



AGENDA

Ordinary meeting of the

Nelson City Council

Thursday 15 October 2015

Commencing at 9.00am

Council Chamber

Civic House

110 Trafalgar Street, Nelson

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

Opening Prayer**1. Apologies**

Nil

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

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

4. Public Forum

4.1 Cynthia McConville from Nelson Walkers

Ms McConville will speak on policy and guidelines about shared pathways.

4.2 Lindsay Wood

Mr Wood will be speaking on the ship to ship transfer of petroleum products.

5. Confirmation of Minutes

5.1 3 September 2015

20 - 35

Document number M1438

Recommendation

***THAT the minutes of the meeting of the Council,
held on 3 September 2015, be confirmed as a
true and correct record.***

5.2 15 September 2015

36 - 38

Document number M1473

Recommendation

THAT the minutes of the meeting of the Council, held on 15 September 2015, be confirmed as a true and correct record.

6. Status Report - Council - 15 October 2015 39 - 47

Document number R4962

Recommendation

THAT the Status Report Council 15 October 2015 (R4962) and its attachment (A1168168) be received.

7. Ship to Ship Transfer of Fuels 48 - 68

Document number R4350

Recommendation

THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be received.

Recommendation to Council

THAT the Nelson City Council informs Maritime New Zealand that in the absence of specific details on ship to ship transfer of fuels operations the Council either:

(a) Conditionally supports the ship to ship transfer of fuels in our territorial waters provided the operations are conducted in accordance with conditions and criteria determined by Maritime New Zealand and the harbourmaster; or

(b) Opposes the ship to ship transfer of fuels in our territorial waters.

8. Addendum to Ship to Ship Transfer of Fuels report 69 - 71

Document number R4965

9. Mayor's Report 72 - 75

Document number R4971

Recommendation

THAT the Mayor's Report (R4971) and its attachment (A1416802) be received;

AND THAT the Stoke Redevelopment Working Party terms of reference (A1416802) be received.

10. Adoption of the Brook Recreation Reserve Management Plan 76 - 83

Document number R4142

Recommendation

THAT the report Adoption of the Brook Recreation Reserve Management Plan (R4142) and its attachments (A1436078 and A1438749) be received;

AND THAT the Brook Recreation Reserve Management Plan, as amended by the Hearing Panel following consideration of submissions, be adopted in principle;

AND THAT the Chief Executive be delegated authority to proceed to stop the following two sections of formed legal road as shown on plan (A1438749);

AND THAT the Chief Executive be delegated authority to Gazette the entire area covered by the Brook Recreation Reserve Management Plan, as shown on plan (A1438749), as a Local Purpose Reserve (Recreation); and the road reserve which extends into the Sanctuary lease area as Local Purpose Reserve (Wildlife Sanctuary);

AND THAT, once the Gazettal process is complete, a report be brought back to Council to enable the Brook Recreation Reserve Management Plan to take effect;

AND THAT Officers prepare a Comprehensive Development Plan for the area covered by the Brook Recreation Reserve Management Plan.

11. Active Travel and Pathway Based Recreation Policy 84 - 109

Document number R4694

Recommendation

THAT the report Active Travel and Pathway Based Recreation Policy (R4694) and its attachments (A1427375, A1439527, A1439552) be received;

AND THAT the Active Travel and Pathway Based Recreation Policy (A1427375) be adopted in principle.

12. Adoption of Annual Report 2014/15 110 - 113

Document number R4764

Recommendation

THAT the report Adoption of Annual Report 2014/15 (R4764) and its attachment (A1396738) be received;

AND THAT the Annual Report for the year ended 30 June 2015 (A1396738) be adopted in accordance with s98 of the Local Government Act 2002;

AND THAT the Mayor and Chief Executive be delegated the authority to make minor changes, including the addition of the Foreword to the Annual Report 2014-15, and any suggested changes by Audit New Zealand.

13. Events Strategy Review: Terms of Reference 114 - 126

Document number R4916

Recommendation

THAT the report Events Strategy Review: Terms of Reference (R4916) and its attachment (A1413546) be received;

AND THAT the draft Terms of Reference (A1413546) for the review of the Events Strategy be approved;

AND THAT the Mayor and Chief Executive be delegated to make any minor editorial changes as required before the Terms of Reference are released.

14. Trafalgar Centre Northern Building - Concept Plans

127 - 137

Document number R4951

Recommendation

THAT the report Trafalgar Centre Northern Building - Concept Plans (R4951) and its attachments (A1439311 and A1439312) be received;

AND THAT the Northern Building Concept Plans as outlined be approved;

AND THAT the Northern Building work package be subject to detailed design, scheduling and pricing including a due diligence process to determine a total out-turn cost;

AND THAT the approval process be followed for the total out-turn cost as resolved by Council 3 September 2015.

15. Administrative Matters

138 - 145

Document number R4898

Recommendation

THAT the report Administrative Matters (R4898) and its attachments (A1400594, A1431584 and A1431605) be received;

AND THAT the Elected Member's Code of Conduct be amended to include the Procedure for Leave of Absence (A1400594);

AND THAT Schedule Five – Other Organisations (A1431584) be updated in the Delegations Register to formalise Councillor Davy’s role as a representative at the Accessibility for All organisation;

AND THAT Schedule Six – Appointed Champions (A1431605) be included in the Delegations Register.

REPORTS FROM COMMITTEES

16. Nelson Regional Sewerage Business Unit - 19 June 2015 146 - 150

Document number M1293

Recommendation

THAT the confirmed minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 19 June 2015, be received.

17. Joint Shareholders Committee - 2 September 2015 151 - 156

Document number M1427

Recommendation

THAT the unconfirmed minutes of a meeting of the Joint Shareholders Committee, held on 2 September 2015, be received.

18. Civil Defence Emergency Management Group - 2 September 2015 157 - 158

Document number M1429

Recommendation

THAT the unconfirmed minutes of a meeting of the Civil Defence Emergency Management Group, held on 2 September 2015, be received.

**19. Works and Infrastructure Committee - 10
September 2015**

159 - 166

Document number M1457

Recommendation

THAT the unconfirmed minutes of a meeting of the Works and Infrastructure Committee, held on 10 September 2015, be received.

19.1 Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025

Recommendation to Council

THAT the Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025 (A824126, A824068 and A824368), amended to reflect the approved Long Term Plan 2015- 2025, be adopted.

Note: the Asset Management Plans can be found on the Google Drive for Councillors and are available on request from an Administration Adviser.

19.2 Solid Waste: Acceptance of Contaminated Soil from Sites on the Hazardous Activities and Industries List (HAIL)

Recommendation to Council

THAT Council approve the development of a consent practice note that will allow the receiving of up to 25m³ soil (at the York Valley landfill) from a HAIL site (to align with the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health - NESCS), subject to bulk testing at the landfill at current landfill charges;

AND THAT the following concessions for soil from HAIL residential sites be approved (subject to compliance with current York Valley landfill resource consent criteria):

- 40% discount of the applicable landfill charge where the soil has been tested, meets the NESCS recreation standards and can be used as construction/cover material;**

- **15% discount of the applicable landfill charge where the soil has been tested, does not meet the NESCS recreation standards and cannot be used as construction/cover material;**

AND THAT the following volume concessions for soil from HAIL commercial sites be approved (subject to compliance with current York Valley landfill resource consent criteria), irrespective of whether the material can be used as construction/cover material:

- **0-10,000m³ - 10% discount of the applicable landfill charge;**
- **>10,000m³ – 15% discount of the applicable landfill charge.**

20. Chief Executive Employment Committee - 14 September 2015 167 - 170

Document number M1471

Recommendation

THAT the unconfirmed minutes of a meeting of the Chief Executive Employment Committee, held on 14 September 2015, be received.

21. Planning and Regulatory Committee - 17 September 2015 171 - 178

Document number M1476

Recommendation

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 17 September 2015, be received.

21.1 Nelson Port and Harbour Marine Safety Code

Recommendation to Council

THAT the Council adopts the Nelson Port and Harbour Marine Safety Code (A1418392) dated August 2015.

21.2 Building and Other Regulatory Activity Management Plan
2015-2025

Recommendation to Council

THAT the Building and Other Regulatory Activity Management Plan 2015-2025 (A1150957), amended to reflect the Long Term Plan 2015-2025, be adopted.

Note: the Activity Management Plan can be found on the Google Drive for Councillors and are available on request from an Administration Adviser.

21.3 Environment Activity Management Plan 2015-2025

Recommendation to Council

THAT the Environment Activity Management Plan 2015-2025 (A1243203), amended to reflect the Long Term Plan 2015-25, be adopted.

Note: the Activity Management Plan can be found on the Google Drive for Councillors and are available on request from an Administration Adviser.

**22. Community Services Committee - 24 September
2015**

179 - 189

Document number M1496

Recommendation

THAT the unconfirmed minutes of a meeting of the Community Services Committee, held on 24 September 2015, be received.

22.1 Arts Activity Management Plan 2015-25

Recommendation to Council

THAT the Arts Activity Management Plan 2015-2025 (A1126659), amended to reflect the Long Term Plan 2015-25, be adopted.

Note: the Activity Management Plan can be found on the Google Drive for Councillors and are available on request from an Administration Adviser.

22.2 Community Investment Funding Panel Terms of Reference

Recommendation to Council

THAT the Community Investment Funding Panel Terms of Reference (A1381696) are adopted and four community representatives are appointed to the membership of the Panel from September 2015 to June 2017 to incorporate the 2015/16 and 2016/17 financial years;

AND THAT the delegations register is updated in accordance with document A1426782 to incorporate the Community Investment Funding Panel and amend the name of the fund and delegated role of the Community Services Committee;

AND THAT the Community Assistance Policy is amended to reflect the changes in membership of the Community Investment Funding Panel as proposed in document A1427107.

22.3 Broadgreen House - Change Proposal

Recommendation to Council

THAT Broadgreen House operate over winter with reduced opening hours of 11am-3pm and return to full opening hours, 10.30am-4.30pm, from 1 October to 31 May;

AND THAT Broadgreen Society take responsibility for providing volunteer guides necessary to enable Broadgreen House to remain open over winter;

AND THAT Council agrees in principle that all revenue from house entrance fees and souvenir sales be retained by Council and used to fund heritage promotions, exhibitions and other activities;

AND THAT staff negotiate a new Areas of Financial Responsibility agreement with Broadgreen Society to reflect Council decisions.

23. Governance Committee - 1 October 2015

190 - 196

Document number M1503

Recommendation

THAT the unconfirmed minutes of a meeting of the Governance Committee, held on 1 October 2015, be received.

23.1 Service Level Reviews Under Section 17A Local Government Act

Recommendation to Council

THAT approval is given for officers to prepare scope of work and resourcing needed for service level review to comply with the requirements of Section 17A of the Local Government Act 2002;

AND THAT officers prepare a draft criteria of factors to be considered to determine if a service level review of an activity or contract is to be implemented;

AND THAT these matters are reported back to the Governance Committee;

AND THAT the Governance Committee maintains oversight of service level reviews.

23.2 Carry Forwards from 2014/15 Item from Audit, Risk and Finance Subcommittee meeting - 10/09/2015

Recommendation to Council

THAT \$4,233,000 of unspent capital budget from 2014/15 be carried forward for use in 2015/16;

AND THAT \$403,000 of capital spent in 2014/15 be offset against 2015/16 budgets;

AND THAT an amount of \$107,000 operating budget be carried forward for use in 2015/16.

- 23.3 Draft Internal Audit Charter
Item from Audit, Risk and Finance Subcommittee meeting - 10/09/2015

Recommendation to Council

THAT the Draft Internal Audit Charter (A1395134) as amended as per the Audit, Risk and Finance Subcommittee minutes 10 September 2015 be approved.

Public Excluded Business

24. Exclusion of the Public

Recommendation

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

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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Public Excluded Minutes - 3 September 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).• Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.• Section 7(2)(h) 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)
			<p>authority to carry out, without prejudice or disadvantage, commercial activities.</p> <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.
2	Status Report - Council - 15 October 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)(a) To protect the privacy of natural persons, including that of a deceased person 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)
3	Relocation of Rutherford Park community groups	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	Expression of Interest - Rugby League World Cup	<p>Section 48(1)(a)</p> <p>The public conduct</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(b)(ii)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	2017	of this matter would be likely to result in disclosure of information for which good reason exists under section 7	<p>To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
5	<p>Administrative Matters</p> <p>This report contains information relating to:</p> <ul style="list-style-type: none"> • Leave of absence request • Joint regional landfill • Impact of high court decision • Authority for unbudgeted expenditure 	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
6	Supplementary Information to Report R4188 - Akersten Street Land Purchase	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)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
7	Joint Shareholders Committee Meeting Minutes - Public Excluded - 2 September 2015 These minutes contain no recommendations to Council	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)(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).
8	Works and Infrastructure Committee Meeting Minutes - Public Excluded - 10 September 2015	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for	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.

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	These minutes contain no recommendations to Council	which good reason exists under section 7.	<ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). • Section 7(2)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.
9	Chief Executive Employment Committee Meeting Minutes - Public Excluded - 14 September 2015 These minutes contain a recommendation regarding the Performance Agreement with Chief Executive 2015/16	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.
10	Community Services Committee Meeting Minutes - Public Excluded - 24 September 2015 These minutes contain recommendations regarding:	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). • Section 7(2)(b)(i) To protect information where the making

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	<ul style="list-style-type: none"> Community Housing Management Contract Saxton Oval Electricity Upgrade 		<p>available of the information would disclose a trade secret.</p> <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
11	<p>Governance Committee Meeting Minutes - Public Excluded - 1 October 2015</p> <p>These minutes contain recommendations regarding:</p> <ul style="list-style-type: none"> Akersten Street Land Purchase - Landings Holding Limited City of Nelson Civic Trust - New Trustee Bishop Suter Trust - Trustee rotation and remuneration Economic Development Services Contract with Tasman District Council Property Asset Review - 3 Precincts Workshop 	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.

25. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note:

- **This meeting is expected to continue beyond lunchtime.**
- **Lunch will be provided at 12.30pm.**

Minutes of a meeting of the Nelson City Council

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

On Thursday 3 September 2015, commencing at 9.02am

Present: Her Worship the Mayor R Reese (Chairperson), Councillors L Acland, I Barker, R Copeland, E Davy, 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), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Administration (P Langley), and Administration Adviser (G Brown)

Apology: Councillor K Fulton

Opening Prayer

Councillor Davy gave the opening prayer.

1. Apology

Resolved CL/2015/040

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

Her Worship the Mayor/Copeland

Carried

2. Confirmation of Order of Business

Her Worship the Mayor advised that she would be leaving the meeting at 10.00am and that Councillor Matheson would assume the Chair in her absence.

Her Worship the Mayor added that items would be reordered in her absence with minutes being considered first.

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 Lindsay Wood - Information Gap on Climate Change and Fossil Fuels

Lindsay Wood spoke about the information gap on climate change and fossil fuels and referred to a tabled document (A1417841).

Attachments

- 1 A1417841 - Tabled Document - Lindsay Wood Climate Change

5. Trafalgar Centre Reopening

Document number R4749, agenda pages 97 - 107 refer.

Consulting Engineer, Mr Richard Kirby, presented the report.

Mr Kirby referred to the tabled document A1421326, which highlighted changes to the Officer's report.

In response to a question, Mr Kirby advised that the Rutherford Park development was not included in this report, and that the design would come back to Council in November 2016.

In response to a further question, Mr Kirby explained the term 'uplift' referred to costs such as physical and preliminary costs, oversight of projects and subcontractors.

Mr Kirby advised that ground movement after an earthquake could be significant and these movements had been considered as part of the ground work.

Attendance: Councillor Matheson left the meeting from 9.31am to 9.33am.

In response to a question, Mr Kirby clarified that the Rutherford Park development would be from a separate budget.

Councillor Matheson, seconded by Councillor Copeland, moved the recommendation in the Officer's report.

It was discussed that delegated authority should be extended and that capital expenditure did not include Rutherford Park.

With the agreement of the mover and seconder clauses 5 and 6 were expanded on.

Attendance: The meeting adjourned at 9.50am until 9.51am.

A division was called:

Councillor Acland	Aye
Councillor Barker	Aye
Councillor Copeland	Aye
Councillor Davy	Aye
Councillor Fulton	Apology
Councillor Lawrey	Aye
Councillor Matheson	Aye
Councillor McGurk	Aye
Councillor Noonan	Aye
Councillor Rainey	Aye
Councillor Skinner	Aye
Councillor Ward	Aye
Her Worship the Mayor	Aye

The motion was carried, 12-0.

Resolved CL/2015/042

THAT the report Trafalgar Centre Reopening (R4749) be received;

AND THAT Gibbons Construction Ltd be contracted to undertake the physical works associated with the reopening of the Trafalgar Centre and the development of Rutherford Park;

AND THAT the scope of work contained within the Trafalgar Centre Reopening Project and the Rutherford Park Development be grouped into five packages:

Compliance works and ground improvement;

Southern extension;

Main building, infrastructure/external works and maintenance items;

Northern building;

Rutherford Park;

AND THAT each package be subject to detailed

design, scheduling and pricing with due diligence to determine a total out-turn cost for that package;

AND THAT the total budget for the refurbishment of the Trafalgar Centre (noting this does not include capital expenditure for Rutherford Park) be approved at \$12.289M in the 2015/16 year;

AND THAT the Chief Executive, Her Worship the Mayor, Chair of Community Services and Chair of Works and Infrastructure (or their Deputies) be given delegated authority to approve the total out-turn cost for each package provided it is equal to or below the relevant July 2015 estimate for that package.

Matheson/Copeland

Carried

Attachments

- 1 A1421326 - Tabled Document - Update to Trafalgar Centre Reopening Report

Attendance: Her Worship the Mayor left the meeting at 9.52am, at which time the Deputy Mayor assumed the Chair.

6. Confirmation of Order of Business (Cont.)

6.1 Economic Development Services Transition Group

The Deputy Mayor advised of one late item for the public excluded part of the meeting, and that the following resolution needed to be passed for the item to be considered:

Resolved CL/2015/043

THAT the public excluded item regarding Economic Development Services Transition Group 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/Davy

Carried

7. Administrative Matters

Document number R4509, agenda pages 42 - 63 refer.

