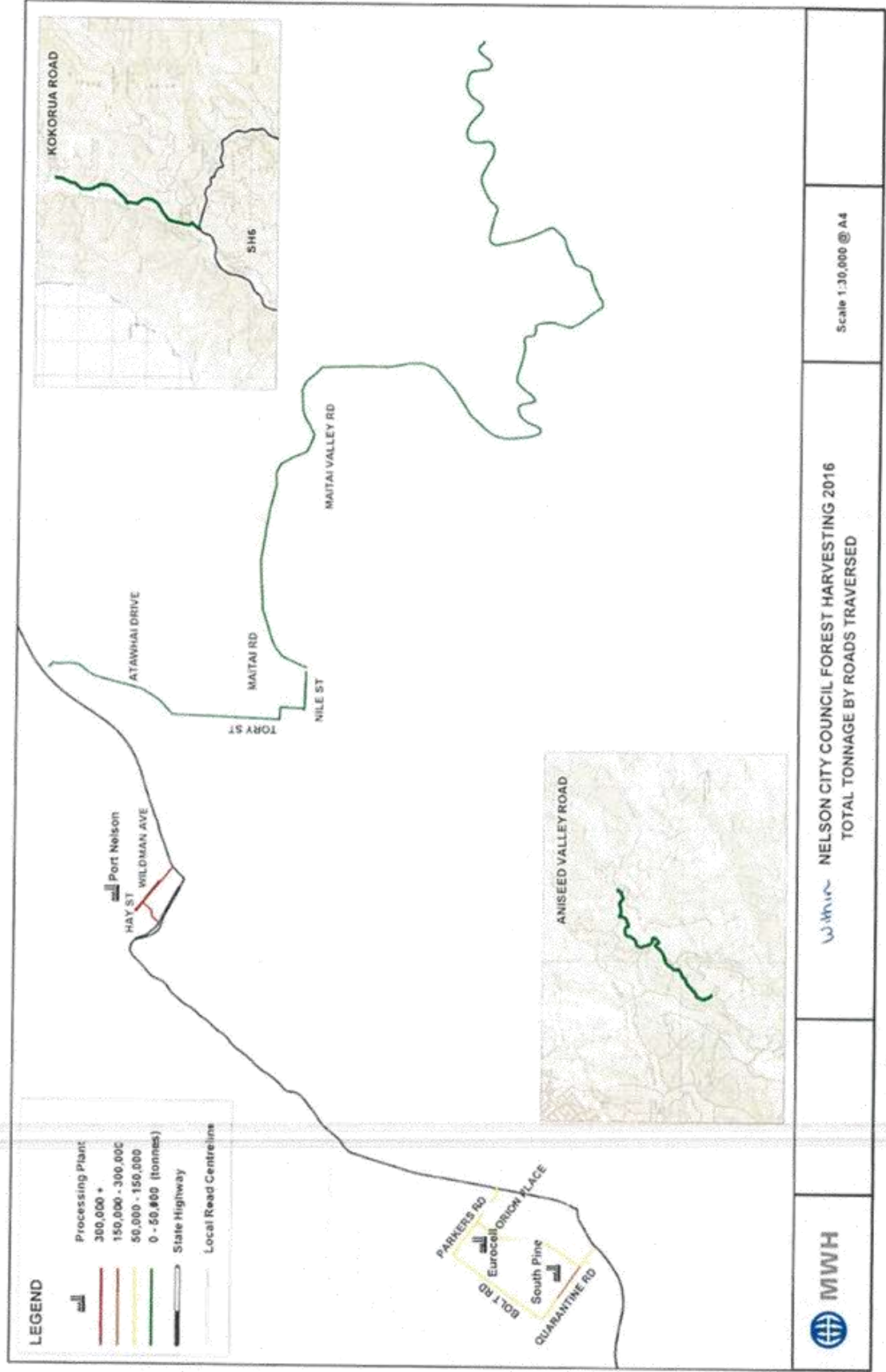
	m3	%
Pruned P35	137	23.78%
Part Pruned	60	10.42%
N30 Domestic sawlog	58	10.07%
N20 Domestic sawlog	96	16.67%
Agrade Export	55	9.55%
Kgrade Export	44	7.64%
Klgrade Export	26	4.51%
Export pulp or Domestic chip	100	17.36%
Total m3/ha	576	100.00%

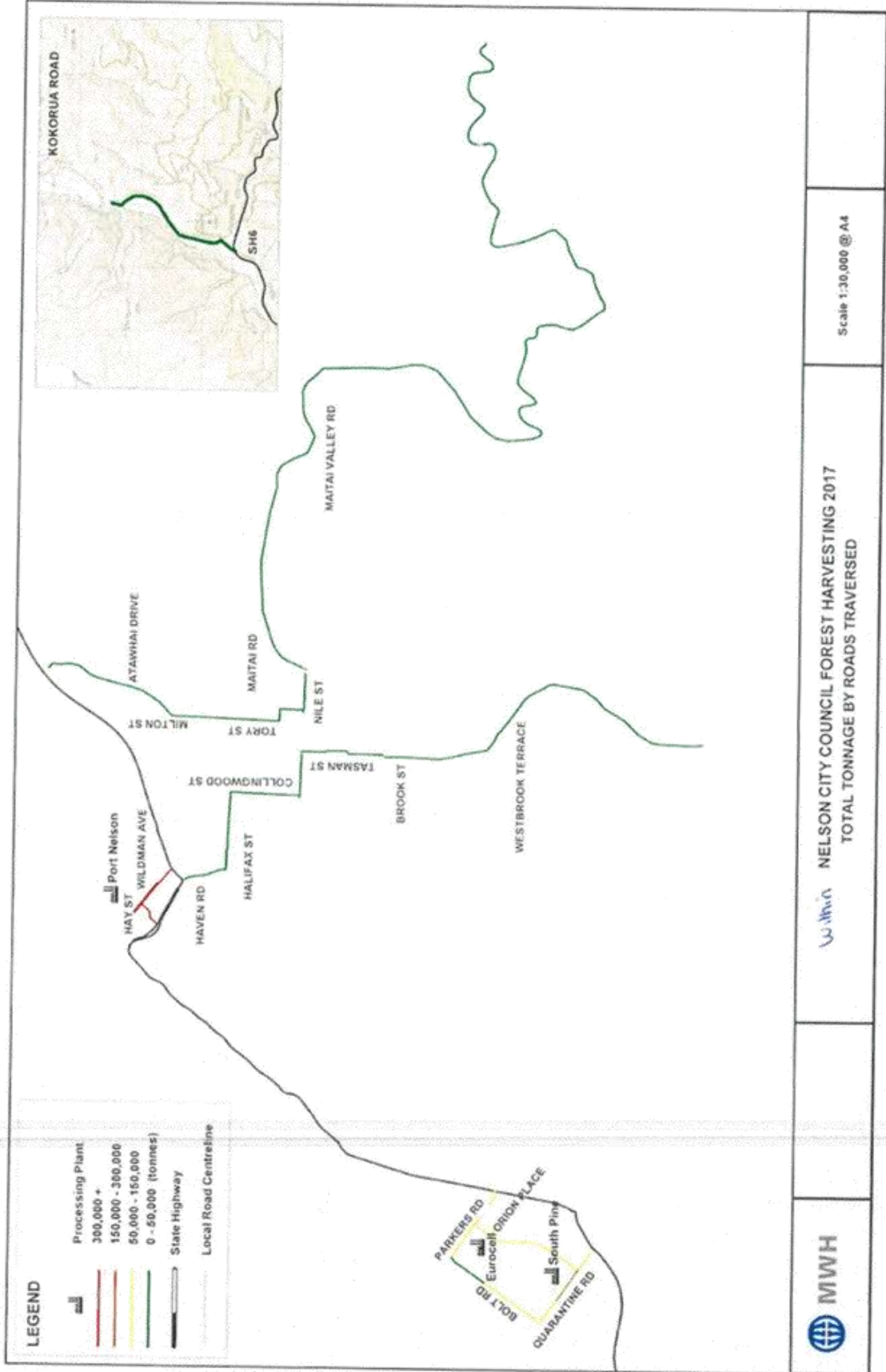
Voluntary Code of Agreement for Logging Truck Movement within the City