Manager Administration, Penny Langley, presented the report.

In response to a question, Ms Langley clarified that the Long Term Plan 2015-25 resolutions would need to be tracked through the Council meeting and not the relevant committee.

It was discussed the meeting attendance did not fairly represent the hours that were required from Councillors, as workshops were not recorded.

Resolved CL/2015/044

THAT the report Administrative Matters (R4509) and its attachments (A1409925, A1103850, A1401600, A1402955, A1363844 and A1294879) be received;

AND THAT the amendments to Standing Orders in terms of joint committees and live video-streaming of meetings, as detailed in Attachment 6 (A1294879), be approved;

AND THAT the leave of absence requested by Councillor Davy, from 14 January 2016 to 14 February 2016 inclusive, be granted;

AND THAT the Schedule of Documents Sealed (A1363844) be received and the approval of the fixing of the seal be confirmed in relation to those documents and the warrants of appointment detailed in that schedule.

Davy/Skinner

Carried

8. Nelson School of Music (NSOM) Redevelopment - Project Governance

Document number R4528, agenda pages 64 - 67 refer.

Group Manager Community Services, Chris Ward, presented the report.

Resolved CL/2015/045

THAT the report Nelson School of Music (NSOM) Redevelopment - Project Governance (R4528) be received;

AND THAT whilst the project is owned by the Nelson School of Music, a Project Governance Committee be established, to recognise Council's considerable investment;

AND THAT whilst the Project Governance Committee is a joint committee of Council and Nelson School of Music Board members, accountability is clearly understood to lie with the Nelson School of Music;

AND THAT the membership be Roger Taylor, Chair, and Mark Christensen on behalf of the Nelson School of Music Board, and the Group Manager Infrastructure (or his nominee) and the Group Manager Corporate Services (or her nominee);

AND THAT Council's contribution to the building is capped at 50%, to a maximum of \$3 million, noting that the initial kick-start of \$150,000 for project management is in addition to this.

Davy/Ward

Carried

9. Development and Financial Contributions Policy 2015 - Dissemination of Information to the Development Community

Document number R4691, agenda pages 81 - 85 refer.

Senior Strategic Adviser, Nicky McDonald, presented the report.

Ms McDonald clarified that the names which had an asterix next to them reflected that they had made a submission to the Long Term Plan 2015-25.

Resolved CL/2015/046

THAT the report Development and Financial Contributions Policy 2015 - Dissemination of Information to the Development Community (R4691) and its attachment (A1410906) be received;

AND THAT it be noted that information about the Policy has been disseminated to the development community and, given the positive feedback received, that no amendments to the Policy are proposed.

Barker/Rainey

Carried

10. Nelson Regional Sewerage Business Unit - Memorandum of Understanding

Document number R4743, agenda pages 86 - 96 refer.

The Chief Executive, Clare Hadley, presented the report.

Mrs Hadley advised that both Tasman District Council (TDC) and Nelson City Council collectively nominated an independent person to the business unit.

Mrs Hadley highlighted the change in quorum requirements in that one member from each Council was required.

In response to a question, Mrs Hadley confirmed that TDC would be considering this report also.

Resolved CL/2015/047

THAT the report Nelson Regional Sewerage Business Unit - Memorandum of Understanding (R4743) and its attachment (A1408609) be received;

AND THAT Council enters into the agreement with Tasman District Council (A1408609) that is attached to this report for the purpose of appointing a joint committee;

AND THAT Council constitutes the joint committee to be known as the Nelson Regional Sewerage Business Unit joint committee with Tasman District Council;

AND THAT Council appoints Councillor Copeland and Mr Derek Shaw as its members;

AND THAT Council agrees to the non-voting representative members being M Hippolite (Iwi) and P Wilson (Industry Customers);

AND THAT Council authorises the Chief Executive to update the Council's Delegations Manual and Local Governance Statement to give effect to the agreement.

Matheson/Davy

Carried

Attendance: The meeting adjourned for morning tea at 10.16am until 10.30am.

11. Confirmation of Minutes

11.1 23 July 2015

Document number M1366, agenda pages 13 - 30 refer.

Resolved CL/2015/048

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

Davy/Noonan

Carried

12. Status Report - Council - 3 September 2015

Document number R4762, agenda pages 31 - 40 refer.

Resolved CL/2015/049

THAT the Status Report Council 3 September 2015 (R4762) and its attachment (A1168168) be received.

Rainey/Copeland

Carried

13. Joint Shareholders Committee - 24 July 2015

Document number M1369, agenda pages 108 - 111 refer.

Resolved CL/2015/050

THAT the unconfirmed minutes of an extraordinary meeting of the Joint Shareholders Committee, held on 24 July 2015, be received.

McGurk/Davy

Carried

14. Works and Infrastructure Committee - 30 July 2015

Document number M1375, agenda pages 112 - 117 refer.

Resolved CL/2015/051

THAT the unconfirmed minutes of a meeting of the Works and Infrastructure Committee, held on 30 July 2015, be received.

Davy/Skinner

Carried

15. Planning and Regulatory Committee - 6 August 2015

Document number M1394, agenda pages 118 - 126 refer.

Resolved CL/2015/052

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 6 August 2015, be received.

McGurk/Davy

Carried

15.1 Local Approved Products Policy (LAPP) Deliberations Report

Resolved CL/2015/053

THAT the Local Approved Products Policy (A375469) be adopted.

McGurk/Rainey

Carried

15.2 Nelson Plan Update August 2015

Resolved CL/2015/054

THAT the review of the Nelson Resource Management Plan, Nelson Air Quality Plan and Regional Policy Statement hereafter be referred to as the draft Whakamahere Whakatu Nelson Plan.

McGurk/Davy

Carried

16. Community Services Committee - 13 August 2015

Document number M1402, agenda pages 127 - 133 refer.

Resolved CL/2015/055

THAT the unconfirmed minutes of a meeting of the Community Services Committee, held on 13 August 2015, be received.

Rainey/Noonan

Carried

17. Governance Committee - 20 August 2015

Document number M1409, agenda pages 134 - 139 refer.

Resolved CL/2015/056

THAT the unconfirmed minutes of a meeting of the Governance Committee, held on 20 August 2015, be received.

Barker/Acland

Carried

17.1 Tourism Nelson Tasman Limited Statement of Intent 2015/16

Resolved CL/2015/057

THAT the Tourism Nelson Tasman Limited Statement of Intent 2015/16 (A1389798) be approved for signing.

Barker/Ward

Carried

- 17.2 Update on charging interest on general debtors
Item from Audit, Risk and Finance Subcommittee meeting - 30/07/2015

Resolved CL/2015/058

THAT the Draft Debt Management Policy (A1353429) be approved.

Barker/McGurk

Carried

18. Exclusion of the Public

Resolved CL/2015/059

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:

Copeland/McGurk

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Public Excluded Minutes - 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)(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)(i) To enable the local authority to carry on, without prejudice or

			<p>disadvantage, negotiations (including commercial and industrial negotiations).</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.
2	<p>Extraordinary Joint Shareholders Committee Meeting - Public Excluded Minutes - 24 July 2015</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.
3	<p>Works and Infrastructure Committee Meeting - Public Excluded Minutes - 30 July 2015</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
4	<p>Community Services Committee Meeting - Public Excluded Minutes - 13 August 2015</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

5	<p>Governance Committee Meeting - Public Excluded Minutes - 20 August 2015</p> <p>These minutes contain information regarding:</p> <p>Burrell Park Building Purchase</p> <p>Nelson Directors' Fees 2015</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person. • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
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The meeting went into public excluded session at 10.48am and resumed in public session at 11.07am. During this time Councillor Skinner left the meeting.

19. Re-admittance of the Public

Resolved CL/2015/060

THAT the public be re-admitted to the meeting.

Matheson/Ward

Carried

Attendance: The meeting adjourned at 11.10am until 11.14am. During this time Her Worship the Mayor returned to the meeting and assumed the Chair.

20. Mayor's Report

Document number R4766, agenda pages 41 - 41 refer.

There was a discussion regarding climate change and how airlines were contributing to it.

Attendance: Councillor Lawrey left the meeting at 11.26am.

Her Worship the Mayor said that all corporations needed to consider climate change and that airlines were aware of the issue and focussing on becoming more fuel efficient.

Attendance: Councillor Lawrey returned to the meeting at 11.28am.

Her Worship the Mayor advised councillors of the proposed forestry workshop on Tuesday 15 September.

Councillors discussed the upcoming China week and noted it was important to attend events.

Resolved CL/2015/061

THAT the Mayor's Report (R4766) be received.

Her Worship the Mayor/Matheson

Carried

21. Governance Committee – 20 August 2015 (Cont.)

21.1 Capital Projects 2014/15

Item from Audit, Risk and Finance Subcommittee meeting – 30/07/2015

Resolved CL/2015/062

THAT Council approves continuing work on 2014/15 capital projects within the 2014/15 approved budgets, noting a report on carry forwards will come to the Audit, Risk and Finance Subcommittee meeting on 10 September 2015.

Barker/McGurk

Carried

22. Urban Environments Bylaw 2015 - Sandwich Boards Final Decision

Document number R4562, agenda pages 68 - 80 refer.

It was noted that councillors needed clarification on the term 'status quo' as different interpretations existed.

Resolved CL/2015/063

THAT the report Urban Environments Bylaw 2015 - Sandwich Boards Final Decision (R4562) and its attachments (A1403472 and A1410899) be received;

AND THAT the Sandwich Board provisions of the Urban Environments Bylaw 2015 be adopted to include the current wording contained in the June 2015 Urban Environments Bylaw (A1334602) (i.e. by the shop for street level businesses and the kerb for upstairs businesses).

McGurk/Barker

Carried

23. Exclusion of the Public

Resolved CL/2015/064

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/Skinner

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	Status Report - Council - 3 September 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)
2	Coastal View Lifestyle Village Road Stopping	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 • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Economic Development Services Transition Group	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)
		likely to result in disclosure of information for which good reason exists under section 7	of natural persons, including that of a deceased person
4	<p>Extraordinary Chief Executive Employment Committee Meeting - Public Excluded Minutes - 15 July 2015</p> <p>These minutes contain information regarding:</p> <p>The proposed performance agreement Chief Executive 2015/16</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.
5	<p>Governance Committee Meeting - Public Excluded Minutes - 20 August 2015</p> <p>These minutes contain information regarding:</p> <p>Review of Economic Development Services – next steps</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person. Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

The meeting went into public excluded session at 11.38am and resumed in public session at 2.13pm.

21. Re-admittance of the Public

Resolved CL/2015/065

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Barker

Carried

There being no further business the meeting ended at 2.13pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Nelson City Council

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

On Tuesday 15 September 2015, commencing at 9.02am

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), Manager Administration (P Langley), and Administration Advisers (L Canton and S McLean)

Opening Prayer

Councillor Davy gave the opening prayer.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Her Worship the Mayor tabled a potential late submission for councillors to consider (memo A1426925, submission A1426845).

Councillor Skinner moved, seconded by Councillor Noonan:

THAT the email from Moira Bauer (A1426845) be received as a late submission to the Proposed Representation Arrangements 2016-2019.

Councillors spoke for and against receiving the late submission

Attendance: Councillor Rainey joined the meeting at 9.07am. The meeting adjourned from 9.09am to 9.10am.

It was noted the comments from Ms Bauer did not directly speak to the matter of proposed representation, and were received very late in the process.

The motion was put and lost.

Attachments

- 1 A1426845 - M Bauer Comments on Proposed Representation Arrangements 14Sep2015
- 2 A1426925 - Memo - late submission - proposed representation arrangements 2016-2019

3. Interests

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

4. Deliberation on Submissions to the Proposed Representation Arrangements 2016-2019

Document number A1393937, agenda pages 3 - 11 refer.

Manager Administration, Penny Langley, and Administration Adviser, Linda Canton, presented the report.

Her Worship the Mayor highlighted that officers were proposing to consider both the deliberations and the adoption of a final proposal in the recommendation. Ms Langley confirmed that if the adoption was resolved at the meeting, then the Council meeting set for 1 October was no longer required.

Councillor Davy moved, seconded by Councillor Skinner, the recommendation in the officer's report.

There was general agreement that the scale of Nelson did not warrant a different representation arrangement. It was pointed out that Nelson City councillors did their best to be accessible to the community, and Council would continue to aim at maximising engagement with the community. It was also highlighted that a community board was not required to make changes within individual areas of the district.

Resolved CL/2015/065

THAT the report Deliberation on Submissions to the Proposed Representation Arrangements 2016-2019 (A1416714) and its attachments (A1393937 and A1376423) be received;

AND THAT having considered both of the submissions to its initial representation proposal for 2016 and 2019, Council rejects the objections raised for the following reasons:

- ***Populations in the areas suggested for wards do not meet the fair representation threshold for a ward;***

- ***There is insufficient evidence to suggest the Whangamoa area is a community of interest distinct from the rest of the district;***

AND THAT Council adopts its initial representation proposal for the 2016 and 2019 local elections as the Council's final proposal for public notification.

Davy/Skinner

Carried

There being no further business the meeting ended at 9.34am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

REPORT R4962

Status Report - Council - 15 October 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 15 October 2015 (R4962) and its attachment (A1168168) be received.

Gayle Brown
Administration Adviser

Attachments

Attachment 1: A1168168 - Status Report - Council - October 2015

All Actions

Status Report – Council – 15 October 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
02 April 2013	Nelson Gondola and Adventure Park: Feasibility Study	<p>THAT 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; undertaking to provide Council with the results of the feasibility study by 31 December 2013;</p> <p>AND THAT 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>In the Consultation Document for the Long Term Plan, Council stated that it supports, in principle, the development of the gondola lift development. Council's decision on the Brook Recreation Reserve Management Plan is on this agenda. Next steps will be with the Society.</p> <p>Complete</p>
11 December 2014	Solid Waste: Regional Landfill Implementation	<p>AND THAT the binding deed be brought back to Council before signing for ratification;</p> <p>AND THAT in line with the 20 November 2014 resolution, further work be undertaken in 2015 to determine whether the effectiveness and efficiency of solid waste management activities can be improved across the two districts, and if so to undertake a more fundamental review of the activities;</p>	Alec Louverdis	<p>Council Officers, the Mayor and Councillor Acland continue to work with TDC to progress toward signing the Regional Landfill deed.</p> <p>Deloitte have been commissioned to undertake further work. An update on a meeting planned at the time of this agenda will be given in public excluded.</p> <p>Ongoing</p>
19 March 2015	Acquisition of Land for the Maitai/Mahitahi Walkway	<p>THAT 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>AND THAT Council, by resolution, declares the land to be</p>	Michael Homan	<p>No objections to the s23 Notice of Intention to Take. Documents have been received. Documents will now be prepared for signing by the Chief Executive.</p> <p>Ongoing</p>

Status Report – Council – 15 October 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		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.		
30 April 2015	Rutherford Park Upgrade - Roading and Carparking	<p>AND THAT approval be given to initiate detailed design and consenting work for the roading and carpark components of the Concept Plan April 2015, with the intention of completing the detailed design and the physical works concurrently with the Trafalgar Centre Project as part of the Early Contractor Involvement process;</p>	Andrew Petheram	<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 feedback from the August and September Trafalgar Centre workshops will be considered in the final design.</p> <p>A further report on Trafalgar Centre matters is on this agenda.</p> <p>Ongoing</p>
20 May 2015	Cycling	<p>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;</p> <p>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;</p> <p>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;</p>	Alec Louverdis	<p>A Councillor Workshop was held on 7 July 2015 to discuss cycling and its impact on other users. A second workshop was held with stakeholders/partners late July 2015. The feedback and principles developed at these workshops will be reported back to Council in October 2015. This will inform a programme of work to be reported to a Works and Infrastructure Committee in November 2015.</p> <p>A report on the Active Travel and Pathway Based Recreation Policy is on this agenda.</p> <p>Clause 1, 2, 3, 4 Complete Clause 5 Ongoing</p>

All Actions

Status Report – Council – 15 October 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p>AND THAT a programme of work from that engagement be reported back to Council by November 2015;</p> <p>AND THAT after feedback from the workshop, off road cycling stakeholders 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.</p>		
20 May 2015	Maitai Walkway	<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>	Alec Louverdis	<p>Funding allocated to this project has been requested to be carried forward from the 14/15 financial year into the current 15/16 financial year.</p> <p>This project will then be reviewed after the Council decision on the Active Travel and Pathway Based Recreation Policy on this agenda.</p> <p>Ongoing</p>
20 May 2015	HAIL Material	<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>Works and Infrastructure Committee approved a charging regime for HAIL material at their 10 September 2015. Recommendation from the Works and Infrastructure Committee is on this agenda.</p> <p>Complete</p>
20 May 2015	Community Assistance	<p>THAT 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>	Shanine Hermesen	<p>The meeting with other funding and social agencies was held on 18 September. A meeting is being organised for staff at operational level to feedback to this group. Community</p>

Status Report – Council – 15 October 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p>AND THAT Council recognise its role in community assistance is in setting the purpose, process and a financial contribution;</p> <p>AND THAT 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>AND THAT 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>AND THAT of the \$300,000 allocation a maximum sum of \$50,000 be set aside as funding for small scale projects.</p>		<p>representatives for the Community Investment Funding panel have been selected and meet on October 23 to allocate funding, the application round for agreements and grants has now closed.</p> <p>Complete</p>
20 May 2015	Nelson Arts Festival	<p>THAT 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>Report on Council agenda for 15 October.</p> <p>Complete</p>
20 May 2015	Light Nelson	<p>THAT 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>	Shanine Hermesen	<p>Funding agreement has been drafted and is being looked at by Legal Adviser. This will include a reporting mechanism for project performance.</p> <p>Complete</p>