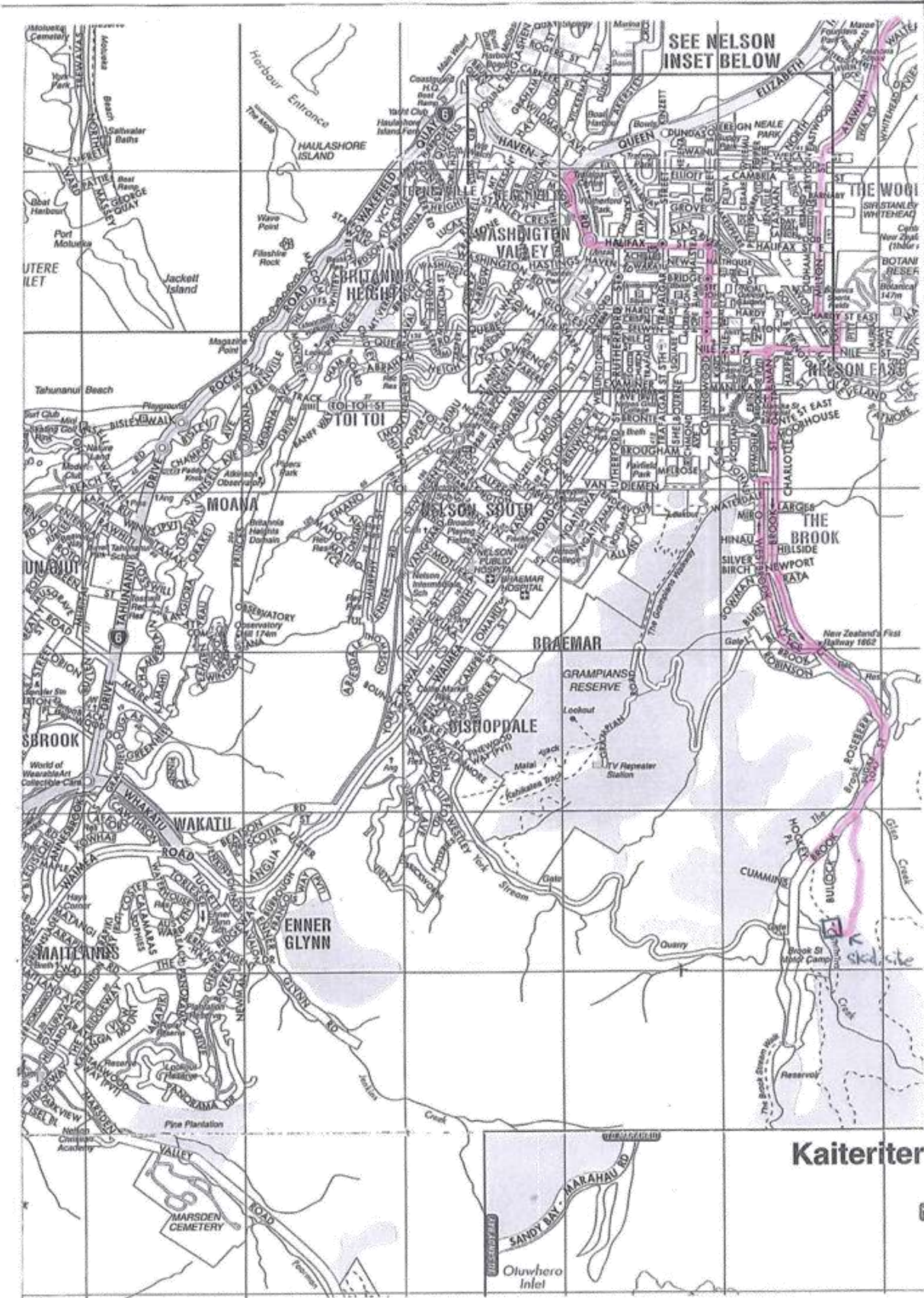
Key points for the Voluntary Code of Agreement for Logging Truck Movement within the City are:

- The defined route for logging trucks coming down Maitai Valley Road is Nile, Collingwood, Halifax and Haven Road.
- The maximum speed limit within the defined route through the city is 40 kph.
- Log transport operators are to apply "belly chains" on logging trucks loaded with short logs (double bunk trailers).
- All drivers must stop and check the security of their load before going onto a public (non-forest) road. Loads must always be checked after they have had time to settle. Chains must stay tight if they are to hold the load.
- Log transport operators are to communicate via radio so log trucks traveling in opposite directions on the defined route within the city don't pass each other.
- Log transport operators are limited to operation on the defined route to the period between 6:00 am and 10:00 pm.
- No truck movement is allowed along the defined route between the hours of 8:00 - 9:00 am and 3:00 - 4:00 pm when schools are in session.
- Logging traffic is to be avoided on the defined route during the months of December and January.













14 July 2015

RE: Forestry Harvest in Brook Valley

The Brook Waimarama Sanctuary Trust (BWST or Trust) has been responding to Council staff and Council's forestry management consultants, PF Oslen, since March 2015 regarding the proposed harvesting of the 25ha forestry block adjacent to the Dun Mountain Walkway/Trail. We have been providing feedback on the proposed harvest relative to the timing and potential impacts on our time frame for completing the pest-proof fence on the bench below the Dun Mountain Walkway/Trail and along The Classic Track between its junction with the Dun Mountain Trail (Four Corners) and with the Coleman's Link Track (skid site). The Trust would like to thank Council staff for their time and effort on this.

The construction methodology prepared by the Trust's contractor under the resource consents conditions for the fence and associated tracks requires the section of the bench below the Dun Mountain Walkway/Trail to be allowed settle for a period of as many months as possible following its formation—with the target being a year if possible. Our bench contractors completed the bench formation on this section in March 2015 and our fence contractors are planning to begin construction of the fence on this section in December 2015. If the forestry harvesting is completed by the end of November then that will support our timeframes of completing the fence and undertaking the removal of the pests within the fence and being able to officially open the sanctuary early in 2017. Completing the harvesting by the end of November would also minimise the closure of the Dun Mountain Walkway/Trail and enable it to open during the peak summer use period.

If the forestry harvesting goes significantly beyond the end of November then there is a very high risk that our time frame for achieving the pest removal at the optimum time of next winter would result in a delay of at least 12 months to our planned opening. Any such delay could also risk an additional 12 month delay in the event of a major beech flowering year occurring. (Such a beech mast results in massive increases in beech seed that in turn provides food for mice, and in turn rats and subsequently stoats. It would be futile to undertake any pest removal following such a beech mast. Current indications are that this coming summer will not be a beech mast year, but it is too early to predict what may happen the following summer.) Any such delays in completing the fence and pest removal will have substantial financial implications for the Trust, as the delays would increase the period of time for which operational costs are not being offset by anticipated admission revenues.

Harvesting of the forestry block after the fence is completed would pose substantial risks to the structure of the fence and to the biosecurity of the sanctuary. Harvesting the trees on the relatively steep slopes immediately above the fence could result in damage to the fence from logs, tree debris, and rocks, soil and other material moving downslope. Any breaches of the fence pose a biosecurity risk to sanctuary from animal pests re-entering the sanctuary and would require additional resources being needed to deal with and monitor such an incursion.

We understand that the harvesting plan utilises most of the fence line along The Classic Track between its juncture with the Coleman's Link Track (skid site) and its juncture with the Dun Mountain Trail (Four Corners), a distance of some 1.2km. If harvesting were to occur after the fence is erected then it's important to note that the space between fence and uphill bank will only allow the passage of vehicles up to the size of a 4WD ute. If the harvest operation requires the movement of larger forestry vehicles beside the fence such as logging trucks then the bench would need to be widened to accommodate any such vehicles. The process of widening the bench would increase the batter slopes and thereby increase the risks to the fence from slips and rock and other debris damaging the fence. The cost of any such widening, and any resulting damage to the fence, would obviously fall on the harvesting operation and would therefore likely adversely affect its revenues. It should be noted that because of the steep slopes in this area, the fence project has kept any widening of The Classic Track to an absolute minimum to minimise batter height. If any further widening were undertaken there would be the need for considerable end-hauling, and there is no proximate end haul dump site for the likely volumes anticipated; there has been no geotechnical investigation or report for such design requirements. The substantial cost associated with any such track widening work supports the proposed early harvest timeframe.

It has also apparently been suggested that this 1.2km stretch of the fence could be temporarily removed for 3-4 months while harvesting occurs to allow the passage of log transporting vehicles. This option is unacceptable to the Trust as it would be impracticable to maintain the integrity of the sanctuary over such a long length of fence for such a long period of time. There would be a very high biosecurity risk from a range of animal pests reinvading the sanctuary and severely compromising all our efforts and expenditure on achieving a pest free sanctuary. Our reintroduction programme for most bird and other species, and indeed the successful breeding of birds already present, is dependent on there not being any major animal pests in the sanctuary—which is of course of the purpose of the fence.

If the forestry block were not harvested then there are also potentially major implications for the sanctuary. If the trees were to remain then those on the slopes immediately above the fence pose a risk to the fence when they eventually fall over or are blown over. Also, the trust is very supportive of the Nelson Nature project currently being undertaken by Council and the community. A key part of this project is enhancing the halo effect around the sanctuary which involves increasing the indigenous biodiversity values in areas adjacent to the sanctuary so that birds which overflow into these areas have a greater chance of surviving through initiatives that for example reduce the animal pests or increase native habitat. The Trust thus supports the removal of the pines and the subsequent re-establishment of native vegetation in this 25 hectare block to enhance the halo area. We anticipate that some of our volunteers would be interested in assisting with revegetating this area in locally sourced native species.