All Actions

Status Report – Council – 15 October 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		AND THAT the Light Nelson organisers be asked to keep the Chief Executive informed of project performance.		
		<p>THAT in principle Council resolve to give effect to the Rutherford Park concept development plan;</p> <p>AND THAT Community Art Works and Smallbore Rifle Club be advised of the need to vacate their buildings by the end of 2015;</p> <p>AND THAT 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>AND THAT Council officers be asked to provide limited assistance (if sought) to the tenants to find alternative accommodation outside of Rutherford Park;</p> <p>AND THAT 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>		<p>Negotiations with all three groups (Highland Pipe Band, Community Arts and Smallbore Rifle) are ongoing.</p> <p>Report on this matter is on the public excluded agenda.</p> <p>Complete</p>
20 May 2015	Rutherford Park Redevelopment		Alec Louverdis	
		<p>THAT \$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;</p> <p>AND THAT the Marina Strategy be delivered by February 2016.</p>		<p>The Marina terms of reference have been approved and the tender for professional services awarded. A workshop is being arranged for November.</p> <p>Ongoing</p>
20 May 2015	Marina Strategy		Alec Louverdis	

Status Report – Council – 15 October 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
20 May 2015	Surf Lifesaving Club	<p>THAT Council work with the Surf Lifesaving Club to develop new clubrooms on the dunes at Tahunanui Beach;</p> <p>AND THAT 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;</p> <p>AND THAT any proposal for clubrooms for the Surf Lifesaving Club at Tahunanui would be subject to all statutory resource and building consent processes.</p>	Andrew Petheram	<p>Will progress when the Surf Lifesaving Club is ready. No further action is able to be taken at this stage.</p> <p>Complete</p>
20 May 2015	Nelson Marlborough Institute of Technology	THAT Council officers engage with the Nelson Marlborough Institute of Technology and other education providers to develop a partnership strategy.	Chris Ward	<p>Discussions are ongoing. Any outcomes requiring governance input will be presented to the appropriate Council meeting.</p> <p>Complete</p>
20 May 2015	Nelson Regional Economic Development Agency	THAT Council officers enter into discussions with the Nelson Regional Economic Development Agency as to ways of supporting the Education Nelson Tasman initiative.	Chris Ward	<p>Following discussions with the EDA, funding of \$10,000 has been allocated from the Special Economic Development Fund for this initiative.</p> <p>Complete</p>
11 June 2015	Modellers' Pond - Detailed Assessment of Options	<p>AND THAT further information be sought based on questions raised at today's Council meeting 11 June 2015;</p> <p>AND THAT the detailed design of Option 3 – Modify Pond be undertaken and (in report R4199) be consulted on;</p>	Alec Louverdis	<p>Officers have appointed consultants 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.</p>

All Actions

Status Report – Council – 15 October 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><u>AND THAT</u> Council invite the Nelson Society of Modellers to confirm community support and funding for option 3;</p> <p><u>AND THAT</u> the option to return the pond to an estuarine environment be investigated;</p> <p><u>AND 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>		<p>Once the detailed design is complete the Nelson Society of Modellers will be asked to confirm their support and funding.</p> <p>It is anticipated that an update report will be ready for the 26 November Works and Infrastructure Committee.</p> <p>Ongoing</p>
23 July 2015	Trafalgar Centre - Geotechnical Assessments, Structural Implications and Costings	<p><u>THAT</u> the report Trafalgar Centre - Geotechnical Assessments, Structural Implications and Costings (R4542) be received;</p> <p><u>AND THAT</u> Council confirm the continuation of strengthening of the Southern Extension and Main Building of the Trafalgar Centre;</p> <p><u>AND THAT</u> 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;</p> <p><u>AND THAT</u> Council confirm the demolition and new build of the northern building of the Trafalgar Centre including the Victory Room;</p> <p><u>AND THAT</u> 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.</p>	Alec Louverdis	<p>Workshops were held on 18 August, 1 and 29 September with councillors to scope out concept plans for the northern building and the integration of this into Rutherford Park.</p> <p>A report is presented to Council on this agenda</p> <p>Complete</p>
23 July 2015	Reserve Management Plan: Sports Ground	<u>THAT</u> 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	Susan Moore-Lavo	Pre-consultation phase complete and contract offered for preparation of a draft Plan.

Status Report – Council – 15 October 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
	Reserves	the physical welfare and enjoyment of the public.		Ongoing
03 September 2015	Nelson School of Music (NSOM) Redevelopment - Project Governance	<p><u>THAT</u> the report Nelson School of Music (NSOM) Redevelopment - Project Governance (R4528) be received;</p> <p><u>AND THAT</u> whilst the project is owned by the Nelson School of Music, a Project Governance Committee be established, to recognise Council's considerable investment;</p> <p><u>AND THAT</u> whilst the Project Governance Committee is a joint committee of Council and Nelson School of Music Board members, accountability is clearly understood to lie with the Nelson School of Music;</p> <p><u>AND THAT</u> the membership be Roger Taylor, Chair, and Mark Christensen on behalf of the Nelson School of Music Board, and the Group Manager Infrastructure (or his nominee) and the Group Manager Corporate Services (or her nominee);</p> <p><u>AND THAT</u> Council's contribution to the building is capped at 50%, to a maximum of \$3 million, noting that the initial kick-start of \$150,000 for project management is in addition to this.</p>	Alec Louverdis	<p>The Project Governance Committee has been set up and meetings scheduled. Officers are working on finalising the Heads of Agreement between the NSOM and NCC.</p> <p>Officers suggest the actions referred to in the resolution are now underway and the item can be considered complete.</p> <p>Complete</p>

REPORT R4350**Ship to Ship Transfer of Fuels**

Planning and Regulatory Committee at its meeting on 17 September 2015 resolved that the matter be referred to the Council meeting to be held on 15 October 2015.

1. Purpose of Report

- 1.1 To consider whether the Council can state its position in support, conditional support or opposition to the potential ship to ship transfer of fuels within our territorial waters in the absence of a specific proposal.

2. Delegations

- 2.1 Maritime and harbour safety and control is an area of responsibility for the Planning and Regulatory Committee. The Committee has the power to decide on this area conferred on Council by relevant legislation. They can also make recommendations to the Council on the review of strategies for their areas of responsibility.

3. Recommendation

THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be received.

Recommendation to Council

THAT the Nelson City Council informs Maritime New Zealand that in the absence of specific details on ship to ship transfer of fuels operations the Council either:

(a) Conditionally supports the ship to ship transfer of fuels in our territorial waters provided the operations are conducted in accordance with conditions and criteria determined by Maritime New Zealand and the harbourmaster; or

(b) Opposes the ship to ship transfer of fuels in our territorial waters.

4. Background

- 4.1 There has been initial interest (no specific or formal proposal) from an overseas based company to transfer fuels from a "mother ship" to other ships. The attraction to the Nelson area is that the swell and wind conditions are generally more suitable here for this operation.
- 4.2 The initial interest is to transfer light fuels (kerosene or distillate) brought into the region in bulk that will be transferred to smaller tankers and shipped around Australia and New Zealand.
- 4.3 It is unlikely this activity requires resource consent as it will not involve:
 - 4.3.1 the occupation of the coastal marine area (the operation is not anticipated to occur for a sufficiently long period of time to constitute "occupation" under the Resource Management Act 1991);
 - 4.3.2 the erection of any structures in the coastal marine area;
 - 4.3.3 discharge of contaminants; and
 - 4.3.4 disturbance of the sea bed beyond any disturbance associated with temporary anchoring that may be required.

Any vapour discharge and management would need to be understood to assess whether an air discharge permit is required under the Nelson Air Plan or section 15B of the Resource Management Act.

- 4.4 The Maritime Transport Act 1994 requires the operator of this activity to notify either the regional council or Maritime New Zealand (MNZ) within 48 hours of starting the operation. Whoever gets notified then needs to share the information with the other organisation but only the Director of MNZ can prohibit the activity or require precautionary measures. In reaching a decision the Director of MNZ would like to know the position of the relevant regional council.
- 4.5 The harbourmaster has powers under the Maritime Transport Act and the Council's Navigation Safety Bylaw to take or require measures to be taken to ensure navigation safety in our territorial waters.

5. Discussion

Brief description of the activity

- 5.1 Most ship to ship transfers last between 24 to 48 hours with a possible three to four separate mooring and unmooring operations. A hose is connected between the ships that are either stationary or slowly moving forward together.
- 5.2 The fuel transferred would be non-persistent oils such as gasoil and petrol that are highly toxic but relatively easily managed and may not spread as far. A subsequent request may be received to transfer heavier

oil (less toxic but can spread over large areas) such as that captured and transferred in Taranaki.

- 5.3 Currently the ship to ship transfer of fuels in New Zealand occurs mainly in Auckland with the vessels secured alongside a berth where fenders and pollution booms can be put in place. Nelson does not have space at the Port to enable the activity to occur while vessels are tied to a berth.



Risk assessment from the harbourmaster

- 5.4 The harbourmaster has identified the following possible risks associated with this activity (for the full risk assessment see Attachment 1):

- Collision between the ships;
- The grounding of a ship;
- Unsuitable or deteriorating weather;
- Dragging anchor;
- Spillage on deck;
- Pollution in the sea;
- Mooring failure;
- Inadequate fendering;
- Unsuitable ship;
- Personal injury; and
- Fire.

- 5.5 The harbourmaster notes the ship to ship fuel transshipment business has a low number of pollution incidents. The vast majority of incidents being mainly attributed to valve failures, tank overflows and hose ruptures that do not always involve pollution to the waterways.
- 5.6 From an analysis of approximately 1270 transshipment operations worldwide, spread over a period of approximately ten years the following was documented:
- There has never been a major pollution incident;
 - Oil leakage was limited to seven minor incidents equal to 5.5 per 1000 transshipments in which oil reached the sea in only two of these incidents;
 - Minor steel to steel contact occurred in 11.8 cases per 1000 transshipments;
 - Two serious steel to steel contacts occurred causing damage or 1.6 cases per 1000 transshipments;
 - Three hose defect incidents occurred or 2.3 per 1000 transshipments;
 - In ten years there was one fatality and one other crew injury; and
 - In all a total of 36 incidents or 3.5 per year (worldwide).
- 5.7 In a study conducted for the United States Coastguard in which 2725 transshipments operations were analysed the following was reported:
- From the 2725 operations there were 15 pollution incidents, totalling oil spillage of 45 barrels (7154 litres); and
 - There was a computed probability of 23 spillage incidents per every 10000 transfers (one every 36 years if conducting one transshipment per month).
- 5.8 Overall it is the harbourmaster's view that ship to ship transfers of fuels can be conducted safely under strict conditions and criteria within Nelson City Council's territorial waters. Some of these conditions or mitigation measures could include:
- Vetting onboard procedures including vessel suitability and experience and training of the crew;
 - Local pilotage;
 - Vessels being stationary for the transfer operation;
 - Identifying weather and tidal limits;
 - The provision, training and testing of emergency response procedures and equipment; and
 - Stipulating the location of the operations.

Risk assessment from the on-scene commander (oil spills)

- 5.9 The current regional response capability is based on incidents responded to over the last 15 years. The training of respondents and equipment held at Nelson is adequate for sheltered water work under favourable weather and tidal conditions.
- 5.10 For open water response either the ship companies or Port Nelson would need to provide suitable equipment and trained personnel for its use.
- 5.11 Any specialist equipment should be onsite not onshore and situated where the transfer is taking place as the response time is a critical factor for a successful response.
- 5.12 Tasman Bay has a range of significant environmental, conservation and cultural values. Council would not want to be in a position where the only possible response option is the use of dispersants.

Response from other regional councils

- 5.13 Canterbury's harbourmaster has advised that since they have facility of deep water berths at Port he would oppose this operation at sea. His concerns are for the safety of vessels alongside each other at sea with there being a hostile coastline in the Canterbury region. The transfer could occur with the ships secure alongside a berth at Lyttelton or Timaru.
- 5.14 In Nelson there is no space at the Port to enable the activity to occur while the vessels are tied to a berth. The Nelson coastline however is not as exposed as the Canterbury coastline.

6. Options

- 6.1 The Council could choose to do nothing until a specific proposal has been received. There is a risk that there may not be enough time to decide on a position should the operator only provide 48 hours notice as required under the Act. The Council may consider it is appropriate not to provide comment to MNZ who will make the decision. In that case the view of the community where the activity would occur would not be represented.
- 6.2 Should the Council agree to provide a position on the ship to ship transfer of fuels in our territorial waters, the benefits and risks of each position are summarised the table below:

Position	Benefits	Risks
(a) Conditionally support	Potentially increased revenue for Port Nelson Ltd and local businesses servicing and supporting the operation through charges, re-supplying the ships, accommodation of specialist staff and	May not reflect the community view, controls may be too restrictive for the operators and they may choose to undertake the activity elsewhere. Environmental pollution has low risk of occurring but potentially high

	equipment brought to the region for this operation and repair and maintenance work on vessels occurring while they were here. Local conditions and controls are imposed to minimise the risk to the environment and navigation safety	significance for certain fuels or coastal locations. MNZ do not agree to impose the controls and the operator does not agree to the controls. Biosecurity issues would need to be addressed for visiting vessels.
(b) Oppose	No risk to the environment or navigation safety	May not reflect the community view, an opportunity for economic benefit is lost.
(c) Engage the community	A position can be based on the community view	May instigate a public outcry that deters the operator, MNZ do not agree with the view (so why raise the matter), in general it would be too difficult to consult without specific details.

7. Alignment with relevant Council policy

- 7.1 The current Long Term Plan identifies the Council is responsible for ensuring navigation safety and protecting the natural environment.
- 7.2 There are potentially some associated costs, including staff time, required for the option to conditionally support this activity. The pollution response equipment may need to be upgraded alongside additional training of personnel. However the Council could require that the operator either provides this equipment and training (or personnel) or covers its cost. As the Council has no legislative means to require this either MNZ or the operator would need to agree to any requirements proposed by the Council.

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

- 8.1 The likelihood of this operation occurring is unknown and therefore the risk of effects at this stage is low and there are few specific details because a proposal has not been presented; as such this decision is not significant under the Council's Significance and Engagement Policy.

9. Consultation

- 9.1 Relevant internal staff have been consulted and their views incorporated into this report.
- 9.2 Should a specific proposal arise the Council may wish to consult with stakeholders or the public (if there is time to do so).

- 9.3 Alternatively Council could undertake consultation with the community now. One issue with this however, is that in the absence of any specific proposal it may cause unnecessary confusion and concern for the public.

10. Inclusion of Māori in the decision making process

- 10.1 Māori were consulted on 10 July by email. Te Atiawa responded that Tiakina te Taiao Ltd would respond on their behalf.

Tiakina te Taiao requested a Cultural Impact Assessment for the activity, a discussion on charges for the activity and an iwi monitor be on board should the activity be approved.

Ngāti Kuia response:

"Even though there are industry guideline and best practice, there are a few other issues that could be raised ie laden tankers, biodiversity issues. This practice will have major environmental effects on our ability to manage thriving and abundant customary and commercial fisheries if a significant event was to happen in proximity to a taonga breeding area. It could also adversely affect economic return from our tourism industry if an event was to happen around the Abel Tasman Park area."

- 10.2 At the Iwi Working Group on 10 August the harbourmaster attended to respond to any questions iwi might have on the topic. Responses to questions included:

- Charges in the region of \$110,000 to \$120,000 could be applied for regional development, a risk charge, monitoring charge, tariff, oil spill booms, tug on standby etc.
- That the transfer can be insured.
- That there are two types of fuels that could be transferred: Light fuels (Kerosene and diesel) and heavy fuels (crude oil). The environmental impacts of spills from these different types of fuels are not the same.
- That there could be an exclusion zone around the vessels, if it is considered necessary.
- That there would be a patrol vessel on standby for any transfer.
- That there would be spill contingency plans for the worst case scenario, and that if there was an approach by a company to carry out Ship to Ship Transfer of Fuels in the area, there would need to be work done by the company to assess the environmental and cultural impacts.
- That ship captains know how to handle their vessels appropriately and know limits in terms of weather and conditions that would require them to stop work/move apart.

- It was noted that there may be discharge to air as a result of moving fuel from one ship to another and that this may require resource consent.
- It was noted that there were no ballast water issues as this would be done outside the NCC area.
- That track record could be one of the criteria to consider applicants.
- Both vessels could be surrounded by booms if this is considered a necessary requirement.
- Workers at the Port already participate in training to deal with spills and emergencies and would be available to manage spills already. He also noted that there was an expert at MDC that has expertise around managing an ongoing spill.
- The ships would be anchored. There is no sufficient space at the port to have the vessels tied up to the wharf.

Iwi noted the following:

- There may be increased risk from terrorist activity.
- That by supporting the management of fossil fuels the use of the fuels leads to further degradation of the environment.
- Low risk but high consequences should things go wrong – there is no risk currently.
- Te Atiawa did not support the proposal.
- There was interest in the views of other stakeholders such as DoC, TDC, fishing and tourism industries. The harbourmaster noted that Cawthron had no concern with the transfer of light fuels.
- Should the activity occur closer to the shore and an accident happens there would be more impact on the coastal environment although resources would be employed faster to control the spill.
- More specific information would be needed before there could be agreement.

10.3 Overall there was a lack of support from Iwi for the proposal.

10.4 Should a specific proposal arise, the operator will be advised to consult with local iwi and the Council should include Maori in determining the position of the territorial authority.

11. Conclusion

11.1 Only the Director of Maritime New Zealand can prohibit the ship to ship transfer of fuels activity or require conditions should they allow the activity. Maritime NZ are interested in the views of the local authority but

as only 48 hours notice is required to be given from an operator this is likely to be insufficient time for the Council to provide a view on a specific proposal.

- 11.2 In the absence of information on a specific proposal it is difficult to consult fully with other stakeholders or the public. Iwi have indicated they are not supportive of the activity.
- 11.3 The harbourmaster has suggested the activity can be conducted safely in our territorial waters under strict conditions and criteria. As long as these conditions relate to navigation safety the harbourmaster will have the power to impose these conditions should Maritime NZ not have already done so. Conditions not relating to navigation safety will require the agreement of Maritime NZ to impose or the agreement of the operator.