While we appreciate that this pre-empts the outcome of the review of Council's forestry holdings which is currently getting underway, the decision on this particular block needs to be made now as waiting for the forestry review to be completed would have



series implications for the sanctuary and the Trust as indicated above. We note that the decision on what happens to the area post harvesting could be made following the forestry review. However, we believe there is a compelling case for that decision to be made now given the proximity to the sanctuary and Council's initiation of the Nelson Nature project. Replanting the block in pines would again raise issues at the time of the next harvest and associated risks to the fence and sanctuary.

Summary

The BWST urges Council to proceed with the harvesting of this forestry block so that it can be completed by the end of November 2015 which would work in well with our schedule for completion of the fence, the removal of the pests and our official opening of the sanctuary as a visitor attraction for both locals and visitors to the city.

Thank you for your consideration of this submission.

Sincerely,

Hudson Dodd
General Manager



Extract from Investment Policy 2015

Forestry

Background

The Council has invested in and been involved in managing forestry interests since the 1940s and these are held as long term investments. Council-owned forests are located in the Brook, Marsden, Maitai and Roding. The total net stocked area as at 30 June 2014 is estimated at 649.4 hectares.

1. Policy

The Council's current policy for commercial forestry is:

- To not purchase land for forestry purposes nor plant more commercial forests other than replanting;
- Endorse and observe the provisions of the New Zealand Forest Accord (August 1991);
- Contract out forestry management to an independent Forest manager;
- To manage its forest estate on a sustainable basis and to maximise net present value.

2. Rationale

In the last few years the forestry and land management environment has changed considerably with a much greater emphasis on sustainability and the introduction of the Emissions Trading Scheme. 78% of Council forestry occurs on steep to very steep slopes, making harvesting a more challenging and expensive operation. Some blocks are on their first rotation and therefore will require the establishment of roading and skid sites. The negative impacts of climate change and the likelihood of more extreme weather events causing windthrow issues is also a consideration for the future. Council is yet to review strategic decisions on its forestry portfolio¹.

3. Benefits

The Council's forests are a significant resource, a means of generating revenue from public reserve land and provide for recreational use.

4. Financial Benefits

As well as revenue generation, there are also environmental and social benefits in that forests provide areas with public access for walking, biking, hunting and other recreation. Forestry operations contribute to local business operations including contract forestry management, logging contractors, silvicultural contractors, transport contractors and Port Nelson.

5. Risks

Forestry has performed poorly in recent years although is still expected to be a low risk investment in the medium to long-term.

6. Financial Risks

Any forest is at risk from natural disasters, fire, and disease. Prices fluctuate and at any given time depend on world markets, particularly those in Asia. As development is funded from retained earnings, any shortfall in earnings requires the Council to make additional external borrowings to fund development.

¹ External review currently underway

7. Environmental Risk

Poor management of logging operations could pose environmental risks, especially to water supply.

8. How the Investment Is Managed

The Council actively manages its investment in forestry by:

- Contracting out forest management to reputable consultants;
- Carrying out silviculture to a defined forestry management plan, which is reviewed every three years;
- Revaluing forestry assets at 30 June each year and crediting any increase to the asset revaluation reserve;
- Minimising the impact of short-term decline in prices by delaying harvesting as appropriate;
- Maintaining insurance cover for fire and wind damage.

Minutes of a meeting of the Nelson Regional Sewerage Business Unit

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

On Friday 13 March 2015, commencing at 1.02pm

Present: Councillors M Higgins (Chairperson) and B Dowler (Tasman District Council)

In Attendance: M Hippolite (Iwi Representative), P Wilson (Industry Customers' Representative), Nelson Regional Sewerage Business Unit General Manager (R Kirby), Senior Asset Engineer – Solid Waste (J Thiart), Management Accountant (A Bishop), and Administration Adviser (G Brown)

Apologies: Mr D Shaw and Councillor Copeland

1. Apologies

Resolved

THAT apologies be received and accepted from Mr Derek Shaw and Councillor Copeland.

Dowler/Higgins

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

Councillors Higgins and Dowler declared an interest in item 5 General Manager's Report in relation to the Tasman District Council (TDC), Coastal Occupation Charges draft Plan Change.

4. Confirmation of Minutes – 28 November 2014

Document number A1281366, agenda pages 4-9 refer.

Resolved

THAT the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 28 November 2014, be confirmed as a true and correct record.

Dowler/Higgins

Carried

5. Status Report

Document number A452094, agenda pages 10 refers.

General Manager, Richard Kirby advised there was an error in the status report under number 5 the date should read 26 March 2015 and not 16 March 2015.

In response to a question, Senior Asset Engineer – Solid Waste, Johan Thiart advised that the capacity review would be discussed at the meeting scheduled for the 26th March 2015 and that he would resend a copy of the Capacity Review to the business unit.

In response to a further question, Mr Kirby advised that the ultimate aim would be a reduction in plant charges at the Bells Island Wastewater Treatment Plant. He added that revenue was trending down.

It was noted that Nelson City Council, Council officer, Andrew Bingham should join the meeting scheduled for the 26 March 2015.

Resolved

THAT the Status Report dated 13 March 2015 (A452094) be received with the amendment of the date to 26 March 2015 under number 5.

Dowler/Higgins

Carried

6. General Manager's Report

Document number A1313458, agenda pages 11-60 refer.

General Manager, Richard Kirby presented the report.

It was noted that Councillor Higgins and Dowler had an interest with the draft Plan Change Coastal Occupational Charges and this needed to be recorded in the Nelson Regional Sewerage Business Unit (NRSBU) Interests Register.

There was a discussion that iwi and industries would be making a submission in relation to the draft Plan Change.

It was discussed that utilities under Tasman District Council (TDC) would be rated for the first time in the Long Term Plan (LTP) and it was mentioned that Nelson City were proposing to rate 50% of stormwater on Capital Value.

In response to a question, Senior Asset Engineer – Solid Waste, Johan Thiart advised that the linings that were installed in the ATAD's in 2013 and 2014 had failed. Mr Thiart added that there was adequate capacity with only two sludge tanks and the costs per tank was \$80,000.

In response to a further question, Mr Thiart said that the increase of boundaries in the ko-iwi areas did not materially affect operations. He added that trees would be cut to ground level to reduce disturbance of these areas. However he believed that the biosolids trial had run its course.

Peak tide maximum loads were discussed in relation to the Load Agreement – ENERNOC and it was suggested that further investigation was required to identify whether peaks could be shaved. It was suggested that a further conversation with ENERNOC was needed in relation to these efficiencies.

In response to a question, Mr Thiart said the non compliance within the Key Performance Indicators table was due to operator error and confirmed that a checklist system was already in place. It was asked why iwi were not informed about this overflow, and Mr Thiart advised that he would investigate and report back at the next meeting.

There was a discussion regarding the pump stations power use in relation to the graph shown in Figure 10.2 and it was highlighted that the peaks were from storm events.

Resolved

THAT the report General Manager's Report (A1313458) and its attachments (A1319962, A1320206 and A1324144) be received.

Dowler/Higgins

Carried

7. Finance Report

Document number A1263549, agenda pages 61-62 refer.

Management Accountant, Andrew Bishop presented the report.

In response to a question, Mr Bishop said that calculations were underway in relation to charges on stakeholders for fixed and variable contributions. He said that customers would pay variable costs based on the previous year's usage.

In response to a further question, Mr Bishop advised that the NRSBU fixed contract was still relevant and it was beneficial to have this contract in-house.

It was requested that Mr Bishop provide an indication of the time spent on this contact and inform the business unit.

There was a discussion regarding the two pump stations which could potentially overflow into the Maitai River and a question was asked as to when was the last time this had happened. General Manager , Richard Kirby advised he would need to investigate and then pass this information on to the business unit.

Resolved

**THAT the Nelson regional Sewerage Business unit
Financial report for the period ending 31 January
2015 (A1263549).**

Higgins/Dowler

Carried

There being no further business the meeting ended at 2.17pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Chief Executive Employment Committee

Held in Ruma Ana, Level 2B, Civic House, 110 Trafalgar Street, Nelson

On Monday 15 June 2015, commencing at 12.07pm

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland and P Matheson (Deputy Mayor)

In Attendance: External Adviser to the Chief Executive Employment Committee (P Bell), Chief Executive (C Hadley), and Administration Adviser (S McLean)

Apology: Councillor L Acland for lateness

1. Apology

Resolved CEE/2015/001

THAT an apology be received and accepted from Councillor Acland for lateness.

Her Worship the Mayor /Matheson

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

Attendance: The meeting adjourned from 12.08pm to 12.12pm.

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 26 February 2015

Document number M1254, agenda pages 7 - 9 refer.

Resolved CEE/2015/002

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

Matheson/Her Worship the Mayor

Carried

6. Exclusion of the Public

Paul Bell, of Intepeople, will be in attendance for all items of the Public Excluded agenda to answer questions and, accordingly, the following resolution is required to be passed:

Resolved CEE/2015/003

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Paul Bell remain after the public has been excluded, for all items of the Public Excluded agenda, as he has knowledge that will assist the Committee;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Paul Bell possesses relates to the Chief Executive's performance, remuneration and development, which is relevant to the Chief Executive Employment Committee.