Mandy Bishop

Manager Consents and Compliance

Attachments

Attachment 1: A1410835 Ship to Ship Transfer of Fuels risk assessment from the Harbourmaster

Risk Assessment into conducting Ship-To-Ship Transfer Operations in Tasman Bay



Colin Sellars. Pilot / Senior Marine Officer / Port Nelson

Reviewed by David Duncan, Harbour Master, Port Nelson

30/03/2015

1. Ship-To-Ship Transfer experience

- 1.1 Since the practice of Ship-To-Ship Transferring at sea has taken place there has been various statistics published regarding incidents/accidents. These statistics have been published in the National Research Council's publication 'Oil Spill Risks From Tank Vessel Lightering' and a US study 'Risk Evaluation Of Ship to Ship Oil Transfers for USCG'. Below is some statistics that may be relevant to the Tasman Bay area.
- 1.2 The Oil transshipment business appears in general to retain a good record of accomplishment with pollution incidents low. The vast majority of incidents being mainly attributed to valve failures, tank overflows and hose ruptures.
- 1.3 From a rough analysis of approximately 1270 transshipment operations worldwide, spread over a period of approximately ten years the following was documented:
 - There has never been a major pollution incident;
 - Oil leakage was limited to seven minor incidents equal to 5.5 per 1000 transshipments in which oil reached the sea in only two of these incidents;
 - Minor steel to steel contact occurred in 11.8 cases per 1000 transshipments;
 - Two serious steel to steel contacts occurred causing damage or 1.6 cases per 1000 transshipments;
 - Three hose defect incidents occurred or 2.3 per 1000 transshipments;
 - In ten years there was one fatality one other crew injury; and
 - In all a total of 36 incidents or 3.6 per year (worldwide).
- 1.4 In a study conducted for the United States Coastguard in which case 2725 transshipments operations were analysed the following was reported:
 - From the 2725 operations there was 15 pollution incidents, totalling oil spillage of 45 barrels (7154 ltrs); and
 - There was a computed probability of 23 spillage incidents per every 10000 transfers (one every 36 years if conducting one transshipment per month).
- 1.5 History worldwide has shown that the risks attached to at sea Ship-To-Ship Transfer operations are similar to the risks attached to FPSO transfer operations. This is relevant to us here at Port Nelson and Tasman Bay as we currently have two FPSO's operating in close proximity to the northern approaches to Tasman Bay and we have never seen a major incident.
- 1.6 It is an internationally recognised fact that in the modern shipping world, since the introduction of ISM the rates of reported accidents/incidents has dropped significantly and the trend is still decreasing.
- 1.7 Most typical Ship-To-Ship Transfers last for between 24 – 48 hours with a possible 3 to 4 separate mooring/unmooring operations. One of the key principles in reducing the risks and hazards associated with these operations is to minimise the time the ships are together as much as possible. That will mean conducting operations such as:
 - Any vetting required;

- Cargo surveying/sampling;
- Pre-Transfer documentation ; and
- Pre-transfer equipment operation checks.

The above operations would occur whether the vessels were at anchor or drifting prior to the vessels coming together for mooring. Any after transfer documentation/surveying requirements will also need to be conducted after the ships have parted.

2. Types of risk and hazards associated with Ship-To-Ship Transfer operations

2.1 A collision either between mother and daughter vessel or tanker and support vessel:

- Causes: human error, equipment breakdown, restricted manoeuvrability, third party vessel interfering with operation, difficulty in communication, or weather.
- Consequences: hull damage/penetration, possible pollution, possible offshore rescue situation, possible fire, or possible injury/fatality.
- Mitigation measures: approval of ships, ship vetting, onboard procedures for STS, crew experience/qualifications, weather monitoring, traffic monitoring, pilotage, port operational procedures, communications.

It is worth noting that while minor steel to steel contact does occur in 12 out of every 1000 transfers this is essentially business as usual when bringing large vessels together. There has only been two major collision incidents worldwide both resulting in no pollution.

2.2 Grounding of a vessel:

- Causes: human error, poor navigation/passage plan, equipment breakdown, weather.
- Consequences: hull damage/penetration, possible pollution, possible offshore rescue situation, possible fire.
- Mitigation measures: weather monitoring, pilotage, port & vessel operational procedures.

There has never been a vessel aground outside the port in Tasman Bay in the history of the port, with current port procedures regarding minimum under keel clearance and maximum permissible weather limits this is considered to be of very minimal risk.

2.3 Unsuitable or deteriorating weather conditions:

- Causes: poor passage plan, lack of weather monitoring, unsuitable mooring arrangements/fendering.
- Consequences: hull damage/penetration, damage to mooring arrangements & fendering, damage to transfer hoses and possible pollution.
- Mitigation measures: weather monitoring, pilotage, operational procedures and limits.

Weather conditions in Tasman Bay are usually benign with winds prevailing from the North or Southwest quadrants respectively. Using weather records over the last 3 years the average wind speed was 9 knots, with average wind gust of 25 knots. With this in mind and established pilotage SOP's regarding maximum permissible wind limits weather is determined to be of minimal risk as no operations will be conducted in weather above these safe working limits.

2.4 Dragging anchor either during transfer or vessels waiting to transfer:

- a. Causes: lack of weather monitoring, human error.
- b. Consequences: grounding, damage to own vessel/other vessels.
- c. Mitigation measures: weather monitoring, port and vessel operational procedures, pilotage, weather limits.

Tasman Bay is currently already a regular waiting anchorage for tankers waiting for FPSO operations off the Taranaki coast with an occupancy of around 75% of the time. With the relatively benign weather conditions in Tasman Bay and very low frequency of known dragging events this is considered to be of very minimal risk. There is ample sea-room for vessels to pick up anchor and steam up and down if the weather deteriorates if necessary.

2.5 Spillage on deck:

- a. Causes: valve failure, tank overflow, hose rupture.
- b. Consequences: onboard clean up.
- c. Mitigations measures: approval of ships/company procedures, ship vetting, monitoring ships transfer equipment, testing regime for ships transfer equipment, emergency response procedures.

History has shown that the majority of oil spillage incidents have occurred on deck from various causes such as: valve failures, hose ruptures and tank overflows. This type of spillage is low risk to the Tasman Bay environment as spills on deck are easily accessible, contain and clean up.

2.6 Pollution into sea:

- a. Causes: major collision, tank overflow, hose rupture.
- b. Consequences: on-board clean up, local oil pollution response required, damage to vessels.
- c. Mitigations measures: approval of ships/company procedures, ship vetting, monitoring ships transfer equipment, testing regime for ships transfer equipment, emergency response procedures.

This is our biggest risk to Tasman Bay and the local environment. History has shown that pollution into sea events associated with Ship-to-Ship transfer operations are rare, only 2 events. The largest of these was approximately 7m³. As the distance from shore in the Tasman Bay transfer area and the resources available to assist at short notice mean that we can have a rapid response and therefore limiting any environmental damage to a minimum.

2.7 Mooring failure:

- a. Causes: failure of mooring lines.
- b. Consequences: ships parting, personal injury/fatality, possible ship contact, possible pollution from parting hoses.
- c. Mitigation measures: approval of ships/company procedures, ship vetting, monitoring of equipment condition, testing regime for ships mooring equipment.

This is the most common hazard that occurs during STS operations. Most mooring failures occur during berthing/unberthing operations in which case no oil is being transhipped and therefore there is no pollution risk. However there is a high degree of risk attached to personal involved in the mooring operation, with proper procedures and training and only conducting operations under pilotage and within weather limits we can minimise this risk greatly.

2.8 Inadequate fendering:

- a. Causes: excessive closing speed, failure of fender at point of contact, human error, poor weather.
- b. Consequences: ships parting, personal injury/fatality, possible ship contact, failure of moorings.
- c. Mitigation measures: approval of ships/company procedures, pilotage, weather monitoring.

Inadequate fendering is very minimal risk as all fenders used will be rated for their intended purpose and meet all relevant standards.

2.9 Unsuitable vessel:

- a. Causes: inadequate design, poor maintenance, poorly trained/incompetent crew.
- b. Consequences: mooring difficulties, transfer difficulties, personal injury/fatality, possible pollution.
- c. Mitigation measures: approval of ships/company procedures, pilotage, ship vetting.

Considered minimal risk as oil companies/STS transfer agents will vet ships for suitability based on equipment, procedures and experience.

2.10 Personal injury:

- a. Causes: poor weather, inadequate boarding arrangements, poorly trained/incompetent crew, equipment defects/poor maintenance.
- b. Consequences: personal injury or fatality.
- c. Mitigation measures: approval of ships/company procedures, pilotage, ship vetting, weather monitoring, communications.

With the vetting of ships and ships crews and the development of procedures specifically for STS transfer operations which include relevant experience of crews and personal involved this risk can be greatly minimised.

2.11 Fire:

- a. Causes: poor housekeeping/maintenance, non-intrinsically safe equipment being used, smoking, ignition/spark.
- b. Consequences: possible loss of vessel, possible pollution, possible offshore rescue.
- c. Mitigation measures: approval of ships/company procedures, ship vetting, emergency response procedures, adequate response equipment/vessels.

All ships engaged in STS operations are required to follow all the relevant safety precautions required for normal cargo operations and with specific procedures adopted for STS transfer operations this is considered to be low risk. All vessels engaged in STS operations are well equipped to handle small fires onboard.

3. Tabulated intended Port Nelson response for oil spill

3.1 New Zealand has a 3 tier response system driven by Maritime New Zealand.

- Industry – Port Nelson (tier 1)
- Regional – Nelson City Council (tier 2)
- National – Maritime New Zealand (tier 3)

3.2 It has been indicated by the STS provider that the STS transfers in Tasman Bay will only be of non-persistent oils such as Gasoil & Petrol.

Each occasion the vessels will have Norski buoy fenders that create natural entrapment pockets and boom around the stern which will entrap any overspill.

Size of Spill	Consequences	Response
1 Litre	Possible pollution over very small area in vicinity of vessels side	Tier 1 – Clean up on-board or if in sea localised response with absorbents. Entrapment / Evaporation
10 Litres	Oil on deck of vessel, possible pollution in vicinity of vessels	Tier 1 – Clean up on-board or if in sea localised response with absorbents. Entrapment/Evaporation/ Recovery
100 Litres	Possible oil pollution over small area at sea, oil on deck of vessel	Tier 2 – Clean up on-board, boom around vessels, use absorbents/pumps to skim surface. Entrapment/Agitation/ Evaporation Recovery
1000 Litres	Oil pollution over large area at sea, oil stained vessels	Tier 2 – Clean up on-board, boom around vessels, use absorbents/pumps to skim surface,

		possible use of dispersants. Entrapment/ Recovery Activate a tier 3 response.
10,000 Litres	Oil pollution over large area at sea, possible oil washing ashore, oil stained vessels	Tier 3 – Clean up on-board, boom around vessels, use absorbents/pumps to skim surface, mobilise shore response to monitor/clean up coastal areas if required, use of aircraft for dispersants.

- 3.3 At Port Nelson there are currently two sets of booms available at short notice, one at Amaltal and the second at Sealords, Port Nelson is also the base for the regions oil spill response equipment and Port Nelson also has trained staff in the use of this equipment and response techniques.
- 3.4 As part of this response equipment there is also a significant quantity of dispersant available (approximately 7000 litres).

4. Strategies to manage Hazards/Risks & how to implement mitigations measures:

4.1 Approval of Ships

Most Oil Company(s)/Charterers will ensure that the ships selected for STS operations for carriage of their cargoes are vetted according to their requirements. This vetting is primarily in compliance with OCIMF guidelines and will cover all aspects of the oil transfer requirements and if required STS. One important aspect specific to ships undertaking STS operations is the ability to fine tune engine RPM in order to match ships speed.

In order for Port Nelson to manage the attached risks it would be advisable if PNL was able to receive results of these vetting inspections prior to the vessels arrival in Tasman Bay.

4.2 Ships Vetting

See above comment.

It would be advisable if PNL developed its own vetting checklist that the pilot could undertake upon boarding to check the status of:

- Mooring equipment
- Ships manoeuvring equipment – In particular engine control details
- Status of fenders/transfer equipment
- Status of firefighting & emergency response equipment
- Whether or not the ships has been recently vetted by OCIMF or approved for STS operations.
- Whether the ship/operator has procedures in place for STS operation

4.3 Shipboard STS Procedures

The ship/operator must have approved STS procedures on-board and confirmed compliance with the procedures. The results of OCIMF vetting inspections will confirm this.

The pilot provided by Port Nelson should sight these procedures and any relevant supporting documentation such as: ISM Manual, Risk Assessments/hazard analysis and checklists before conducting the transfer operation.

4.4 Pilotage

Pilotage provided by Port Nelson is essential and one of the more important risk mitigation strategies for the STS operation due to the vast and extensive local knowledge pilots must have of the pilotage district and their experience in ship handling.

The pilot will also be responsible for mitigation in areas such as:

- Ship handling & Mooring
- Communications
 - Support vessels/tugs
 - Inter-vessel
 - Local authorities & Harbour Master
 - Port Authority
 - Emergency response teams
 - Working language on-board to always be English
- Weather monitoring
- Traffic monitoring
- Ship vetting
 - Mooring arrangements
 - Fendering
 - Transfer equipment
 - Verification of required checks/inspections of above.

4.5 Port Operational Procedures

Port Nelson will be required to develop additional operational procedures around pilotage and management of these STS vessels covering aspects such as:

- Pilotage Training Manual/Requirements
- Pilotage Passage Plan for STS corridor
- Procedures for use of tugs/support vessels
- Ship Vetting requirements
- Notification/communication requirements to/from vessels and Port Nelson and Maritime New Zealand
- Specific Emergency Response procedures
- Maximum working wind & sea/swell requirements & procedures for what to do in a deteriorating weather situation (stop transfer, disconnect hoses, come apart)

- Minimum UKC requirements

There are specific guidelines published by OCIMF regarding STS transferring operations and the specifics surround these from a procedural sense.

4.6 Emergency Procedures

Specific emergency procedures will need to be developed by Port Nelson covering areas such as:

- Grounding of transfer vessel
- Collision between mother/daughter vessel or support vessel
- Oil spillage and pollution
 - Oil spillage on deck
 - Into water
- Fire on-board transfer vessel
- Offshore rescue from transfer vessel
- Oil containment & recovery at sea
- Contacts/notification list

Port Nelson already has extensive Emergency Procedures which cover the “in Harbour” area but currently nothing relating to spills out in Tasman Bay.

It is our opinion that the existing procedures will be sufficient with a few modifications.

As an example it has been determined that an average spill will drift at approximately 1 knot at the Nelson Pilot Station, 3 nautical miles from nearest land. Thus response teams would have 3 hours to respond and contain.

5. Other considerations:

- 5.1 Ships engaged for Ship-To-Ship Transfers should all be of modern double hull design, be inert, fully operational in all respects (navigation, mooring & cargo handling equipment), be capable of slow steaming for extended periods of time and subject to vetting inspections.
- 5.2 Procedures developed for the transfer operation should conform to ICS/OCIMF guidelines.
- 5.3 Both mother and daughter vessels should fully comply with all the normal safety precautions required for normal cargo operations.
- 5.4 The Harbour Master for Nelson (or representative) should have overall authority for the conduct of the Ship-To-Ship Transfer, its cancellation or postponement for any reason deemed necessary.
- 5.5 It is our opinion that Port Nelson has sufficient tug power available for safe mooring/unmooring operations in Tasman Bay, with the possible introduction of a third more powerful tug in the near future it will facilitate a permanent stand-by tug on scene of

the transfer in case of an emergency and also allow Port Nelson to continue operations as normal with two tugs stationed at the port.

6. MARPOL:

6.1 In 2012 an addition chapter to Annex 1 of MARPOL was introduced:

MARPOL Annex 1 – Chapter 8 – Prevention of pollution during transfer of oil cargo between oil tankers at sea.

6.2 Chapter 8 can be broken down into 7 broad areas:

- a. Notification: notification from ships Master to Port State 48 hours prior to arrival
- b. Personal (POAC - Person in Overall Advisory Control):
 - i. A Ship-To-Ship transfer operation should be under the advisory control of a designated mooring/unmooring master (Pilot) or a STS superintendent. It is not intended that this person relieves the ships master of any of their duties, requirements and responsibilities.
 - ii. The POAC shall be qualified to perform all relevant duties. The administration, cargo owners or tanker's operators should agree and designate the POAC who should have at least the following qualifications:
 - An appropriate management level deck licence meeting international standards with all STCW dangerous cargo endorsements up to date and appropriate for the ships engaged in the STS operation
 - Attendance at a suitable ship-handling course
 - Knowledge of spill clean-up techniques, including familiarity with equipment, resources and STS contingency plan
 - Conduct a suitable number of mooring/unmooring operations
 - Experience in oil tanker loading and unloading
 - A thorough knowledge of the geographic transfer area and surrounding areas
 - Thorough knowledge of STS transfer plan
- c. Equipment:
 - i. Vessels should be provided with fenders (primary and secondary) capable of withstanding the anticipated berthing energies and distribute forces evenly over the vessels hull
 - ii. Hoses used for STS transfer should be suitable for the product being handled and specially designed and constructed for purpose.
- d. Contingency Planning:
 - i. STS operations should be subjected to risk assessment the scope of which should include the following:
 - Adequate training, preparation and qualification of ships staff
 - Suitable preparation of oil tankers for operation
 - Proper understanding of signals or commands
 - Adequate number of crew assigned to controlling and performing oil transfer operations

- Suitability of the STS transfer plan
 - Adequate communications
 - Adequate attention given to the differences in freeboard or the listing of tankers during transfer
 - Condition of transfer hoses
 - Methods of securely connecting hose(s) to the oil tankers manifolds
 - Recognition of the need to discontinue oil transfer when sea and weather condition deteriorate
 - Adequacy of navigational processes
- e. STS Procedures:
- i. Careful study of relevant publications, guidelines and any documentation supplied by the ship owner or cargo owner
 - ii. Ensure the crew are briefed on procedures and hazards
 - iii. Ensure the oil tanker conforms to relevant guidelines, is upright and at a suitable trim
 - iv. Confirm engine controls have been tested and engine tested ahead and astern
 - v. Confirm steering gear and all navigation and communications equipment is in satisfactory working order
 - vi. Confirm all essential cargo and safety equipment has been tested
 - vii. Confirm all mooring equipment is prepared and in accordance with the mooring plan
 - viii. Fenders and transfer hoses are correctly position, connected and secured
 - ix. Cargo manifolds and hose handling equipment is prepared
 - x. Obtain at weather forecast for the STS transfer area
 - xi. Agree actions to be taken in event of an emergency and agreed signals
 - xii. Confirm completion of relevant pre-operational checklists
- f. STS Planning:
- i. Mooring arrangements
 - ii. Quantities and characteristics of cargoes to be transferred and identification of any toxic components
 - iii. Sequence of loading/discharging tanks
 - iv. Details of cargo transfer system (details of pumps, maximum working pressure)
 - v. Rates of transfer (Initial, maximum, topping-off)
 - vi. Notice required for start, finish, any rate changes
 - vii. Normal stopping/emergency stopping procedures
 - viii. Maximum draft/freeboard anticipated
 - ix. Disposition and quantity of ballast and slops transferred or disposed as applicable
 - x. Details of proposed methods of venting or inerting
 - xi. Details of Crude oil Washing if applicable
 - xii. Emergency procedures
 - xiii. Identified critical stages
 - xiv. Watch or shift arrangements
 - xv. Environmental or operational limits that would trigger suspension of the operation, disconnection or unmooring

- xvi. Local or government rules that would apply to the operation
 - xvii. Co-ordination of plans for cargo hose connection, monitoring, draining and disconnection
 - xviii. Unmooring plan
- g. Maintenance Records of Compliance:
- i. Records of STS operations should be retained for 3 years and be readily available for inspection by a regulatory party.



Addendum to Ship to Ship Transfer of Fuels report

This report responds to issues raised following the presentation of the report on Ship to Ship Transfer of Fuels to the Planning and Regulatory Committee on 17 September 2015. There is no specific proposal for this activity to occur in Nelson's territorial waters. The report seeks a view of Council that can be communicated to Maritime New Zealand in advance of any proposal (either within or outside but near to our territorial waters). Maritime New Zealand has the authority to permit or refuse this activity and would only be seeking the view of the Council not permission.

1. Port Nelson Limited

The Chief Executive of Port Nelson Limited has advised they are not opposed to the ship to ship transfer of fuel activity. The activity is common around the world. The Port would provide tugs and other supplies but have no other commercial interest in the activity.

2. Potential conditions

Maritime New Zealand has the ability to impose conditions for this operation. The Council could recommend the following conditions be imposed:

- An environmental assessment of the activity on the surrounding area be obtained with any recommended preventative measures put in place prior to the operation commencing;
- A cultural impact assessment of the activity be obtained with any recommended preventative measures put in place prior to the operation commencing;
- Additional pollution response equipment and trained personnel provided by the operator of the activity or Maritime New Zealand; and
- Additional fire fighting equipment and trained personnel provided by the operator of the activity or Maritime New Zealand.

If the activity were to occur in Nelson's territorial waters the Harbourmaster could also impose conditions that relate to navigation safety:

- Maximum permissible wind and swell limits;
- Approval of ships, onboard procedures and crew experience;
- Timing of activity given known ship movements;
- Use of local pilotage;
- Specific communication procedures; and
- Minimum under keel clearance.

The operators can also voluntarily agree to conditions such as contributions towards marine facility improvements for both recreational and commercial activities or a contribution towards research into aquaculture and other coastal related resources. Although it is unclear what the mechanism would be to trigger a requirement for this.

Maritime New Zealand can only place conditions for contributions relating to their response capacity and are not able to require any regional contribution.

3. Tasman District Council

Council staff were present at initial talks. The matter has not been escalated to the Council so they have not signalled a position in support or not should the activity occur in their territorial waters.

Tasman District Council has a Navigation Safety Bylaw 2015 that includes a \$200 hourly rate for the provision of a vessel and harbourmaster to monitor or assist with the navigation safety of an activity. The fees and charges section of the Bylaw also refers to maritime facilities fees and charges that include a charge for transshipping of cargo at sea at the rate of \$2.50 per tonne.

The Nelson City Council could review its fees and charges under the Bylaw and add similar charges (by Council resolution) whether or not the Council provides a view in support or opposition to this activity.

4. Regional capacity

Nelson's on-scene commander for oil spills has noted the current response capability is not adequate for this type of activity. Additional resourcing and training would be required. Charges could be recommended to Maritime New Zealand to be imposed per operation to enhance and maintain the regional response capacity for spills and fire fighting.

5. Existing practice of the transfer of fuel between ships

Bulk transfer of fuels between ships is currently occurring in New Zealand in Auckland with the vessels tied up at a deep water berth and in the Bay of Plenty at sea.

6. Interested parties

Iwi have indicated that overall they do not support the activity. The Department of Conservation has been contacted and their view will be made known to the Council once it is received. Consultation has not occurred with commercial fishing, recreational fishing or tourism industry.

Mandy Bishop

Manager Consents and Compliance

Attachments

Nil

REPORT R4971

Mayor's Report

1. Purpose of Report

- 1.1 To update Council on various matters.

2. Recommendation

THAT the Mayor's Report (R4971) and its attachment (A1416802) be received;

AND THAT the Stoke Redevelopment Working Party terms of reference (A1416802) be received.

3. Discussion**Stoke Redevelopment Working Party**

- 3.1 The Stoke Redevelopment Working Party keeps Councillors up to date with the continued development of Stoke area. There has been very positive feedback from the community about the work that this group is doing in Stoke.
- 3.2 By way of more detailed information, the terms of reference that govern the group are attached.

China Southern Airlines

- 3.3 In August China Southern Airlines announced it would be starting a new year-round service between Christchurch and China from December 2015. China Southern Airlines is the largest airline in Asia and in 2014 was the world's third largest airline in terms of the number of passengers carried.
- 3.4 Nelson Tasman Tourism, through a partnership with Christchurch International Airport and other South Island tourism organisations, has actively worked to promote the South Island as a destination to Chinese visitors.

- 3.5 The new service is expected to have significant benefits for the region in terms of additional tourist numbers and associated revenue, estimated at 70,000 seats and \$1 million per annum GDP for the South Island.
- 3.6 Her Worship the Mayor attended an official welcome and signing ceremony between Christchurch International Airport and China Southern Airlines on 17 September 2015.

Rachel Reese
Mayor of Nelson

Attachments

Attachment 1: A1416802 - Stoke Redevelopment Working Party Terms of Reference

Stoke Redevelopment Working Party

Terms of Reference

1. Purpose

The purpose of the Stoke Redevelopment Working Party is to provide a forum by which Councillors are kept up to date with the continued development of the wider Stoke catchment. This group is expected to meet over the duration of the developments until it is deemed this is no longer required.

2. Membership

- Councillors Matheson (Chair), Barker, Lawrey, McGurk and Noonan (Deputy Chair)

3. Stakeholders

Councillors / Council staff / Stoke residents/ Stoke business operators / Iwi / Users of Stoke facilities

4. Quorum

Quorum for the Working Party is set at three members.

5. Areas of Responsibility

The Working Party will be kept up to date with developments in the wider Stoke district (from Whakatu Industrial Estate to the boundary at Saxton Field) and act as an interface between Council and community in respect of these developments.

6. Powers to decide

None

7. Powers to recommend to Committee or Council

None

8. Role of the Working Party

- To be provided with updates on Stoke developments.
- To provide feedback to Council officers on Stoke developments.
- To request, receive and consider any information relevant to the options under consideration
- To be an interface between Council and community, sector groups so that interested members of the public can provide feedback

9. Role of the Chair

- To review the agenda with staff prior to Working Party meetings

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

10. Role of staff

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

- Provide advice and information to enable full consideration of the options before the Working Party;
- Lead technical discussions on options under consideration
- Manage project resources (budget and staff time)
- Manage project issues, risks, changes and advise the Working Party Chair of issues as they arise
- Organising and managing engagement with key stakeholders and the wider community
- Keeping Working Party members briefed on key communications with key stakeholders and the public;
- Prepare and distribute agendas for Working Party meetings
- Maintain records of process used, options considered, key decisions made by the Working Party and reasons for decisions, so that the decision making process can be clearly understood.

11. Conflicts of Interest

Conflicts of interest should be declared at the start of Working Party meetings.

12. Reporting

- Notes of Working Party meetings will be taken and circulated to members

REPORT R4142

Adoption of the Brook Recreation Reserve Management Plan

1. Purpose of Report

- 1.1 To receive recommendations from the Brook Recreation Reserve Management Plan Hearing Panel.
- 1.2 To adopt, in principle, the Brook Recreation Reserve Management Plan.
- 1.3 To decide to formally stop sections of road reserve within the Brook Recreation Reserve.
- 1.4 To decide on formally Gazetting the area covered by the Brook Recreation Reserve Management Plan as a Local Purpose Reserve (Recreation).

2. Delegations

- 2.1 The Community Services Committee has referred this matter to Council due to the level of public interest; therefore this is a decision for Council.

3. Recommendation

THAT the report Adoption of the Brook Recreation Reserve Management Plan (R4142) and its attachments (A1436078 and A1438749) be received;

AND THAT the Brook Recreation Reserve Management Plan, as amended by the Hearing Panel following consideration of submissions, be adopted in principle;

AND THAT the Chief Executive be delegated authority to proceed to stop the following two sections of formed legal road as shown on plan (A1438749);

AND THAT the Chief Executive be delegated authority to Gazette the entire area covered by the Brook Recreation Reserve Management Plan, as shown on plan (A1438749), as a Local

Purpose Reserve (Recreation); and the road reserve which extends into the Sanctuary lease area as Local Purpose Reserve (Wildlife Sanctuary);

AND THAT, once the Gazettal process is complete, a report be brought back to Council to enable the Brook Recreation Reserve Management Plan to take effect;

AND THAT Officers prepare a Comprehensive Development Plan for the area covered by the Brook Recreation Reserve Management Plan.

4. Background

- 4.1 On 11 June Council released a draft Brook Recreation Reserve Management Plan for public consultation. A Hearing Panel comprising of an independent chair (Peter Raeburn) and Councillors Matheson and Noonan was appointed to hear and deliberate on submissions and to make recommendations to Council.
- 4.2 A total of 45 submissions were made, with 8 submitters wishing to be heard. The hearing took place on 2 September and the panel met to deliberate on submissions on 22 September 2015.
- 4.3 Following deliberations a revised plan containing the recommended changes from the panel has been prepared (attachment 1).

5. Discussion

Summary of key changes/recommendations

- 5.1 The key issues that submitters raised were in relation to:

- The vision;
- Road stopping;
- Gazettal of the reserve;
- Administration of the reserve; and
- Residential Camping

The Vision

- 5.2 Council put out a draft RMP with two visions and had indicated a preference for vision 1:

The Brook Recreation Reserve is a significant destination for domestic and international visitors to Nelson and Tasman and operates as a

tourism hub, while also serving the local community as an environmental education, outdoor recreation and conservation landmark.

- 5.3 The Panel heard submissions both for and against this vision and felt that whilst tourism was important, any such development needed to complement the other uses of the reserve. The Panel recommends that the final vision be as follows:

The Brook Recreation Reserve serves the community as a centre for environmental education and conservation and as a destination for camping and outdoor recreation, including appropriately-scaled and complementary commercial recreation and tourism development.

Road Stopping

- 5.4 Due to widespread support from submitters, the Panel recommend that the road is stopped and the land is given Reserve status.

Gazettal of Reserve

- 5.5 The draft Reserve Management Plan suggested Gazettal of the entire reserve as a Recreation Reserve. Gazettal was supported by the majority of submitters. However the Department of Conservation suggested that a more appropriate classification would be as a Local Purpose Reserve (Recreation). This view was supported by the Panel. It recommends:

- Stopping the road reserve
- Removing the reserve classification of the plot of land currently Gazetted as Recreation Reserve
- Classifying the whole area covered by the RMP as Local Purpose Reserve (Recreation).
- Classifying the road reserve which extends into the Sanctuary lease area as Local Purpose Reserve (Wildlife Sanctuary). (This is not covered by the RMP but is a consequence of the recommendation to stop the road and will avoid an isolated road section.)

The reason for this recommendation is that it offers appropriate flexibility in delivering the vision and outcomes identified in the RMP in compliance with the Reserves Act.

- 5.6 As originally indicated, the Management Plan can be fully and finally adopted when Gazettal is confirmed (as per the requirements of the Reserves Act). The RMP can then take effect for the whole reserve, without having to re-consult on the whole management plan, subject to a subsequent Council resolution.
- 5.7 The process for making these changes is set out in s14 and s24 of the Reserves Act. In both cases Council would publicly notify proposed changes in the Gazettal status, call for objections and then post a notice in the Gazette.

Reserve Administration

- 5.8 The Panel considered options presented in the draft Plan and recommends that Council remain as the administering body. There were a range of views from submitters and the Panel felt that this option would give most flexibility to Council, which could consider issuing one or more leases for different activities on the reserve.

Residential Camping

- 5.9 The Panel recommend that residential camping is provided for in the reserve within an area to be designated as a relocatable home park. The Panel considered a sinking lid policy for the number of residents but decided instead to recommend that residential occupation should be limited to one site per occupation agreement up to a maximum of 25 sites. The Panel recommends that this be reviewed on a three yearly basis and that the occupation agreements contain suitable wording that should not convey long term expectations.

Other changes

- 5.10 Other changes that are recommended include:
- Making consequential changes based on the above recommendations
 - Removing descriptions of options that were for consultation purposes
 - Removing the area limitation on commercial development and allowing instead for:

'Commercial tourism and recreation developments of a scale and type which complement the natural , social and existing commercial values of the reserve'.
 - Support for provision to protect the native trees planted as part of the Kidson Memorial

6. Next steps

Road Stopping and Gazettal of Reserve

- 6.1 If Council agrees with the Panel's recommendations officers need to commence with the road stopping and reclassification of the reserves. These processes are set out in the Local Government Act 1974 and the Reserves Act 1977 respectively.

Comprehensive Development Plan

- 6.2 The RMP identifies that a Comprehensive Development Plan needs to be developed. This is a spatial plan to set out how the different activities fit together within the area of the reserve. It is recommended that Council provide funding for this as a priority. The Comprehensive Development Plan should inform Council's Annual Plan for 2016/17.

- 6.3 As part of the Comprehensive Development Plan process, a transition plan is required that sets out the requirements for the relocatable home park.
- 6.4 Once these requirements are understood, the site needs to be prepared and the residents informed of a date by which any relocations needs to take place.
- 6.5 The Panel discussed that Council might want to provide lifting and shifting equipment on a particular day to aid with the transition.

Campground management

- 6.6 Council needs to consider how best to manage the existing campground whilst the comprehensive development plan is being drafted. If the Panel recommendations are adopted by Council then staff will bring a subsequent report back to the Community Services Committee with management options.
- 6.7 Subsequently, Council will need to consider long-term management of the entire camping ground, including the relocatable home park, potentially via a lease arrangement. Relevant parties should be invited to offer expressions of interest in the near future.

7. Options

- 7.1 Council has delegated authority to the Hearing Panel to hear, deliberate and make recommendations to Council on changes to the draft Brook Recreation Reserve Management Plan following submissions.
- 7.2 Council can accept or reject the recommendations.

8. Alignment with relevant Council policy

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

- Nelson is a centre of learning and practice in Kaitiakitanga and sustainable development
- Everyone in our community has their essential needs met.

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

- 9.1 This is not a significant decision for Council under the Council's Significance and Engagement Policy. However, previous decisions relating to the Brook Camp have generated widespread public interest. It is believed that the level of engagement that has been carried out in the development of this Plan has been appropriate.

10. Consultation

- 10.1 Significant consultation has been carried out. In addition to the prescribed process under the Reserves Act, officers and contractors have engaged with various stakeholders, including camp residents, in order to explain the process and to seek feedback on the various issues and options.

- 10.2 Further consultation will be required if Council adopts the recommendations from the Panel.

11. Inclusion of Māori in the decision making process

- 11.1 Iwi have been included at each stage of consultation.

12. Conclusion

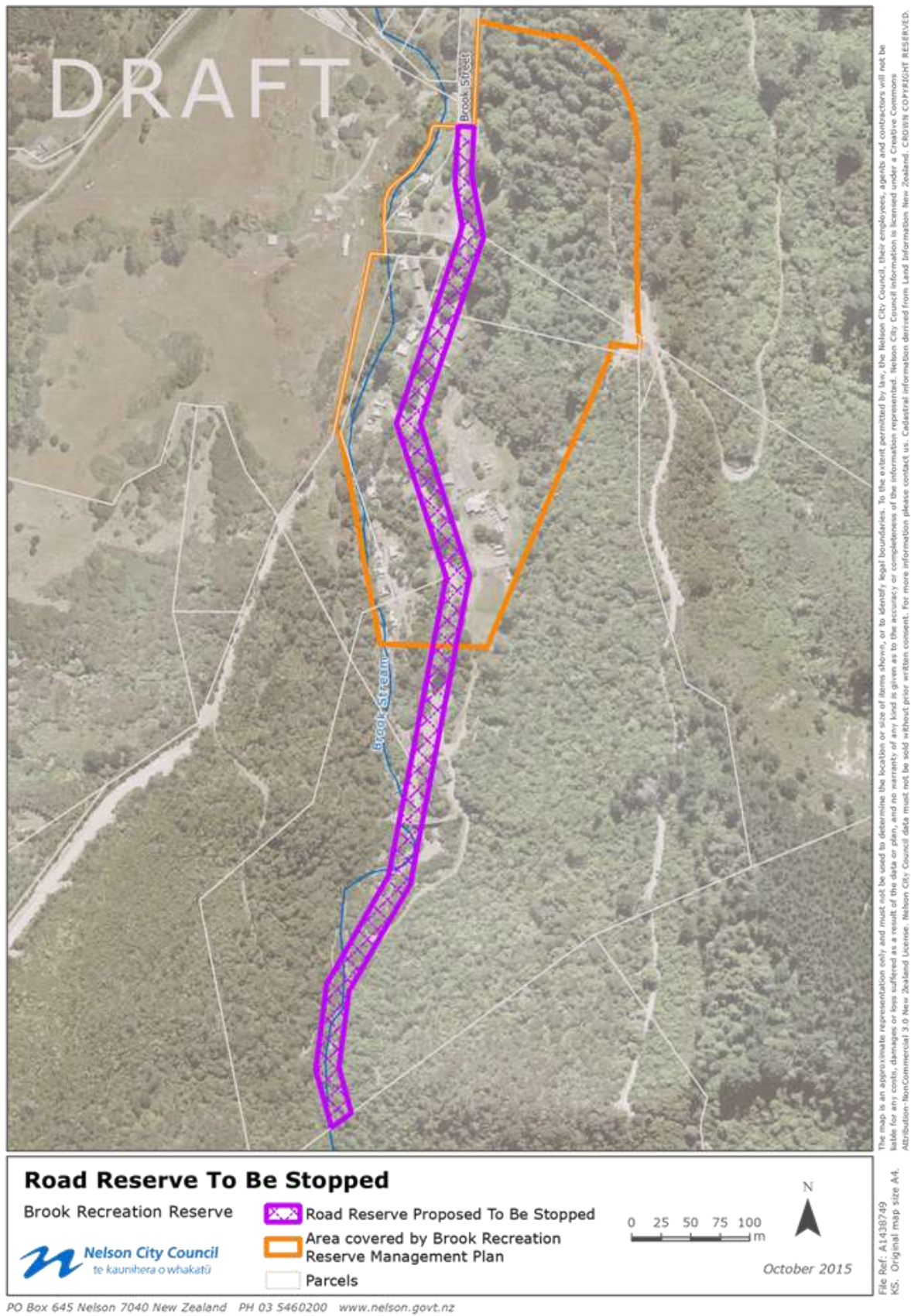
- 12.1 Council has the opportunity to consider the draft Brook Recreation Reserve Management Plan as amended by the Panel following hearings and deliberations on submissions.