Matheson/Her Worship the Mayor

Carried

Resolved CEE/2015/004

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

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

passing of this resolution are as follows:

Matheson/Her Worship the Mayor

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Chief Executive Employment Committee Meeting - Public Excluded - 26 February 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.	
2	Chief Executive Performance / Remuneration Review Process and Timeline	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
3	Preparation for the Performance Agreement Chief Executive Nelson City Council Plan year 2015 - 2016	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)
4	Staff Statistics - Quarterly Report to 31 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)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied
5	Update on Organisation Issues	<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)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
6	Chief Executive Professional Development	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which</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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		good reason exists under section 7	deceased person

The meeting went into public excluded session at 12.12pm and resumed in public session at 1.32pm, during which time Councillor Acland joined the meeting.

7. Re-admittance of the Public

Resolved CEE/2015/005

THAT the public be re-admitted to the meeting.

Her Worship the Mayor /Acland

Carried

There being no further business the meeting ended at 1.33pm.

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 25 June 2015, commencing at 9.02am

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

1. Apologies

Resolved PR/2015/009

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

McGurk/Fulton

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 Carolyn Hughes and Andrew Goldsworthy - Nelson Environment Centre

Carolyn Hughes provided background information on Advancing Sustainability Education (ASE), as summarised in her handout provided with the agenda (A1365579).

Ms Hughes asked Council to consider writing a letter to the Education Review Office (ERO) in support of ASE. She suggested the programme was in line with Council's Nelson 2060 goals.

Ms Hughes suggested that internships or placements for students working on sustainability could be provided by Council.

Andrew Goldsworthy spoke about the opportunity for Nelson to be a leader in sustainability education. He gave details on the credits available to students, and how the ERO would be assessing ASE.

Ms Hughes suggested that systems for recognition could involve Council, such as a letter to students from the Mayor.

Attendance: Councillor Barker left the meeting from 9.20am to 9.21am.

5. Confirmation of Minutes

5.1 14 May 2015

Document number M1219, agenda pages 9 - 16 refer.

Resolved PR/2015/010

THAT the minutes of the meeting of the Planning and Regulatory Committee, held on 14 May 2015, be confirmed as a true and correct record.

McGurk/Paine

Carried

6. Status Report - Planning and Regulatory Committee - 25 June 2015

Document number R4432, agenda pages 17 - 19 refer.

Resolved PR/2015/011

THAT the Status Report Planning and Regulatory Committee 25 June 2015 (R4432) and its attachments (A1155974) be received.

McGurk/Lawrey

Carried

7. Chairperson's Report

There was no Chairperson's Report.

REGULATORY

8. Submission to the Rules Reduction Taskforce

Document number R4254, agenda pages 20 - 33 refer.

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

Concerns were raised about needing to know why the list of rules in Attachment 1 to the officer report had been set in the first place. Ms Barton advised that central government would consider this in its assessment of any recommendations from the Rules Reduction Taskforce.

There was discussion on the Health (Hairdressers) Regulations 1980, with some councillors in support of making no change to the rule as it may encourage a reduction in areas such as sterilisation.

In response to a question, Mr Lawrence advised there was very little crossover between the Ministry of Health and Council-enforced health regulations.

In response to a question, Ms Bishop advised the submission had already been sent in as an unconfirmed submission, to be confirmed once the Committee had provided feedback.

Concern was raised about the Freedom Camping Act 2011, and the officer recommendation to increase the level of regulation. It was felt this went against the purpose of rules reduction. Ms Bishop said the point had been to highlight the difficulty in administering this legislation.

Group Manager Strategy and Environment, Clare Barton, advised that the submission prepared by officers was in line with the Local Government New Zealand and Tasman District Council submissions.

It was pointed out that industries had trended towards taking on the responsibility of health and safety.

It was suggested the cover letter to the submission include comment on ensuring the intentions of the withdrawn rules were covered elsewhere.

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

THAT the report Submission to the Rules Reduction Taskforce (R4254) and its attachments (A1349652 and A1366848) be received;

AND THAT the submission in Attachment 1 of this report (R4254) be confirmed by the Committee as the position of the Council for submissions to the Rules Reduction Taskforce.

Councillor Fulton, seconded by Councillor Ward, moved an amendment to remove reference to the Freedom Camping Act 2011:

THAT the report Submission to the Rules Reduction Taskforce (R4254) and its attachments (A1349652 and A1366848) be received;

AND THAT the submission in Attachment 1 of this report (R4254), with the removal of reference to the Freedom Camping Act 2011, be confirmed by the Committee as the position of the Council for submissions to the Rules Reduction Taskforce

Several councillors were not in support of removing the reference to the Freedom Camping Act 2011.

The Chief Executive, Clare Hadley, highlighted that the matter of freedom camping had been included because it was one area where the community was asking Council for an increase in rules.

In response to concerns, Mrs Hadley advised the focus on rules reduction was not a political matter. She said the list of rules provided was simply an assessment by experienced officers on rules which no longer provided any value to Council, the community, or officers.

It was suggested that the Freedom Camping Act 2011 was a political matter and should be dealt with as a separate issue.

The amendment was put and became the substantive motion.

Resolved PR/2015/012

THAT the report Submission to the Rules Reduction Taskforce (R4254) and its attachments (A1349652 and A1366848) be received;

AND THAT the submission in Attachment 1 of this report (R4254), with the removal of reference to the Freedom Camping Act 2011, be confirmed by the Committee as the position of the Council for submissions to the Rules Reduction Taskforce.

Copeland/Barker

Carried

Attendance: Her Worship the Mayor joined the meeting at 10.01am.

9. Sandwich Boards

Document number R4332, agenda pages 34 - 47 refer.

Manager Planning, Matt Heale, presented the report.

Mr Heale said that clarification had been sought from the Nelson branch of the Blind Citizens Association, who had advised they preferred the status quo, which was to have sandwich boards predominantly along the shop front. Group Manager Strategy and Environment, Clare Barton, said the clarification had been sought due to a discrepancy between the Associations submission and the hearing minutes which recorded their presentation.

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

THAT the report Sandwich Boards (R4332) and its attachments (A1372336, A1372341, and A1369029) be received;

AND THAT the Committee review its recommended bylaw provisions regarding sandwich boards in Nelson.

Recommendation to Council

THAT the Bylaw provisions for Sandwich Boards, as detailed in report R4332, include Option B – Status quo plus controls on flashing, illuminated signs;

AND THAT this approach to sandwich boards be adopted by Council.

In response to questions, Mr Heale advised that sandwich boards were placed at the kerb in Tasman. He said resource consent could be applied for by shop owners if required.

There was some support to revert the bylaw provisions for sandwich boards back to how they were before the draft Urban Environments Bylaw (the Bylaw) was consulted on.

Attendance: Councillor Ward left the meeting at 10.17am.

Point of order: A point of order was raised in accordance with Standing Order 3.13.4(c) noting that questions about Tasman District Council were irrelevant.

Attendance: The meeting adjourned from 10.19am to 10.22am, during which time Councillor Ward returned.

The Chairperson accepted the point of order.

In response to questions, Mr Heale said the matter had been consulted on with Tasman District Council. He advised the issues with illuminated signs had been discussed at earlier meetings, and there were no existing use rights for flashing signs in the Bylaw.

A suggestion was made to indicate a preference of Council for the future Bylaw review. It was agreed this would constrain the future Council and was not required.

Nelson Youth Councillor, Keegan Phipps, suggested that the feedback from the community had been clear that option B was the preferred choice.

The mover and seconder agreed to remove reference to flashing, illuminated signs, therefore moving to Option A.

The motion was put and a division was called.

Councillor Barker	Aye
Councillor Copeland	No
Councillor Davy	Apology
Councillor Fulton	No
Councillor Lawrey	No
Councillor McGurk	Aye
Councillor Ward	No
Her Worship the Mayor	Aye
External Appointee – Glenice Paine	Aye

The motion was lost, 4-4.

Attendance: The meeting adjourned for morning tea from 10.36am to 10.53am, during which time Her Worship the Mayor left the meeting.

10. Election signs - current practice and issues

Document number R4260, agenda pages 48 - 50 refer.

Manager Environmental Inspections Ltd, Stephen Lawrence, presented the report and provided detail on the number of complaints received.

Resolved PR/2015/013

THAT the report Election signs - current practice and issues (R4260) be received.

McGurk/Paine

Carried

Recommendation to Council PR/2015/014

THAT election sign rules in the Nelson Resource Management Plan be considered for change as part of the Nelson Plan review.

McGurk/Paine

Carried

11. Land Development Manual Review

Document number R4261, agenda pages 66 - 75 refer.

Senior Planning Adviser, Lisa Gibellini, and Steve Markham of Tasman District Council presented the report.

Resolved PR/2015/015

THAT the report Land Development Manual Review (R4261) and its attachments (A1365598) be received;

AND THAT the Committee nominate Councillors Ward and McGurk to be members of the Land Development Manual Steering Group;

AND THAT the attached draft Terms of Reference are adopted by the Planning and Regulatory Committee for finalisation at the first Steering Group meeting after which they will be confirmed by the Mayor and the Chair of Planning and Regulatory;

AND THAT those nominated Councillors provide regular reports back to the Planning and Regulatory Committee on progress with the Land Development Manual alignment and review;

AND THAT where possible both Tasman District Council and Nelson City Council use the same Hearing Commissioners to hear and make recommendations on submissions;

AND THAT a draft aligned Land Development Manual be brought back to the Planning and Regulatory Committee for consideration by December 2015.

Fulton/Lawrey

Carried

12. Dogs off the leash on Monaco Reserve

Document number R4134, agenda pages 76 - 90 refer.

Manager Planning, Matt Heale, and Planning Administrator, Jane Loughnan, presented the report. Mr Heale tabled a map of Monaco Reserve (A1376769).

Group Manager Strategy and Planning, Clare Barton, advised there would be a strain on resources if an amendment to the Dog Control Bylaw (the

Bylaw) was required. She highlighted the need to be consistent with other reserves.

A suggestion was made to trial a suspension of the dog on lead rule for the Monaco Reserve. Ms Barton explained the requirement on Council to enforce its bylaws, and how it could signal to the community that Council was looking to amend the Bylaw.

A suggestion was made that part of Monaco Reserve could be a dog off lead area.

In response to a question, Ms Barton advised there was no clause in the Bylaw which allowed Council to change a schedule by resolution. She said the best process would be to review all reserves under the Bylaw at the same time.

Resolved PR/2015/016

THAT the report *Dogs off the leash on Monaco Reserve (R4134) and its attachments (A1374151, A1261310 and A1374167)* be received;

AND THAT the response provided to petitioners convey that the *Dog Control Bylaw* would be reviewed in 2018, and they are invited to submit at that time.

Fulton/McGurk

Carried

Attachments

- 1 A1376769 – Tabled Document - Map of Monaco Reserve

13. Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules

Document number R4140, agenda pages 51 - 60 refer.

Acting Manager Operations, Marg Parfitt, and Manager Capital Projects, Shane Davies, presented the report.

Attendance: Councillor Copeland left the meeting from 11.36am to 11.38am.

In response to a question, Ms Parfitt advised there had not been a call for long term parking in the commercial area of Vanguard Street.

Resolved PR/2015/017

THAT the report *Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R4140) and its attachments (A1349284, A1349105, A1349156, A1350309, A1350307, A1359621)* be received;

AND THAT the following alterations to the Schedules of Bylaw No 207, Parking and Vehicle Control (2011) be approved:

Schedule 4: Special Parking Areas;

Schedule 9: No Stopping;

Schedule 14: Give Way Signs.

Barker/Ward

Carried

14. Use of Glyphosate

Document number R4372, agenda pages 61 - 65 refer.

Environmental Reserves Supervisor, Lindsay Barber, presented the report.

Mr Barber advised that members of the community could be added to a spray register if they suffered from reactions to spraying.

In response to questions, Mr Barber provided detail on how the New Zealand environment encouraged weed growth. He advised that coconut oil was used in playground areas as it was non-toxic. Mr Barber said the Nelson Resource Management Plan restricted the use of glyphosate in coastal marine areas.

In response to a question, Mr Barber said he was aware of recent reports from the World Health Organisation (WHO) regarding glyphosate. He highlighted that there were also reports disputing claims made by WHO. Mr Barber said that further information and discussions would take place on the matter over the coming months.

Attendance: Councillor Barker left the meeting from 11.56am to 11.57am, and from 11.59am to 12.00pm.

In response to a question, Mr Barber said that Council advertised its spraying programme in July.

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

THAT the report Use of Glyphosate (R4275) be received;

AND THAT Council officers continue to monitor the use of glyphosate; take steps to mitigate any known adverse effects; and work to identify effective and safer alternatives;

AND THAT Council increases publicity of the No Spray Register through Live Nelson and other media including social media channels.

In response to a question, Mr Barber provided detail on the life of seeds and current eradication programmes.

With the approval of the mover and seconder, an addition 'to give regard to research' was made to the second clause of the resolution.

Resolved PR/2015/018

THAT the report Use of Glyphosate (R4275) be received;

AND THAT Council officers continue to monitor the use of glyphosate; to give regard to research; take steps to mitigate any known adverse effects; and work to identify effective and safer alternatives;

AND THAT Council increases publicity of the No spray register through Live Nelson and other media including social media channels.

Lawrey/Ward

Carried

15. Plan Change 18 Nelson South Operative Date

Document number R4136, agenda pages 91 - 106 refer.

Manager Planning, Matt Heale, presented the report.

Attendance: Councillor Lawrey left the meeting at 12.20pm.

Resolved PR/2015/019

THAT the report Plan Change 18 Nelson South Operative Date (R4136) and its attachments (A1352380 and A1340607) be received.

Ward/Fulton

Carried

Recommendation to Council PR/2015/020

THAT Council resolves to make Plan Change 18 – Nelson South operative on 17 August 2015, pursuant to Clause 20(1) of the First Schedule of the Resource Management Act 1991.

Ward/Fulton

Carried

Adjournment of Meeting

Resolved PR/2015/021

THAT the meeting adjourn until a time and date to be confirmed.

McGurk/Fulton

Carried

There being no further business, the meeting adjourned at 12.21pm.

Unconfirmed

Minutes of a reconvened meeting of the Planning and Regulatory Committee

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

On Tuesday 30 June 2015, commencing at 9.30am

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

In Attendance: Councillors L Acland, P Matheson, G Noonan, P Rainey, and T Skinner, Chief Executive (C Hadley), Group Manager Strategy and Environment (C Barton), Manager Administration (P Langley), Manager Communications (P Shattock), Administration Adviser (S McLean)

Apologies: Councillor K Fulton and Ms Glenice Paine

16. Exclusion of the Public

Resolved PR/2015/009

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:

McGurk/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	Enforcement of	Section 48(1)(a)	The withholding of the

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	the fence rule (REr.31.1)	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	information is necessary: <ul style="list-style-type: none"> Section 7(2)(g) To maintain legal professional privilege

The meeting went into public excluded session at 9.31am and resumed in public session at 10.30am.

17. Re-admittance of the Public

Resolved PR/2015/010

THAT the public be re-admitted to the meeting.

McGurk/Ward

Carried

There being no further business the meeting ended at 10.30am.

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 Thursday 2 July 2015, commencing at 9.03am

Present: Councillor P Rainey (Chairperson), Her Worship the Mayor R Reese, Councillors R Copeland, M Lawrey, P Matheson, G Noonan (Deputy Chairperson), T Skinner and M Ward

In Attendance: Councillor I Barker, Group Manager Community Services (C Ward), Manager Communications (P Shattock), Manager Capital Projects (S Davies), Senior Strategic Adviser (N McDonald), Manager Administration (P Langley), Administration Adviser (G Brown), and Youth Councillors (R Griffith and F Jankiewicz-McClintock)

Apologies: Her Worship the Mayor R Reese and Councillor M Lawrey for lateness

1. Apologies

Resolved CS/2015/009

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

Rainey/Matheson

Carried

2. Confirmation of Order of Business

The Chairperson advised that item 12 on the public agenda, Broadgreen House – change to levels of service, had been removed from the meeting.

Resolved CS/2015/010

THAT the item Broadgreen House – change to levels of service be adjourned to the next Community Services Meeting on 13 August 2015.

Rainey/Noonan

Carried

3. Interests

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

4. Public Forum

4.1 Steve Cross

Steve Cross spoke about the agenda item Fees and Charges – Community Facilities.

Mr Cross said he had concerns about the crematorium fees being subsidised by ratepayers. He said he believed it was a private benefit and should be funded 100% by users.

He raised a concern in relation to crematorium charging inconsistencies between pets and humans.

Attendance: Councillor Lawrey joined the meeting at 9.12am.

In response to a question, Mr Cross said both his concerns around low fees and Council being involved in a commercial business were equally important.

4.2 Hilary Mitchell, Broadgreen House Restructuring Proposal

Hilary Mitchell spoke about the Broadgreen House restructuring proposal.

Attendance: Councillor Skinner joined the meeting at 9.16am.

Ms Mitchell spoke to document (A1377005), which was distributed with the agenda.

In response to a question, Ms Mitchell said the current operating model for Broadgreen House was working well, and volunteers were happy to be there. She added that Trip Adviser illustrated that visitors enjoyed their visit.

In response to questions, Ms Mitchell said she was open to ideas to make Broadgreen House appeal to a wider audience, but believed this could not happen if it was closed for a number of months. She added that heritage tours would be beneficial.

Attendance: Her Worship the Mayor joined the meeting at 9.27am.

5. Confirmation of Minutes

5.1 22 May 2015

Document number M1230, agenda pages 10 - 16 refer.

In response to a question, Her Worship the Mayor clarified that if Councillors wished a specific comment to be recorded in the minutes, then this needed to be highlighted to the minute taker on the day.