Chris Ward
Group Manager Community Services

Attachments

- Attachment 1: A1436078 - Draft Brook Recreation Reserve Management Plan for adoption in principle (*Circulated separately*)
- Attachment 2: A1438749 - Map - Proposed local purpose reserve - road to be stopped

10. Adoption of the Brook Recreation Reserve Management Plan - Attachment 2 - A1438749 - Map - Proposed local purpose reserve - road to be stopped





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REPORT R4694

Active Travel and Pathway Based Recreation Policy

1. Purpose of Report

- 1.1 To adopt the Active Travel and Pathway Based Recreation Policy (the Policy) that covers the physically active modes of transport and path based recreation pursuits for Nelson City, as a strategic framework.

2. Delegations

- 2.1 The provision of cycleways and walkways is delegated to the Works and Infrastructure Committee, and policy relating to the provision of recreation and leisure facilities and services is delegated to the Community Services Committee.
- 2.2 Council resolved in May 2015 that a draft policy be developed and reported directly back to Council.

3. Recommendation

THAT the report Active Travel and Pathway Based Recreation Policy (R4694) and its attachments (A1427375, A1439527, A1439552) be received;

AND THAT the Active Travel and Pathway Based Recreation Policy (A1427375) be adopted in principle.

4. Background

- 4.1 On 20 May 2015 during the Long Term Plan 2015-25 deliberations it was resolved:

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 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.

- 4.2 As a result of this, works on the following capital projects with budget for investigation, design or construction this or last financial year were halted:

Maitai shared path – Collingwood to Nile Street

Nile Street shared path

School journey/frontage improvements

Frontage / Anzac Park shared path (St Vincent Link to CBD)

Saltwater Creek Bridge (Urban Cycleway Fund Project)

Maitai to Rocks Road (Urban Cycleway Fund Project)

Tahunanui Cycle Network (Urban Cycleway Fund Project)

Marsden Valley Grade 2 Mountain Bike track (Parks and Facilities project)

- 4.3 A councillor workshop was held on 7 July 2015. A draft set of principles were developed at that workshop that were then used to engage with our partners. A summary of that workshop is included as attachment two.
- 4.4 Two partner workshops were held on 21 and 22 July 2015. The draft set of principles as developed in the Council workshop was proposed to the participants who then assisted in refining them.

5. Discussion

- 5.1 The Policy is included as attachment one and includes sections on the scope of the Policy, how it was developed and the key issues raised through the workshops.

- 5.2 Projects associated with active travel and path based recreation as proposed in the Long Term Plan have been placed on hold whilst this Policy has been developed. Once this Policy has been adopted each project will be assessed for alignment with this Policy. That assessment with any recommended amendments to the project scopes will be brought to the Works and Infrastructure 26 November 2015 meeting. Notwithstanding this it will be unlikely that there will be sufficient time left in the financial year for all year 1 deliverables to be achieved.
- 5.3 The Policy as attached forms the strategic framework and will be reinforced with addendums that contain network maps, the proposed forward works programme, and etiquette and way finding signage standards over time.

6. Options

- 6.1 Adopt the Active Travel and Path-based Recreation Policy to enable key capital projects to be able to be progressed, acknowledging that additional referencing information will need to be developed to support consistent application of the policy objectives.
- 6.2 Continue to operate under the current status quo arrangement of the 2006 Cycling Strategy 'Pedalling Along', and 2005 Pedestrian Strategy 'Stepping Out' which has been used to guide pedestrian and cycle planning and delivery over the last 10 years.

7. Alignment with relevant Council policy

- 7.1 The attached Policy has a section on alignment with Council policy on pages 8 and 9.

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

- 8.1 The decision is not significant under the Council's Significance and Engagement Policy.

9. Consultation

- 9.1 Two partner workshops were held on 21 and 22 July 2015. The list of participants is located in attachment three.

10. Inclusion of Māori in the decision making process

- 10.1 No consultation with Māori has been undertaken.

11. Conclusion

- 11.1 An Active Travel and Pathway-based Recreation Policy has been developed in collaboration with key partner organisations that covers the physically active modes of transport and path-based recreation pursuits.

- 11.2 This policy acts as the strategic framework and will allow the programme of works to be developed. On approval of this Policy, officers will undertake an assessment of all proposed capital works (approved in Long Term Plan) against the criteria in the Policy to determine scope.
- 11.3 Officers anticipate that specific projects will still have to come back to the Works and Infrastructure Committee for ratification before they can proceed.
- 11.4 Not adopting the policy will further delay delivery of projects.

Rhys Palmer

Senior Asset Engineer - Transport and Roading

Attachments

Attachment 1: A1427375 Active Travel and Trail based Recreation Policy

Attachment 2: A1439527 Council Workshop Summary 7 July 2015

Attachment 3: A1439552 Partner Workshop Attendance List 20-21 July 2015

Nelson City Council

Out and About

Active Travel and Pathway-based Recreation Policy

October 2015

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What is the Scope of this Policy?

The Out and About Active Travel and Pathway-based Recreation policy covers physical activities on our roads, footpaths and pathways, either for travel or recreation purposes. It includes:

- walking and running;
- non-motorised wheeled forms of transport such as cycling, mountain biking, scooting and skateboarding;
- wheelchairs;
- mobility scooters; and
- electric bicycles.

Mobility scooters and electric bicycles have been included as, while their riders are not as physically active as other users, they do use roads and paths for transport and recreation purposes. The diagram below shows the infrastructure and users covered by this policy.

Infrastructure	Generally paved surfaces Footpaths Roads and On Road Cycle lanes Off-road paths in Council reserves Off-road shared pathways
Activities/ users	Walking Cycling/Electric Bikes Scooter/ Skateboard/Mobility scooter Running

Further work is identified later in this Policy, e.g. Off Road Trail Strategy, and the possible creation of a Pathway-based Recreation Forum.

Why have a Policy?

Having accessible, safe pathways and roads for all users is important to the lives of Nelson’s residents:

- Cycling activity growth rate is 3.4% average per annum since 2001
- Walking activity growth rate is 4.4% average per annum since 2001
- 45% of Nelson residents participated in cycling in 2012²
- 18.3% of Nelson residents walked and cycled to work in the 2013 Census

Nelson is a very attractive place to walk and cycle. Participation in activities using pathways has increased rapidly over the past 10+ years, to the point where they are under pressure at some places. This has resulted in increasing conflict and friction between some people, and there is no sign of this activity

² Council Survey of Residents, Key research for NCC
A1427375 Nelson City Council: ‘Active Travel’ and ‘Track/Trail and Pathway Based Recreation’ Policy

growth slowing down. These conflicts need to be managed proactively now to ensure a positive future for our community.

The growth and changes in these activities, and the subsequent issues arising, mean that Nelson City Council's 2006 Cycling Strategy 'Pedalling Along', and 2005 Pedestrian Strategy 'Stepping Out' are no longer effective or relevant, and lack the guidance necessary for Council to manage the situation today. In the process of reviewing these strategies it has become obvious they should be merged in to a single Active Travel and Pathway-based Recreation Policy.

The main purpose of the Out and About, Active Travel and Pathway-based Recreation policy is to provide a clear direction for Nelson City Council and its community as it plans and provides for walkers, cyclists and other pathway users. The policy is aligned with national policies and strategies, and will support any applications made to external funders for active travel projects.

The activities covered by this document offer significant economic benefit and growth potential for the local economy. The ongoing support, development and promotion of active travel and recreational pathway use, including from domestic and international cycle tourism, will continue to bring benefits to Nelson for the foreseeable future.

The Policy

A one-page diagram ideally over a full page spread for design & impact.

Our Vision

An attractive, accessible and safe network that puts Nelson at the forefront of active travel and path based recreation

Our Desired Outcomes

- More residents seeing active travel as a fun, attractive and normal option for their daily life journeys
- An embedded culture of courtesy and respect between all users of paths and roads
- A safer network of complete and convenient routes for active travel and recreational journeys alike
- Active travel reduces the negative environmental impacts and personal cost from daily journeys
- Active travel and pathway-based recreation contributes to improved social, mental and physical wellbeing of residents
- Recreational cycling attracts more visitors to the region and generates benefits for the local economy
- Sensitive network planning and design ensures tranquil and contemplative areas are available throughout the city for all users

Planning Objectives

The objectives of this policy have been identified and refined during consultation. These are intended to provide Council with guidance when making decisions about Nelson's active travel and pathway network.

Objectives	Commentary
<p>Consistency in the standard of path or track, without route interruptions or gaps. Also consistency across the network of an identified type of path or track, i.e. having the same level of service across the network</p> <ul style="list-style-type: none"> • Continuity: no gaps on routes and route standard is the same for the entire length of the route • Convenience: commuter routes are as direct as possible • Routes are connected or linked physically and encourage social connections • Attractive: it is both physically and socially attractive to undertake the journey. 	<p>Consistency: The route is signposted and marked on maps as being of a consistent level of safety, forward vision and gradient. Any change in standard is made clear via signage (and possibly mobile app software in future).</p> <p>Continuity: when choosing a route, users have accurate information about variations in level of service and difficult parts of the route.</p> <p>Connected/ linked: route is continuous and connects to key destinations. The route encourages friends and families to use the paths together, and to interact positively with other users. For example paths allow side-by-side use, and there are regular rest areas with shelter, seating, water fountains to encourage socialisation.</p>
<p>Clarity in classification of route types and purpose</p> <ul style="list-style-type: none"> • Clearly defined hierarchy with recognised levels of service. 	<p>Hierarchy: ladder of routes and ladder of route standards.</p> <p>Route Types are clearly defined, e.g. arterial, connector, feeder, mountain bike downhill, tranquil walk.</p> <p>Route Standards are clearly defined, e.g. grade easy to advanced.</p>
<p>Clear Information: the standard of pathway and the expected behaviour of users are easy to understand.</p>	<p>The same standard of clear information is found in roadside panels and signage along routes and in all website guides, mobile phone software apps and all printed maps and guides. Route information uses colour coding to clearly signal route type, standard and expected etiquette. Information is easy to find and regularly updated.</p>
<p>Channelling of users encourages them to use</p>	<p>Channelling: providing alternative routes and separate spaces.</p>

<p>pathways and routes that are suited to their needs and expectations</p> <ul style="list-style-type: none"> Where appropriate, some users have exclusive use of a particular space, route or location. Keeping users of different modes separate minimises conflict between users. 	<p>I.e. fast confident cyclists use Main Road Stoke and less confident riders use Railway Reserve.</p> <p>Separation: keeping different users apart for all or part of a route. An example would be the separate cycle lanes and footpaths on St Vincent Street.</p> <p>Exclusive use: being the most important user relates to fairness of access and provision and route hierarchy, e.g., where the route has high value for a specific user group because of unique attributes.</p>
<p>An expectation of courtesy enables all users to have attractive positive enjoyable experience.</p> <ul style="list-style-type: none"> Vulnerable users are protected through a combination of etiquette education and social enforcement of acceptable behaviour. Separation of activities to retain as many active travel options as possible. 	<p>Courtesy: respect for other users, both of different modes and of different standards within same mode of transport/ use, means users feel safe.</p> <p>Protection: Be clear about which users are most vulnerable, e.g. the walker on a shared path and the cyclist on the road. Grow awareness about the need for courtesy around very young and elderly people and people with disabilities.</p>
<p>Recognise special attributes of the site</p>	<p>Recognition: of special attributes including significant vegetation, proximity to stream or river edge environments, topography, cultural sensitivity and existing passive use</p>

How was this Policy developed?

This policy was developed by:

- Holding a series of workshops within Council and interested parties. Participants had the opportunity to identify key issues, to explore desired outcomes and planning principles and outline some potential actions
- Reviewing Nelson City Council's current cycling and pedestrian strategy's 'Pedalling Along' and 'Stepping Out'
- Undertaking a literature review of Cycling and Walking Policies and Strategies from throughout New Zealand
- Identifying and reviewing relevant local, regional and national active travel and path based recreation related documents to ensure this policy aligns with the accepted standards.

- Producing a policy for Council that can undergo further refinement to accommodate a future Off Road Trail Strategy.

Targets

The key target for active travel, as specified in the Regional Land Transport Plan and the Long Term Plan, is that by 2018, 25 per cent of Nelson residents will be walking and cycling to work. Other road safety- and condition-based targets or levels of service are also included.

Both Nelson City Council (in the 2015-25 Long Term Plan) and the NZ Transport Agency (in the 2015-2021 Regional Transport Plan) have allocated considerable investment to achieve this target.

Targets with relevance to use of Nelson's pathway network are also specified in the Long Term Plan and the Parks and Facilities Activity Management Plan. They include increasing the number of circular walking and cycling loops and connections to existing tracks, and developing an additional entry level biking track close to urban areas, by 2018

How will we Monitor and Evaluate Progress?

The relevant measures and targets for this policy are monitored, evaluated and reported yearly through the Long Term Plan, Regional Land Transport Plan and Parks and Facilities Asset Management Plan.

Council may also consider the establishment of an Active Travel Forum made up of a representative cross section of Nelson's active travel stakeholder groups to ensure the policy continues to be reflective of and responsive to users and community needs.

A second Pathway-based Recreation Forum should be considered, particularly as this could be the reference group for development of an Off Road Trail Strategy.

What are the Key Active Travel and Pathway-based Recreation Issues?

The key issues facing Nelson City are behavioural, environmental, safety and educational concerns, including:

- **Unsatisfied demand for cycle trips**

There is community demand for a linked-up cycle network that would enable trips to school, work and social opportunities via bicycle. Currently this demand is not being met, so these people are not cycling.

- **Friction/conflict between users due to congestion on shared pathways**

Increased use is leading to congestion on some paths, which is causing frustration between users, even of the same type.

Congestion will lead to deterioration of our pathways and a reduction in the quality of the experience. Congestion on routes needs to be appropriately and sustainably managed. Failure to do so could see a reversal of the current growth in activity levels.

- **Need for education on user etiquette**

There appears to be a genuine desire from all users for increased education to address behavioural issues and conflict of expectations among users. This is particularly important for vulnerable users such as young children, elderly and disabled people.

- **Pressure from new modes of active travel**

Popular new modes of transport (e.g. electric bicycles, scooters, mobility scooters, Segways) are capable of high speed but have a low noise output, so give little warning to other users. These activities are likely to cause conflicts with existing users on a pathway network that was originally designed for walking and cycling.

- **Ageing population**

The proportion of Nelson's population which is at or over retirement age is increasing. Growth of this sector of the community is presenting challenges reflected in the concerns listed above. In particular, an ageing population is increasing the number with limited mobility on our pathway network.

- **Friction/conflict between different types of users**

There is a perception of incompatibility and lack of respect and etiquette between different users, i.e. walkers and cyclists.

- **Increased potential for accidents due to congestion**

There are concerns that existing congestion will result in increased risk of accidents if the social and physical environment isn't appropriately managed, particularly for those users with limited mobility.

Inconsistency of infrastructure

Users need to be confident that the standard of route will be consistent along its length.

This includes:

- Access points,
- Pathway maps and signage
- Etiquette and education
- Path width
- Camber
- Condition
- Frequency of seating and shelter, particularly for users with limited mobility
- Continuity or more importantly discontinuity on many routes.

Poor design of infrastructure

There are concerns around poor design aspects such as:

- Narrow or missing cycle lanes
- Blind corners
- Bottle necks
- Two-way paths with poor visibility
- Limited or disjointed pathway connections
- Paths too narrow for socialisation
- Lack of seating and shelter at rest points, particularly for users with limited mobility.

Limited beginners and intermediate level mountain bike trails

Lack of entry level mountain bike tracks forces beginner and intermediate level mountain bikers into areas popular with walkers.

Shared use versus exclusive use

There are mixed viewpoints for both sides of this argument. We need to look at the network as a whole and make sure that the way it is being used is in line with community needs and expectations, and that the infrastructure is being used appropriately.

Limited consultation with all user groups

There needs to be more regular dialogue with all users about Active Travel and Pathway-based Recreation planning and provision. Regular meetings similar to the former Active Transport Forum would help to engage the community in this important issue.

Policy Alignment

This policy gives due consideration to, and aligns with, the following national, regional and local active travel and pathway-based recreation related policy documents.

National

- **New Zealand Government - Getting there – on foot, by cycle 2005**

‘Getting there – on foot, by cycle’ was developed to advance walking and cycling in New Zealand transport. Despite the fact it was developed in response to the 2002 New Zealand Transport Strategy, it is yet to be superseded, and therefore remains a relevant guiding document.

Key Reference; Page 10

- **New Zealand Government Policy Statement (GPS) on Land Transport 2015/16-2024/25**

This is the Government’s main lever for setting priorities and funding levels for land transport investments.

Key Reference; Page 15

- **Ministry of Transport – Statement of Intent 2015-2016**

The statement provides strategic direction for New Zealand’s transport sector.

Key Reference; Page 10

- **New Zealand Transport Agency – Pedestrian Planning and Design Guide (Oct 2009)**
- **New Zealand Transport Agency – Draft National Cycle Network Design Guidance (July 2015)**
- **Austroads Guide to Road Design – Part 6A: Pedestrian and Cyclist Paths (October 2009)**
- **Ministry of Business Innovation and Employment - New Zealand Cycle Trail Design Guide (February 2015)**

Regional and Local

- **Nelson 2060 – The Vision**

This visionary document looks ahead to 2060 based on feedback from community workshops held in 2011, and includes a number of goals that are supported by active travel and pathway recreation.

- **Nelson City Council Long Term Plan 2015-2025**

This plan sets out Council’s work programme over ten years, includes the Nelson 2060 Vision and themes, and contains six Community Outcomes, four of which are relevant to active travel:

- Our unique natural environment is healthy and protected
- Our urban and natural environments are people-friendly, well-planned and sustainably managed
- Our infrastructure is efficient, cost-effective and meets current and future needs
- Our communities have access to a range of social, educational and recreational facilities and activities.

- **Connecting the Top of the South – Nelson Regional Land Transport Plan (RLTP) 2015-2021**

This plan sets out the region’s land transport objectives, policies, measures and future funding, and aligns with the Government’s Policy Statement (GPS) on Land Transport.

Key Reference; Page 37

When will the Policy be reviewed?

The policy will be reviewed every three years to remain responsive and relevant for the dynamic active travel and pathway-based recreation environment.

Appendix 1 - Active Travel Network Hierarchy

To be developed

Appendix 2 - Pathway-based Recreation Network Map

To be developed

Appendix 3 - Active Travel Forward Works Programme

To be developed

Appendix 4 - Etiquette and Way Finding Standard

To be developed

Workshop Summary - Active Travel and Pathway Based Recreation Policy

A Council workshop was held to inform the Active Travel and Pathway Based Recreation Policy on the 7th July 2015.

The following notes summarise the key points from that workshop.

1. Outcomes sort from (a) Active Transport and (b) Active Lifestyle

The following individual 'outcome' post-it notes were completed:

Active Lifestyle

- A means of user pays
- A system that produces tourist growth
- Routes close enough for users to use
- Designing safe shared pathways to beaches and parks
- Transport and active lifestyle are synonymous
- Pathways wide enough for two couples or mobility scooters to pass unimpeded
- Good signage promoting walking and cycling codes of conduct
- Pathways a sufficient size/width to avoid conflict
- Walking/pushing cycles
- Mix of routes to cater for different abilities
- Adequate storage facilities for users
- Fund growth in active recreation by providing shared pathway infrastructure
- Explore private enterprise partnerships
- A better control of construction and approval
- Better consultation
- Pristine accessible walking-only tracks, nature walks, gravel surfaces
- Clear maps and signage
- Some total separation
- Coastal route from Tahunanui to Honest Lawyer ie around Airport/Golf
- Airport-Rabbit Island connection ferry
- Mixed ability solutions
- Mixed range of grades for mountain biking
- Some cycling-only and some walking-only tracks
- The five minute rule prevails – you can be in the wilderness, a natural space within five minutes' walk from your front door
- Safe unimpeded cycle tracks
- Clear shared use protocol
- As few shared paths as possible

 Workshop on Cycling and its Impacts on Other Users
 7 July 2015

- Promote courtesy and common benefits
- People visit Nelson because they want to walk in our beautiful places
- Healthier, happier people
- Nelson being seen nationally and internationally as a walking and cycling Mecca
- Increase in visitor numbers
- Nelsonians seeing themselves as walkers and cyclists and exporting these attitudes to the world
- More cycle-related industries setting up in Nelson
- Strong Council leadership over conflict
- Elderly
- Family focus
- Fun
- Lifestyle
- Dog walking
- Contemplative walks/areas
- Horticulture
- Parks
- Walking-only eg Queens Gardens, Anzac
- Choice to wear cycle helmets off road if going slow - compare European cities where helmets don't have to be worn
- Safe, slow off-road cycleways – amenity value of community
- Kiwi culture is to just do it – cycle, walk, car – not a fashion fad
- Walking is fun and interesting
- Sculpture walk
- River walks
- Heritage walks
- All ages have active lifestyle choices that are free and accessible from their home

Active Transport

- Our bus system supports active transport choice
- Bike hub near bus station
- It's safe – feels safe and is safe
- Greater numbers of people walking and cycling as a means of transport
- Increased empathy for cyclists and walkers and a citywide appreciation of the benefits more people walking and cycling bring to the health and prosperity of Nelson
- Cycling and walking are made safer
- People perceive cycling and walking as safe
- Massive increase in the number of children cycling
- Reduced air pollution
- More cycle-related industries setting up in Nelson
- Young children
- Designing low confidence cycling routes for schools and city connections
- Staff use electric bikes – have an electric bike fleet
- The residential city is a place where bikes and cars can be on roads together because we have a good arterial system

- All ages can participate
- Nelson is identified as an active transport city
- Links work throughout the city
- Networked
- Safety
- Separated facilities
- Direct routes
- Encouraging children
- Programmes with schools
- Inner city roads cater well for commuter cycling
- Inner city paths cater well for walking
- All of our footpaths outside the CBD are very underutilised and could be made available to the less confident – the elderly, the young, the novice
- Most of our walkways and cycleways are not crowded and most of our users are sharing well as a priority
- Cycling on road is normal, cars and cycles interact safely with respect, and we've designed roads with that expectation
- It is a viable choice and is normalised as a way to get about – walking, cycling, scooter – it's just what we do
- Cycling off-road whenever possible
- Well connected routes
- Linked complete routes
- Well defined clearly marked routes
- Well resourced infrastructure, not cheapest option
- Creating a culture which is not shaped by rules but by common courtesy
- Reluctant to have bans but can see that The Grampians and the Botanical Reserve are pedestrian predominant
- Well designed, efficient
- Some separation
- Some shared
- Develop code of behaviour to promote courtesy and shared use
- A means of user pays
- One that is used by a significant proportion
- A system that receives a generally accepted fair share of ratepayer funding
- Reduced feelings of fear by less confident or vulnerable users
- Free electric bike charging
- Slow shared zones
- Bike and ride for free – ie return bus
- Bike park
- Rules on motor scooter use of footpaths and shared pathways

In summary the **key transport** outcomes were considered to be:

- Choices for all
- Interact well together (clarity)
- Linkages across the city
- Safety is one of our top priorities
- Consideration of environmental benefits.

Workshop on Cycling and its Impacts on Other Users
7 July 2015

The key **Lifestyle** outcomes were considered to be:

- All ages actively involved
- Look toward benefits that can be derived, including economic and tourism
- Fun and accessible for all who take part
- Cycling and walking be seen as part of Nelson's identity
- Quiet contemplative areas part of the mix

2. Presentation – David Allan

Mr Allan of Global Leisure Group detailed the characteristics that recent studies had shown were important in developing a good policy or strategy:

- **Consistency** – consistency in the standard of track.
- **Continuity** – when choosing a route, users know about difficult parts coming up.
- **Hierarchy** – the level of service, and also purpose of track.
- **Legible** – way finding.
- **Protection** – of the most vulnerable user.
- **Courtesy** – as opposed to separation of prime users.
- **Connected/linked** – physical and social connectedness.
- **Separation** – separation of prime users.
- **Channelling** – directing different activities toward different tracks.
- **Primacy** – exclusive use for a particular area.
- **Equity/fairness** – balancing the different priorities

It was noted that difficulties arose when attempts were made to change the historic primacy of areas. There was support for giving primacy to walkers where there was native bush to enjoy and observe. It was accepted that primacy could be decided around slow movement, channelling faster traffic away from those areas.

ACTIVE TRANSPORT SESSION - ATTENDEES Tuesday 21 JULY 2015

Partner	Contact Person	Attending
Nelson Walkers Unite / Nelson Dog Owners Group and Nelson B&B Association interests	Cynthia McConville	Cynthia McConville Ainslie Riddoch
Bicycle Nelson Bays / Health Action Trust / Get Moving & Walk Nelson Tasman interests	Chris Allison	Chris Allison John-Paul Pochin
TDC / Walk Nelson Tasman	Mike Tasman-Jones	Mike Tasman-Jones
Grey Power	Linda O'Dea	Linda O'Dea
A4A (Accessibility for All)	Sarah Downs	Sarah Downs
AA Nelson	Allan Kneal (Chairperson)	Allan Kneal
Police	John Price	Did not attend
Youth Council	Rachael Large	Keegan Phipps Fynn Sawyer
Nelson Airport	Rob Evans Chief Executive	Rob Evans
Nelson Tasman Cycle Trails Trust	Gillian Wratt	Jo Leyland
Brook Sanctuary		Derek Shaw
Nelsus	Peter Olorenshaw	Peter Olorenshaw
Blind Association of New Zealand, Nelson branch	Amanda Stevens (538 0364)	Brian Say
Brook Valley Community Forum	Christopher St Johanser	Christopher St Johanser Dot Crafar-Staig
Self-representation	Peter Robins	Peter Robins
Self-representation	Andrew Leachman	Andrew Leachman

ACTIVE RECREATION SESSION - ATTENDEES Wednesday 22 JULY 2015

Partner	Contact Person	Attended
Nelson Walkers Unite	Cynthia McConville	Cynthia McConville Ainslie Riddoch
Bicycle Nelson Bays Health Action Trust / Get Moving & Walk Nelson Tasman interests	Chris Allison	Chris Allison
Nelson Mountain Bike Club	Paul Jennings	Paul Jennings Stephen Newport Ben Pointer
Grey Power	Linda O'Dea is appointed walking / transport rep – along with Bob Hancock	George Truman
Youth Council	(Rachael Large)	Sam McIroy Keegan Phipps
Nelson Tasman Cycle Trails Trust	Gillian Wratt	Gillian Wratt
Brook Sanctuary		Derek Shaw
Nelsus	Peter Olorenshaw	Peter Olorenshaw
Blind Association of New Zealand, nelson branch	Amanda Stevens (538 0364)	John Harwood Brian Say
Nelson Lift Society	Alan Winwood (for Jo Rainey)	Alan Winwood
Brook Valley Community Forum	Christopher St Johanser	Christopher St Johanser Dot Crafar-Staig
Self-representation	David Ayre	David Ayre
Self-representation	Lisa Morrison	Lisa Morrison

Adoption of Annual Report 2014/15

1. Purpose of Report

- 1.1 To adopt the Annual Report 2014/15 in accordance with section 98 of the Local Government Act 2002.

2. Delegations

- 2.1 The adoption of the Annual Report is a decision of Council.

3. Recommendation

THAT the report Adoption of Annual Report 2014/15 (R4764) and its attachment (A1396738) be received;

AND THAT the Annual Report for the year ended 30 June 2015 (A1396738) be adopted in accordance with s98 of the Local Government Act 2002;

AND THAT the Mayor and Chief Executive be delegated the authority to make minor changes, including the addition of the Foreword to the Annual Report 2014-15, and any suggested changes by Audit New Zealand.

4. Background

- 4.1 The purpose of an Annual Report is to compare the actual activities and performance of the local authority with those intended, as set out in the applicable Long Term Plan or Annual Plan (the Annual Report 2014/15 compares performance against the Annual Plan 2014/15). It also aims to promote the local authority's accountability to the community for the decisions made throughout the year. An Annual Report is required under section 98 of the Local Government Act 2002.
- 4.2 The audited Annual Report needs to be adopted by Council within four months of the end of the financial year (30 June 2015). This year, the last possible day for the adoption of Annual Report 2014/15 is Friday 30 October 2015. The only Council meeting prior to this date is

15 October 2015. The attached Annual Report covers Council's financial and service performance for the period from 1 July 2014 to 30 June 2015.

- 4.3 Council is required to make publicly available a summary of the information contained in the Annual Report within one month of its adoption. This year, as in previous years, it is proposed to include an article in Council's fortnightly Live Nelson publication, which is delivered to every Nelson household. A more comprehensive audited summary will also be available through Council's usual distribution methods. In addition, it is proposed this year that a 2016 calendar showing key dates (Council meetings, recycling collection) be produced for delivery to every household and that this include a summary of the Annual Report so that residents are informed about Council's performance.

5. Discussion

Audit Report

- 5.1 Audit New Zealand is expected to issue an unmodified audit report. The final audit report will be issued once the document is adopted, for inclusion in the published Annual Report.

Surplus

- 5.2 The Annual Report shows that Council recorded a net surplus before revaluations for the year ended 30 June 2015 of \$8.9 million, which was \$2.4 million less than budget. The surplus was \$15.4 million for the 2013/14 financial year. The variations from budget are listed in Note 35 in the Annual Report.
- 5.3 It should be noted that the word 'surplus' is an accounting term, and is different from the rating surplus which is referred to below. The accounting surplus includes capital items such as road subsidies and grants relating to capital projects, revaluations and vested assets which are required to be treated as income for accounting purposes.

Public Debt

- 5.4 The Council's borrowings as at 30 June 2015 were \$72.4 million (\$71.8 million in 2013/14) including \$8.0 million (\$8.1 million in 2013/14) as Council's share of the loans raised for the Regional Sewerage Business Unit, summarised in Note 23. This compares with a budget of \$112.0 million (net of deposits).

- **Rating Surplus**

- 5.5 The rating surplus as at 30 June 2015 was \$6.3 million and is explained in the Annual Report. The 2013/14 rating surplus was \$3.4 million greater than anticipated and the remaining \$2.9 million was related to 2014/15 savings in operating expenditure, particularly financing costs, staff costs and maintenance costs.

- **Material differences from draft annual report**

- 5.6 A difference in accounting treatment relating to residual value of the original Maitai Pipeline has resulted in a reduction in its valuation of \$5 million. This is reflected in gains/losses on property revaluation in the statement of comprehensive revenue and expense and in property, plant and equipment and other reserves in the balance sheet.
- 5.7 Analysis of expenditure attributed to the Trafalgar Centre project has resulted in the expensing of \$644,000 related to expenditure that had been incurred at the beginning of the project before the earthquake issues were discovered and subsequent investigations to scope the new project.

6. Options

- 6.1 Option 1 – accept the recommendation – statutory timeframes mean the Annual Report must be signed off within 4 months of the financial year end. Audit NZ has reviewed the draft and indicated it will give an unmodified report.
- 6.2 Option 2 – not accept the recommendation – will not meet the statutory timeframes.

7. Alignment with relevant Council policy

- 7.1 The Annual Report is a key Council document reporting back to the community on the performance of the Council against the Annual Plan and Long Term Plan.

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

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

9. Consultation

- 9.1 This decision does not require consultation.

10. Inclusion of Māori in the decision making process

- 10.1 Maori have not been consulted in this decision.

11. Conclusion

- 11.1 An Annual Report is required to be completed under the Local Government Act 2002.
- 11.2 Council is required to adopt its Annual Report within four months of the end of the applicable financial year (30 June 2015), and make available a summary of the information contained in the Annual Report within one month of its adoption.

Tracey Hughes
Senior Accountant

Attachments

Attachment 1: Annual Report (A1396738) (*Circulated separately*)

Events Strategy Review: Terms of Reference

1. Purpose of Report

- 1.1 To approve the Terms of Reference for a contract to review the Events Strategy.

2. Delegations

- 2.1 As this is a cross portfolio item (Governance and Community Services) it has been brought directly to Council for consideration.

3. Recommendation

THAT the report Events Strategy Review: Terms of Reference (R4916) and its attachment (A1413546) be received;

AND THAT the draft Terms of Reference (A1413546) for the review of the Events Strategy be approved;

AND THAT the Mayor and Chief Executive be delegated to make any minor editorial changes as required before the Terms of Reference are released.

4. Background

- 4.1 The existing Events Strategy was developed after the Wearable Arts Awards (WOW) event moved to Wellington. A Steering Group evolved from a public meeting to discuss the loss of WOW, and it was the Steering Group that prepared the original regional Strategy. Council did not adopt the Strategy but did allocate \$55,000 for its implementation and associated work. This initial funding has evolved over the years into the current Events Fund with an allocation of \$334,666 in 2015/16.
- 4.2 The focus on the loss of WOW shaped the Strategy and the Events Fund and its criteria. This perspective is outdated and a fresh look is needed at what how Council supports events.

5. Discussion

- 5.1 Given the importance of events to the local economy and to the community it is proposed to contract specialist external expertise to draft a new Strategy rather than complete this work in-house. The attached Terms of Reference outlines the scope of work to be undertaken. The aim is to clearly establish the outcomes Council expects from the Strategy and how to best invest limited funding to achieve those outcomes.
- 5.2 The timing of the Strategy development allows for early findings to feed into the Annual Plan process should this be necessary.

6. Options

- 6.1 Council could decide that it does not need an Events Strategy and that this is not an appropriate area for Council support or that the current Events Fund and criteria are functioning sufficiently well. In this case the attached Terms of Reference would not be needed.
- 6.2 Council may approve the attached Terms of Reference with or without amendments. This is the preferred option as there is a need to look again at the goals and outcomes of the current Council investment in events to ensure the return on ratepayer funding is maximised.

7. Alignment with relevant Council policy

- 7.1 The review of the Events Strategy supports both economic and community wellbeing strands of the Community Outcomes in the Long Term Plan 2015-25, in particular that "our communities have opportunities to celebrate and explore their heritage, identity and creativity" and that "our region is supported by an innovative and sustainable economy". This work also builds on Nelson 2060's aspiration in Theme Two, that we have "outstanding lifestyles, immersed in nature and strong communities".
- 7.2 The cost of contracting external expertise to undertake the review will be met from policy development budgets within the Long Term Plan 2015-25.

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

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

9. Consultation

- 9.1 During pre-consultation on the Long Term Plan 2015-25 the need for a fresh look at events was raised in the youth, older adults and sports groups and also featured in submissions.