Resolved CS/2015/011

THAT the minutes of the meeting of the Community Services Committee, held on 22 May 2015, be confirmed as a true and correct record.

Rainey/Noonan

Carried

6. Status Report - Community Services Committee - 2 July 2015

Document number R4457, agenda pages 17 - 19 refer.

In response to a question, Group Manager Community Services, Chris Ward advised that the Arts Selection Panel selected two artists for the item Arts Fund - Approval of Concepts and negotiations were still underway.

Attendance: Councillor Copeland left the meeting from 9.38am to 9.40am.

Resolved CS/2015/012

THAT the Status Report Community Services Committee 2 July 2015 (R4457) and its attachment (A1157454) be received.

Ward/Lawrey

Carried

7. Chairperson's Report

There was no Chairperson's Report.

RECREATION AND LEISURE

8. Fees and charges – Community Facilities

Document number R4122, agenda pages 20 - 41 refer.

Acting Manager Operations, Marg Parfitt, and Facility Manager Founders Heritage Park, Maria Anderson, presented the report.

Ms Parfitt advised there was a minor correction on page 40 of the agenda relating to Broadgreen House charges. She said it should read "Adult Entrance Fee" \$4 and "Senior Citizen Entry Fee" \$3.

Resolved CS/2015/013

THAT the report Fees and charges – Community Facilities (R4122) and its attachment (A1362379) be received.

Rainey/Ward

Carried

In response to a question, Ms Parfitt advised that she was not familiar with crematorium operations therefore could not comment on the charging structure for pet and human cremations.

In response to a further question, Ms Parfitt said that even though the CPI increase of 0.8% was small, it was more palatable for operators to have smaller increases rather than an accumulative charge.

In response to a question, Ms Anderson clarified that the Energy Centre off peak hire included a cleaning component of approximately \$800.

It was highlighted on page 22 that under 'Circus and other similar events that need to stay on site overnight' for the 2015-2016 hire it should read '\$201.50 plus GST per day (plus power where used).'

In response to a question, Ms Parfitt said the only significant change in charges was in relation to beehives on Council land which was a commercial activity. It was queried whether the charging was relative to the market.

A query was also raised in relation to the category Commercial Races/Events and the rationale behind the charging.

The item was adjourned until this information was provided.

9. Reserve Management Plan: Sports Ground Reserves

Document number R4195, agenda pages 42 - 46 refer.

Resolved CS/2015/014

THAT the report Reserve Management Plan: Sports Ground Reserves (R4195) be received.

Rainey/Lawrey

Carried

Recommendation to Council CS/2015/015

THAT a Reserve Management Plan for the Sports Ground Reserves is developed under The Reserves Act 1977 for the provision of areas for recreation and sporting activities, and the physical welfare and enjoyment of the public.

Copeland/Lawrey

Carried

Attendance: The meeting adjourned from 10.01am until 10.08am.

10. Stoke Community and Sports Facility

Document number R4167, agenda pages 47 - 89 refer.

Major Projects Engineer, Darryl Olverson, and Manager Capital Projects, Shane Davies, presented the report.

The following documents illustrating concept designs were tabled (A1380158) and (A1380122)

The Chairperson advised that the recommendations in the officer's report would be taken in parts.

Resolved CS/2015/016

THAT the report Stoke Community and Sports Facility (R4167) and its attachments A1362093, A1325549, A1360375, A1351796, A1360960 and A1372406 be received;

Rainey/Noonan

Carried

Resolved CS/2015/017

AND THAT it be noted that a report detailing options for the management of the facility is still to be undertaken and will be reported back to a future Community Services Committee;

Rainey/Matheson

Carried

In response to a question, Mr Olverson clarified that the Stoke Urban Design Panel would be considering traffic measures and would be reviewing the report on 23 July 2015.

Attendance: The meeting adjourned from 10.24am until 10.26am.

In response to a question, Mr Davies clarified that the original scope by user groups did not include a cafe.

In response to a question, Mr Olverson said that a cafe could be added in the future as there were services close by. However, Mr Olverson advised that adding a cafe at a later date would incur substantial additional costs.

Mr Olverson advised the feedback from user groups was that additional community space was needed.

It was discussed that a cafe would attract a different crowd and provide a meeting place where events at the facility could be promoted. Mr Olverson added that a real estate agent had advised there would be no issues letting the cafe.

In response to a question, Mr Olverson advised the plaza would be approximately 150m² smaller if the cafe was added.

In response to a further question, Mr Olverson said with or without a cafe the aesthetics of the building would remain similar, without the cafe the entrance to the building would be slightly different.

Mr Olverson said there was space for families to have birthday parties and events.

Councillor Lawrey, seconded by Councillor Ward, moved the following recommendation to council in the officer's report

THAT the Concept design with cafe (attachment A1362093) to construct the new Stoke Community and Sports Facility at the Greenmeadows site be approved to allow detailed design to commence and resource/building consents to be secured;

There was a discussion relating to adding items on the list on page 51 of the agenda. The items highlighted were acoustic folding doors and the environmental options.

Attendance: Councillor Copeland left the meeting at 10.54am.

With the agreement of the mover and seconder the additional items were added to the recommendation

THAT the Concept design with cafe (attachment A1362093) to construct the new Stoke Community and Sports Facility at the Greenmeadows site be approved to allow detailed design to commence and resource/building consents to be secured with the inclusion of:

- *Acoustic folding doors*
- *Environmental options*

As detailed in report R4167;

Concern was raised that a cafe was not suitable for this type of facility and that Council should not be supporting competition for other local businesses. It was also highlighted that the cafe was not consulted on.

There was some support for a cafe to be included as it would make welcome a diverse range of people. Other successful community hubs were referred to and it was said there would be an expectation for a cafe. It was mentioned that it would be positive for other businesses bringing more foot traffic.

It was raised that resource consents were of a concern and capital budgets as the Long Term Plan 2015-25 had just been signed and now Council was looking for additional funding.

Attendance: The meeting adjourned from 11.15am until 11.16am.

A division was called.

Attendance: The meeting adjourned from 11.19am until 11.25am.

Councillor Copeland	Apology
Councillor Lawrey	Aye
Councillor Matheson	No
Councillor Noonan	No
Councillor Rainey	Aye
Councillor Skinner	No
Councillor Ward	Aye
Her Worship the Mayor	No

The motion was lost, 4-3.

Her Worship the Mayor moved the following motion, seconded by Councillor Ward

THAT the Concept design (with additional space) to construct the new Stoke Community and Sports Facility at the Greenmeadows site be approved to allow detailed design to commence and resource/building consents to be secured with the inclusion of:

- *Acoustic folding doors*
- *Environmental options*

As detailed in report R4167

It was discussed that it would be beneficial to obtain feedback from the Urban Design Panel with regards to the concept design.

There was general support for the motion and it was noted that a cafe could still be considered at a later date.

A division was called

Councillor Copeland	Apology
Councillor Lawrey	Aye
Councillor Matheson	Aye
Councillor Noonan	Aye
Councillor Rainey	Aye
Councillor Skinner	Aye

Councillor Ward	Aye
Her Worship the Mayor	Aye

The motion was passed, 7-0

Recommendation to Council CS/2015/018

THAT the Concept design (with additional space) (A1380158) to construct the new Stoke Community and Sports Facility at the Greenmeadows site be approved to allow detailed design to commence and resource/building consents to be secured with the inclusion of:

- ***Acoustic folding doors***
- ***Environmental options***

As detailed in report R4167;

Her Worship the Mayor/Ward

Carried

Attendance: The meeting adjourned from 11.38am until 11.39am.

Group Manager Community Services, Chris Ward clarified that an additional space would incur the same costs as a cafe.

Recommendation to Council CS/2015/020

THAT the budget to complete the Stoke Community and Sports Facility at Greenmeadows is increased to \$6.14 million (over two financial years).

Rainey/Ward

Carried

Attachments

- 1 A1380122 - Concept Design Issue Cafe Removed 29JUN2015
- 2 A1380158 - Concept Design Issue Extra Community Rooms in Lieu of Cafe 29JUN2015

11. Fees and Charges - Community Facilities (Cont.)

In response to question, Acting Manager Operations, Marg Parfitt, advised that under the Commercial Races/Events category the Weet-bix Tryathlon was excluded from charges. However, she said the Dun Mountain Run incurred charges, therefore there was an element of discretion.

In relation to the category 'Circus and other similar events that need to stay on site overnight' category, she advised that

the charges could add up to a significant amount. She said she was unaware of the charging rationale but confirmed no changes to fees would be incurred in this area.

Attendance: The meeting adjourned from 11.43am until 11.44am.

In response to a question, Ms Parfitt said the hire charges only applied to sports grounds and reserves which were not covered elsewhere.

There was concern raised about a requirement for an entry level definition, and that assets must be left in the same state as before they were used.

In response to a question, Ms Parfitt clarified that Council only approved traffic management plans for events, it was up to the organiser to provide these.

Group Manager Community Services, Chris Ward, advised that the categories shown on page 22 of the agenda would be reviewed and that fees could be set any time, with one months notice required.

It was highlighted that the current fee for beehives was not in line with the Department of Conservation charges.

It was suggested that Council should be encouraging bee keepers.

Resolved CS/2015/021

THAT the proposed charges be approved effective 3 August 2015;

AND THAT it be noted that the charging regime for the Golf course will be brought to a future Community Services Committee meeting;

AND THAT it be noted that the charging regime for the Trafalgar Centre, Trafalgar Park, and Saxton Oval will be brought to a future Community Services Committee meeting;

AND THAT negotiations be carried out with beehive operators on the charging regime and brought back to a future Community Services Committee meeting.

Rainey/Skinner

Carried

Attendance: Councillor Barker left the meeting at 12.04pm.

Attendance: The meeting adjourned from 12.07pm until 12.13pm. During this time Councillor Matheson left the meeting.

COMMUNITY DEVELOPMENT

12. Community Assistance Policy Review

Document number R4116, agenda pages 90 - 102 refer.

Social Development Adviser, Nicola Mercer, presented the report.

Resolved CS/2015/022

THAT the report Community Assistance Policy Review (R4116) and its attachments (A1366133 & A1367556) be received.

Rainey/Noonan

Carried

In response to a question, Ms Mercer said that staff were enthusiastic with the new approach.

In response to a question, Group Manager Community Services, Chris Ward advised that a number of general conversations had been had with community groups and the feedback had been positive.

In response to a further question, Mr Ward said that position descriptions were being drafted for appointments of external people to the Community Investment Funding Panel and there would then be a call for nominations.

It was discussed that the Policy needed to emphasise a social development focus in its purpose and this should be highlighted in the third bullet point under 6.7 of the Policy.

Recommendation to Council CS/2015/023

THAT the amended Community Assistance Policy (A1366133) be adopted;

AND THAT the Community Investment Funding Implementation Plan (A1367556) be adopted.

Rainey/Noonan

Carried

11. Nelson Youth Council Update

Youth Councillors Rhys Griffith and Fynn Jankiewicz-McClintock provided an update on Youth Council activities.

Mr Griffith informed councillors that recent Youth Council activities included heritage week, a photography competition, working with the arts

festival, quiz during youth week, Tahunanui postcard, and considering ideas for Nelson's 175th anniversary.

Attendance: Councillor Matheson returned to the meeting at 12.27pm.

Mr Jankiewicz-McClintock advised that youth councillors were recently given information on Nelson 2060.

REPORTS FROM COMMITTEES

12. Nelson Youth Council - 15 May 2015

Document number M1223

Resolved CS/2015/024

THAT the confirmed minutes of a meeting of the Nelson Youth Council, held on 15 May 2015, be received.

Rainey/Lawrey

Carried

13. Exclusion of the Public

Resolved CS/2015/025

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 Committee Meeting - Public Excluded - 22 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)(j) To prevent the disclosure or use of official information for improper gain or improper advantage. • Section 7(2)(i) To enable the local

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
2	Status Report - Community Services Committee - 2 July 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)(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 12.29pm and resumed in public session at 12.42pm.

14. Re-admittance of the Public

Resolved CS/2015/026

THAT the public be re-admitted to the meeting.

Rainey/Noonan

Carried

There being no further business the meeting ended at 12.42pm.

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 9 July 2015, commencing at 9.01am

Present: Councillor I Barker (Chairperson), Her Worship the Mayor R Reese, Councillor L Acland (Deputy Chairperson), Councillors P Matheson, B McGurk, and G Noonan, Mr J Peters and Mr J Murray

In Attendance: Councillor T Skinner, Chief Executive (C Hadley), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Manager Communications (P Shattock), Manager Administration (P Langley), Administration Adviser (S McLean), and Youth Councillors J Lankshear and E Thomas

Apologies: Councillors E Davy and P Rainey

1. Apologies

Resolved GOV/2015/015

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

McGurk/Noonan

Carried

2. Confirmation of Order of Business

The Chairperson advised that item 10, The Ridgeways Joint Venture Half Yearly Report and Draft Statement of Intent 2015/16, would be considered after item 5, Confirmation of Minutes.

The Chairperson advised that the meeting would adjourn at 10.15am to enable an extraordinary Commercial Subcommittee meeting to take place.

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 28 May 2015

Document number M1233, agenda pages 8 - 15 refer.

Resolved GOV/2015/016

THAT the minutes of the meeting of the Governance Committee, held on 28 May 2015, be confirmed as a true and correct record.

McGurk/Murray

Carried

6. The Ridgeways Joint Venture Half Yearly Report and Draft Statement of Intent 2015/16

Document number R4496, agenda pages 90 - 104 refer.

Group Manager Corporate Services, Nikki Harrison, and Seddon Marshall presented the report.

Mr Marshall provided an update on the Ridgeways Joint Venture. He advised the majority of sections had sold, with the remaining sites being on steeper land. Mr Marshall advised that a discounted regime may be required to sell these sections.

In response to a question, Mr Marshall said the sites could be used for smaller more affordable housing, and he suggested looking at the singles market. He provided detail on holding costs for the remaining sections, the bulk of which were rates.

In response to a question, Ms Harrison clarified that the inventory on the balance sheet was shown at historic cost, not current value.

Resolved GOV/2015/017

THAT the report The Ridgeways Joint Venture Half Yearly Report and Draft Statement of Intent 2015/16 (R4496) and its attachments (A1281445 and A1377704) be received.

McGurk/Peters

Carried

Recommendation to Council GOV/2015/018

THAT the Ridgeways Joint Venture Statement of Intent 2015/16 (A1377704) be approved for signing, subject to minor edits.

McGurk/Peters

Carried

7. Status Report - Governance Committee - 9 July 2015

Document number R4521, agenda pages 16 - 17 refer.

It was noted that the workshop referred to in the Review of Economic Development Services action item had been held.

Resolved GOV/2015/019

THAT the Status Report Governance Committee 9 July 2015 (R4521) and its attachment (A1160658) be received.

Noonan/Her Worship the Mayor

Carried

8. Chairperson's Report

The Chairperson commended Council on the work done to produce the Long Term Plan 2015-25.

9. Fire Services Review: Submission

Document number R4507, agenda pages 18 - 28 refer.

Manager Emergency Management, Roger Ball, presented the report.

Mr Ball advised he had seen submissions from Tasman District Council and Local Government New Zealand, both of which were in favour of Option 2: Coordinated service delivery as well as being open to Option 3: One national fire service.

In response to questions, Mr Ball confirmed that the current shortage of volunteers had been central to the fire services review. He said the responses to the review had been mixed, with the balance of conversation about Options 2 and 3. Mr Ball said some centres were concerned that Option 3 would reduce local engagement in fire services.

In response to a question, Mr Ball advised that under Options 2 and 3, councils would be relieved of their rural fire authority responsibility, which would require a change to legislation. The Committee supported this as a means to reduce cost and responsibility for Council.

In response to questions, Mr Ball said it was not clear what would happen with existing fire service assets, and the proposed submission included reference to this. He said there were inequities in the current funding arrangements which would need to be addressed during the review.

Resolved GOV/2015/020

THAT the report Fire Services Review: Submission (R4507) and its attachments (A1379827 and A1378688) be received;

AND THAT the attached submission from Nelson City Council (A1378688) be approved.

McGurk/Noonan

Carried

10. Memorandum of Understanding for Uniquely Nelson 2015-16

Document number R4517, agenda pages 29 - 89 refer.

Group Manager Community Services, Chris Ward, and Uniquely Nelson Manager, Cathy Madigan, presented the report.

Ms Madigan said Uniquely Nelson had been participating fully in the review of economic development services and was looking forward to work with the new structure in the future. She highlighted the independence of Uniquely Nelson as it focussed on promoting the central business district (CBD) as a destination.

Attendance: Councillor Matheson left the meeting at 10.48am.

In response to a question, Ms Madigan said the revenue generating subcommittee referred to in the Business Plan 2015-16 had not yet been established. She advised that Uniquely Nelson would be having a strategic planning session in August to determine key priorities.

In response to a question, Mr Ward said the outcomes in the Memorandum of Understanding had been jointly agreed between Uniquely Nelson and Council. He advised that the presentation of Uniquely Nelson's annual report to the Governance Committee was Council's opportunity to review the performance of Uniquely Nelson.

Attendance: Councillor Matheson returned to the meeting at 10.56am.

It was pointed out that minor edits were needed to the Memorandum of Understanding.

In response to a question, Mr Ward advised that Council officers would be reviewing the CBD Wi-Fi service and presenting this information to a future Governance Committee meeting.

A suggestion was made that Uniquely Nelson could be proactive about commercial vacancies in the CBD. Ms Madigan pointed out that the matter was complex, and Uniquely Nelson did not have the expertise to be involved. She highlighted that several shops were vacant because they did not meet the building code.

In response to a question, Ms Madigan provide detail on the bonus radio airtime included in the Profit and Loss Forecast. She explained the business plan had been written in February 2015.

In response to a question, Ms Madigan explained that a system involving paid membership would result in valuable time and resource spent chasing up fees. She suggested a targeted rate could be used if this was linked to the inner city differential rate.

Concern was raised that the Memorandum of Understanding did not contain reference to leveraging value from events and tourism. Ms Madigan said she supported work on events and tourism, and it was agreed this would be added.

Attendance: The meeting adjourned from 10.17am to 10.44am.

Resolved GOV/2015/021

THAT the report Memorandum of Understanding for Uniquely Nelson 2015-16 (R4517) and its attachments (A1380525, A1380520 and A1380518) be received;

AND THAT minor alterations be made to the Memorandum of Understanding as discussed by the Governance Committee.

Noonan/McGurk

Carried

Recommendation to Council GOV/2015/022

THAT the amended Memorandum of Understanding between Uniquely Nelson and Nelson City Council (A1380525) is approved for signing.

Noonan/McGurk

Carried

REPORTS FROM COMMITTEES

11. Audit, Risk and Finance Subcommittee - 18 June 2015

Document number M1286, agenda pages 104 - 110 refer.

Mr John Peters summarised the Audit, Risk and Finance Subcommittee meeting held on 18 June 2015.

Resolved GOV/2015/023

THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 18 June 2015, be received.

Peters/McGurk

Carried

Attendance: Councillor Acland left the meeting at 10.50am.

12. Commercial Subcommittee - 18 June 2015

Document number M1288, agenda pages 111 – 115 refer.

Mr John Murray summarised the Commercial Subcommittee meeting held on 18 June 2015.

Resolved GOV/2015/024

THAT the unconfirmed minutes of a meeting of the Commercial Subcommittee, held on 18 June 2015, be received.

Murray/Noonan

Carried

13. Forestry Harvest on Dun Mountain Walkway

Document number R4539, late item memo M1335 refers.

The Chairperson advised that as a result of the extraordinary Commercial Subcommittee meeting on 9 July 2015, there was a public late item to be considered.

Concern was raised about the timeliness of the late item and the lack of awareness for the public.

Resolved GOV/2015/025

THAT the item regarding Forestry Harvest on Dun Mountain Walkway 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 a timely decision to be made.

Matheson/McGurk

Carried

Attendance: The meeting adjourned from 11.00am to 11.07am, during which time Councillor Acland returned to the meeting.

Acting Manager Operations, Marg Parfitt, presented the report.

Ms Parfitt explained the uncertainty surrounding the value of the forestry block due to market movements.

Ms Parfitt summarised the options available to Council if it didn't harvest the forestry block.

In response to concerns about traffic management, Ms Parfitt tabled a map of traffic movements (A1387677) which had been provided with the consent application. She said the same traffic movement methodology as the last major forestry harvest in The Brook would be used.

In response to a question, Ms Parfitt advised the logging trucks would not be going past the Brook Valley Motor Camp.

The Chief Executive, Clare Hadley, provided detail on the forestry management contract which would be publicly tendered near the end of 2017.

In response to questions about harvest timing, Ms Parfitt explained the fixed costs that applied to the forestry block. She said the focus was on the return on trees against the fixed costs of growing them.

Ms Parfitt explained the difficulty of trying to harvest the forestry block once the Brook Waimarama Sanctuary Fence was in place. She detailed the conditions applied to the non-notified resource consent.

In response to a question, Group Manager Corporate Services, Nikki Harrison said matters relating to the forestry block would not directly impact rates as it was a closed account. She added that changes may impact debt levels.

There was discussion on contingent liability if the Sanctuary fence was damaged.

It was noted that further forestry matters would be presented to the Commercial Subcommittee as part of the forestry review, and this would include consideration of the post-harvest use of the Dun Mountain Walkway site.

Concern was raised about logging trucks navigating the right turn from Westbrook Terrace into Seymour Street. Mrs Hadley confirmed there would be six logging trucks into the site and six logging trucks out, five days a week, for a period of 12-15 weeks.

It was questioned whether the logs could be sent over the Tantragee Saddle and up Maitai Valley Road.

In response to a question, Ms Parfitt advised that the contract with P F Olsen was for the administration and management of Council-owned forestry and was not site specific.

Environmental Reserves Supervisor, Lindsay Barber, advised that 30% of the forestry block was export grade, and the remainder would be used for various local needs.

Projects Adviser – Roading, Chris Porteners, explained that the success of the pest-proof Sanctuary fence was based on the pest eradication process that would occur over winter once the fence was constructed. He said if the fence had to be taken down, which would be a length of approximately 1.2km, the pest-eradication process would need to be repeated.

Concern was raised that more information was needed on the risk of delaying the harvest.

Attendance: The meeting adjourned from 12.02pm to 12.10pm.

Concern was raised that the community had not been engaged on this matter. Concern was also raised that the proposed harvesting time was not ideal weather wise.

It was agreed that the matter would be transferred to Council for its meeting on 23 July 2015, where further information would be presented.

Resolved GOV/2015/026

THAT the report Forestry Harvest on Dun Mountain Walkway (R4490) and its attachment (A1373078) be received;

AND THAT the Governance Committee transfer its delegations regarding the matter of the forestry harvest on Dun Mountain Walkway to the Council, for its meeting on 23 July 2015.

Matheson/McGurk

Carried

Attachments

- 1 A1387677 - Tabled Document - Traffic Management Map for Dun Mountain Trail Forestry Block Harvest

14. Exclusion of the Public

Resolved GOV/2015/027

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:

Peters/Noonan

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	Governance Committee Meeting - Public Excluded - 28 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)(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).
2	Appointment of Directors to Tourism Nelson Tasman Ltd and the Nelson Regional Economic Development Agency 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)(a) To protect the privacy of natural persons, including that of a deceased person

The meeting went into public excluded session at 12.15pm and resumed in public session at 12.37pm.

15. Re-admittance of the Public

Resolved GOV/2015/028

THAT the public be re-admitted to the meeting.

McGurk/Peters

Carried

There being no further business the meeting ended at 12.37pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of an extraordinary meeting of the Commercial Subcommittee

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

On Thursday 9 July 2015, commencing at 10.19am

Present: Councillor J Murray (Chairperson), Her Worship the Mayor R Reese, Councillors L Acland and G Noonan, and Mr J Peters

In Attendance: Councillors I Barker, P Matheson, B McGurk, and T Skinner, Chief Executive (C Hadley), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Manager Communications (P Shattock), Manager Administration (P Langley), Administration Adviser (S McLean), and Youth Councillors J Lankshear and E Thomas

Attendance: The meeting adjourned from 10.20am to 10.29am.

1. Apologies

There were no apologies.

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. Harvesting of the Dun Mountain Forestry Block

Document number R4536, agenda pages 4 - 5 refer.

Concerns were raised about the timeliness of this matter and why information had not been presented earlier.

The Chief Executive, Clare Hadley, said that advice from the management consultant had resulted in the matter coming to an

extraordinary Commercial Subcommittee meeting for timeliness. She highlighted that the Subcommittee had been recently established and Council officers were adjusting to timeframes around the new decision making process.

Mrs Hadley explained the other commitments that influenced the harvesting decision, largely the construction of the Brook Waimarama Sanctuary Fence in November 2015. She said the harvesting could not have been done earlier due to the Tasman Road upgrade.

Mrs Hadley pointed out that there would be a bigger impact on the community if the harvesting was done over summer, which was the busier time for users of the Dun Mountain Trail.

Mrs Hadley said if the matter was not considered at this meeting then a report would be delayed until the Council meeting in October 2015.

Resolved COM/2015/012

THAT the report *Harvesting of the Dun Mountain Forestry Block (R4536)* be received;

AND THAT the Commercial Subcommittee transfer its delegations regarding forestry to the Governance Committee, in respect of harvesting of the Dun Mountain forestry block.

Acland/Peters

Carried

There being no further business the meeting ended at 10.42am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of an extraordinary meeting of the Chief Executive Employment Committee

Held in Ruma Mārama, Level 2A, Civic House, 110 Trafalgar Street, Nelson

On Wednesday 15 July 2015, commencing at 2.04pm

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland and P Matheson (Deputy Mayor)

In Attendance: Chief Executive (C Hadley), Manager Human Resources (S Gully), Administration Adviser (S McLean), and External Adviser to the Chief Executive Employment Committee (P Bell)

1. Apologies

There were no apologies.

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. Exclusion of the Public

Resolved CEE/2015/008

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Paul Bell remain after the public has been excluded, for all items of the Public Excluded agenda, as he has knowledge that will assist the Committee;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Paul Bell possesses relates to the Chief Executive's performance, remuneration and development, which is relevant to the Chief Executive Employment Committee.

Her Worship the Mayor/Acland

Carried

Resolved CEE/2015/009

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

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

Her Worship the Mayor/Acland

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	Proposed Performance Agreement Chief Executive Nelson City Council Plan Year 2015/2016	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person

The meeting went into public excluded session at 2.05pm and resumed in public session at 3.11pm.

6. Re-admittance of the Public

Resolved CEE/2015/010

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Acland

Carried

There being no further business the meeting ended at 3.11pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Unconfirmed