10. Inclusion of Māori in the decision making process

10.1 No consultation has been undertaken with Maori.

11. Conclusion

11.1 The Events Strategy is in need of a review and the attached Terms of Reference provide an outline as to the scope of work required. It is recommended that Council agree to this work being progressed by approving the Terms of Reference with amendments as necessary.

Nicky McDonald
Senior Strategic Adviser

Attachments

Attachment 1: A1413546 - Events Strategy Terms of Reference

1. Purpose

- 1.1. This document provides Terms of Reference for the development of a Nelson City Council Events Strategy.
- 1.2. The purpose of the Strategy development is to create a framework for Council's support of events that takes into account both economic and social benefits. Council wishes to stimulate the local economy with a range of events that bring visitors to Nelson. It also believes events with a more local focus can encourage a sense of community identity and belonging and make Nelson a more enjoyable place to live.
- 1.3. The Strategy should consider what events it is appropriate for ratepayer funding to support and how to get the best return on that ratepayer investment.

2. Background

- 2.1. The existing Events Strategy was developed ten years ago after the Wearable Arts Awards (WOW) event moved to Wellington. There was concern about the impact the loss of WOW would have on the local economy and a desire to find other events to replace the gap that it left.
- 2.2. A Steering Group evolved from a public meeting to discuss the loss of WOW, and it was the Steering Group that developed the original regional Strategy (see Attachment 1). It was focussed on economic impact and developing events unique to the region. While Council did not adopt the Strategy it did allocate \$40,000 for its implementation and \$15,000 for work with creative industries.
- 2.3. The funding increased over the years and now stands at \$334,000 for 2015/16 with surplus funds of \$172,400 held in Council and a working capital reserve of \$167,600 held by the Nelson Regional Economic Development Agency. A separate amount of \$100,000 has been allocated to support Light Nelson in 2015/16.
- 2.4. In 2014 Council commissioned a review of the Events Fund guiding principles/criteria. The overall finding was that the criteria are, for the most part, delivering economic benefit to a satisfactory level but there is room to extract more value – particularly by developing a clear purpose, strategic intent, objectives and targets.
- 2.5. The focus on the loss of WOW shaped the Events Strategy and the Events Fund and its criteria. There is a feeling now that this perspective is outdated and a fresh look is needed at how Council supports events.

3. Scope

- 3.1. Council seeks a consultant who can develop a Strategy that provides clear direction on:
 - The range of benefits events can provide for Nelson and the case for ratepayer funding.
 - The purpose of Council support for events, with a particular emphasis on the measurable and time-bound outcomes desired.

- The types of support Council can provide, which could include funding but also a range of non-financial support such as underwriting, officer guidance on managing Council processes (e.g. traffic management plans or consents), advertising (e.g. in the Summer in Nelson programme), capacity building, economic impact analysis.
- Minimising barriers to establishing and developing events in Nelson.
- The most effective criteria for selecting events to receive support (having also reviewed the impact of existing criteria such as seasonality, uniqueness, fit with target markets etc). Within this to consider options to support one-off events as well as repeat events.
- The broad categories of events that Council would support from the funding allocation and corresponding objectives/criteria for each category.
- Ensuring a balance between Council support and community initiative, so that Council involvement does not reduce the sense of community ownership.
- Preserving sufficient flexibility to be able to support unexpected or emerging opportunities for events.
- Approaches to improve the involvement of different groups with the city's events, for example retailers, with a view to maximising wider benefits.
- An appropriate process for decision making on applications for support, including consideration of the skills and knowledge needed by those assessing applications.
- Measuring achievement of objectives and how this should influence future support.

3.2. The successful consultant should also consider the following issues and provide advice on whether and how to best attend to these in the Events Strategy:

- Consideration of the potential for purchasing events from elsewhere that have a good fit with the Nelson brand and establishing them in the city.
- Approaches that can attract commercial events such as conferences, trade shows and expos to choose Nelson as their location.
- How support might be targeted differently for events at different stages of their development eg how to nurture new events and then to extend more established events.
- Processes to ensure that the city capitalises on events through coordinated planning for other activities and promotions to "wrap around" key events in the calendar.
- Links to other work on venue marketing and any issues around infrastructure gaps or opportunities.
- Risks or liability issues for Council from its role delivering or supporting events and how to mitigate these.

4. Out of Scope

- 4.1. The delivery of tourism promotion services, the structure of other agencies and any decisions already made by Council eg on economic development services or the future of the Arts Festival, are out of scope of this project except to the extent that it is helpful to outline external factors necessary for the Events Strategy to be successful.

5. Approach

- 5.1. Development of the Strategy should take a consultative approach considering the views of and engaging with a range of stakeholders including event providers, venue owners, the Nelson Regional Economic Development Agency, Nelson Tasman Tourism, Sport Tasman, Uniquely Nelson, Tasman and Marlborough District Councils. A workshop with elected members to test proposals and receive early feedback will be required. Regular and close liaison with Council officers managing the Strategy development is essential.

6. Deliverables

The consultant will:

- Deliver an Events Strategy to inform Council support over the next 10 years, with a particular emphasis on implementation of the strategy over the first three years.
- Include in the Strategy a clear purpose, an explanation of Council's role, criteria for support of events, measurable goals for the Strategy (with timeframes where appropriate), a methodology for measuring the success of events.
- Workshop the draft Strategy with elected members and engage with key stakeholders
- Provide recommendations on funding levels for support to events.
- Meet a deadline of delivery of a draft Strategy by 9 February 2016.
- Ensure delivery of the Events Strategy in final form by the end of March 2016.

7. Attachments

- 7.1. Attachment 1: Nelson Tasman Event Development Strategy Summary (A181743)

Nelson-Tasman Event Development Strategy Summary

The implications for Nelson-Tasman of losing the Wearable Arts Awards event from 2005 include the loss of:

- Estimated nett economic impact of \$4.9million occurring at a traditionally weak month for visitor business
- Expansive media profile for the region
- Access for the local community to the event
- Access to skills development opportunities for local residents and organisations

While there were influences beyond local control, the move of the Wearable Arts Awards event can also significantly be attributed to:

- Infrastructure capacity constraints (accommodation, venue, skilled personnel and equipment)
- A lack of clear and consistent policy of event support supported by the community manifested through local government (WOW were often made to feel lucky to be in Nelson and Councillor comments suggested public investment was not warranted, when in fact the net investment was around \$1000)
- A lack of local understanding of the cost, risk and low financial returns associated with producing an event of this scale (and the associated perception that public funding would simply line the event owners' pockets)
- Issues of individual personality and relationship management that often cause barriers to strategic progress, especially in provincial areas.

A review of the national event sector and approaches taken by other regions highlights a call at a national strategy level for a more coordinated strategic approach to be taken to event development by central government, local government and regional tourism organisations. Events are seen as key to influencing tourism seasonality, regional differentiation and opportunities for visitors to engage with the local community and culture.

While there are a number of regions with iconic events with little strategic intervention by Councils or Regional Tourism Organisations, most of these events occur in peak season. This means the incremental economic benefits are reduced compared with off-season events and additional peak pressure is placed on core infrastructure such as roading and sewerage systems. Almost all NZ Regional Tourism Organisations are calling for regional event strategies to be developed and for increased intervention (especially through funding) to encourage events to occur outside the peak season. Leading practice increasingly involves event funding decisions to be taken by a specific event governance committee or board including non-Council representatives.

An assessment of Nelson-Tasman's current event sector concludes that there is a solid base of existing events to build from, although most of these events do not yet achieve significant attendance from outside the region and they have minimal media exposure beyond Nelson-Tasman.

There are already numerous events where clustering could produce benefits including:

- Arts and Cultural Events

- Outdoor endurance and adventure events
- Eco and lifestyle choice events

Strengths, Weaknesses, Opportunities and Threats are bullet pointed as follows:

Strengths:

- Climate
- Regional Positioning
- Local Creative and artistic talent and leadership skills
- Established Cultural Tourism Strategy
- Solid base of existing smaller events
- Industry drivers
- Outdoor event environment
- Track record in cooperation for tourism and facilities
- Operational event database
- Motels Vacancy status system
- Local experience in established events
- Generous corporate citizens companies

Weaknesses

- Lack of clearly articulated Event Strategy
- Lack of performance measurement of current Council event investment
- Council cooperation
- Small-townitis affecting cooperation
- Lack of investment in event research
- Lack of events from autumn to spring
- Complacency bred from WOW's success
- Lack of quality event venues compared with other regions
- Lack of coordinated investment in event marketing
- Lack of coordination in event sector stakeholders
- Lack of resources to develop event operator capacity and professionalism
- Small pool of corporate sponsors
- Weak local ticket demand

Opportunities

- National Event Strategy and Funding
- Cultural tourism reputation with Government
- Mobile metropolitan market
- International visitor growth

- Hobby events
- Participation events
- Changes to NPC and Super12 Rugby
- Multi-sport and Adventure Events
- Satisfying an ageing national population
- Forecast local population growth

Threats

- Competition for events from other regions

Other Issues and Risks

- Creating another layer of bureaucracy in event funding administration
- Contestability of NCC's current investment in events

Strategy 2005-2010

Vision

By 2008 the Nelson-Tasman Region has a cohesive events industry founded on public and private partnerships, that has worked strategically to foster a series of events which collectively generate significant economic, social and cultural benefits to the region's communities.

Events have become a major contributor to the region's external profile, building its distinctive identity, helping to attract visitors and new skilled residents.

The community understands and supports public investment in event development as a contributor to their wellbeing.

The events industry promotes environmental awareness and environmental impacts are controlled.

Mission (for the body given responsibility for Event Development)

To lead an event industry strategy to foster and strategically invest in the development of events that:

- Are unique to the region, helping to differentiate Nelson-Tasman's identity
- Provide the optimum economic impact through visitor spend and job creation outside the peak season
- Support cultural sector sustainability
- Support and leverage current and emerging industry sectors which can or do drive the economy
- Engage with the grass-roots community.

General Strategic Principles

The primary focus will be on events that have potential to build distinctive regional identity through external profile and through engendering strong pride in the region amongst residents.

Generation of immediate economic impact will also be an important criterion for investment.

Provided events meet the above criteria, further priority will be placed on events that are accessible to and engage the local community, adding to local vibrancy enhancing the destination experience for visitors.

A strong but not exclusive focus will be applied with two core themes: Craft Art and Seafood Excellence. According to available resources these themes can be broadened as follows.

	Focused Theme	Broadened Theme
1	Craft Art	The Arts – building out from, and wherever possible leveraging the region's strong visual / craft arts profile and foundation
2	Seafood Excellence	Maritime Industry and Culture – emphasising the region's relationship with the sea and the sea related industries, in particular seafood.

Sectors such as wine, hops/beer and horticulture can be built around the two core themes.

A considered diversification strategy will also be pursued to maximise the potential from a broad range of hobby, sport and recreational events, including both spectator and participation type events.

Growing and cluster existing events will be given equal priority to securing new events depending on the assessed risk profile of each event opportunity.

Priority will be placed on developing and securing recurring annual events. However, an ongoing programme to attract and host roving events will also be pursued.

Objectives

By June 2005:

- Both Councils have carefully reviewed their existing events investment against stated objectives and clarified their policy for investment in local community focussed events.
- Both Councils have committed to this Strategy and are at least taking a staged approach to budgeting for its implementation.
- A regional event development policy has been designated (new or existing) with a defined contract or terms of reference based on this strategy.

From June 2005, all events supported under this strategy generate estimated economic impact of at least 20:1 as a ratio against public funded investment.

By June 2006 feasibility assessments have been carried out on two major events detailed below.

By 2010, two major, high quality regional events have evolved that:

- Are unique to Nelson-Tasman, enhancing the region and New Zealand's identity
- Appeal to national and international visitors and media
- Stimulate visitation outside the traditional peak season

By 2007, depending on resources, up to four additional smaller off-season events have been supported or developed per annum.

Key Strategies

The following key strategies will support the achievement of the above vision and objectives. These key strategies are underpinned by specific actions and projects under the Strategic Action Plan section.

- 1) Gain regional stakeholder buy-in to refine this event strategy
- 2) Develop event support fund and administrative processes
- 3) Establish a working knowledge base for event planning, procurement and evaluation
- 4) Build the capability and capacity of the events sector to retain professionals
- 5) Facilitate strong networks to ensure an all-of-Council and cross-sector approach to event development.
- 6) Enhance event impact through increase promotion and coordination.

Performance Indicators

The designated event development agency will have to develop a more refined set of performance indicators to give Councils confidence in funding provision and to allow reporting. The following provides a base for performance monitoring.

- Achievement of the key objectives listed above
- General progress on strategy implementation against final budget and timeframes
- Visitors, ticket sales, economic impact and media reach of events supported
- Satisfaction of event sector
- Monitor in Council resident satisfaction surveys
- Establishment of events knowledge base
- Record of networking initiatives and advice given
- Non-Council funding leveraged in supported events.

Key Recommendations to move forward

Current Event Funding

Whilst the importance of community event investment is recognised, the current significant investment by both NCC and TDC should be reviewed by each Council to more accurately determine the relative outcomes currently achieved and the opportunity cost compared with strategic investment in major events.

Structure and Administration

Administration of Council investment in community events should remain with each Council.

In recognition that major events generate community, economic and media benefits for both Nelson and Tasman District and that events will draw on facilities and resources for both areas, major event development should be approached from a

Nelson-Tasman Regional level with engagement and backing from both NCC and TDC. Therefore major event development should be at arms length from the Councils through a structure that gives both appropriate control.

Assuming provision of new Council event funding, an event development board or Committee should be established with clear accountabilities to separate funding administration from political level. Rather than creating completely new entities, a structure involving either or a combination of Latitude Nelson and the Nelson Regional Economic Development Agency should be explored by both Councils and the Boards of these agencies.

An Event Development Coordinator should be recruited to commence implementation of the Strategic Action Plan according to available resources. In the interim, this can be a contract position sitting with either Latitude Nelson or the Nelson Regional Economic Development Agency, but co-located with both.

Council Funding of Event Development

There are three budget scenarios offered, "Serious", "Minimal" and "Interim".

Serious Budget - \$400k to \$420k

This budget is recommended if Councils want to implement a reasonably comprehensive event development strategy including specific human resource, research, event industry capability development, event funding and tagged event marketing.

This budget is recommended if Councils want to implement a reasonably comprehensive event development strategy including specific human resource, research, event industry capability development, event funding and tagged event marketing.

Minimal Budget - \$200k to \$220k

This budget is recommended if Councils are unable to achieve the serious budget but want to have some funding for all elements of an event development strategy mix. This scenario sees reduced allocation to event funding and event marketing.

Interim Budget - \$50k to \$70K

This budget is recommended if Councils are unable to achieve either of the above budgets in the short term but want to take a staged approach to evolving an event development programme. This scenario provides only enough to contract a coordinator to being the process of gaining wider strategy buy-in, establish some of the knowledge base and commence industry networking initiatives so that event operators and sponsors can be guided by the strategy. This scenario relies significantly on support resources being provided by either or both Latitude Nelson and the Nelson Regional Economic Development Agency.

Event Development Coordinator Role

- To develop specific project plans for activities in the regional strategy according to cash resources.
- To provide administration for the Event Development Committee/Board.
- To facilitate corporate sponsorship of events that align with the regional event strategy.
- To develop event bidding resources in partnership with the convention bureau.

- To step up promotion and maintenance of the regional events database.
- To commence establishment of a regional events knowledge base including detailed profiles of and options for growth of existing events.
- To establish event sector training resources including event business plan, marketing plan, attendee survey, sponsorship proposal, health and safety and risk management plan templates.
- To establish ongoing liaison with all key stakeholder groups.
- To coordinate networking opportunities for the event sector including recruiting outside guest speakers.
- To provide regular events sector reporting to the Event Development Committee/Board and to Councils.

REPORT R4951

Trafalgar Centre Northern Building - Concept Plans

1. Purpose of Report

- 1.1 To approve the concept plans for the northern building of the Trafalgar Centre for approval.

2. Delegations

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

3. Recommendation

THAT the report Trafalgar Centre Northern Building - Concept Plans (R4951) and its attachments (A1439311 and A1439312) be received;

AND THAT the Northern Building Concept Plans as outlined be approved;

AND THAT the Northern Building work package be subject to detailed design, scheduling and pricing including a due diligence process to determine a total out-turn cost;

AND THAT the approval process be followed for the total out-turn cost as resolved by Council 3 September 2015.

4. Background

- 4.1 At its meeting on 23 July 2015 Council considered the Trafalgar Centre and in relation to the Northern Building resolved:

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.

- 4.2 At its 3 September 2015 meeting, Council considered an additional report on progress with respect to the Trafalgar Centre Reopening Project and passed the following resolution;

THAT the report Trafalgar Centre Northern Building - Concept Plans (R4951) be received;

AND THAT Gibbons Construction Ltd be contracted to undertake the physical works associated with the reopening of the Trafalgar Centre and the development of Rutherford Park;

AND THAT the scope of work contained within the Trafalgar Centre Reopening Project and the Rutherford Park Development be grouped into five packages:

- 1. Compliance works and ground improvement;*
- 2. Southern extension;*
- 3. Main building, infrastructure/external works and maintenance items;*
- 4. Northern building;*
- 5. Rutherford Park;*

AND THAT each package be subject to detailed design, scheduling and pricing with due diligence to determine a total out-turn cost for that package;

AND THAT the total budget for the refurbishment of the Trafalgar Centre (noting this does not include capital expenditure for Rutherford Park) be approved at \$12.289M in the 2015/16 year;

AND THAT the Chief Executive Officer, Her Worship the Mayor, Chair of Community Services and Chair of Works and Infrastructure (or their Deputies) be given delegated authority to approve the total out-turn cost for each package provided it is equal to or below the relevant July 2015 estimate for that package.

- 4.3 Councillors held a workshop on Tuesday 18 August to begin scoping options on the design and layout of the proposed rebuild of the northern building.

- 4.4 Councillors held a further workshop on Tuesday 1 September to consider the preferred options outlined in the previous workshop. Additional questions around functionality of the proposed concept plan were asked and noted. This workshop also raised the inter-relationship and linkages between the northern building and the proposed Rutherford Park

development. The importance of the linkages were noted and specifically the need to minimise the conflict between vehicle and pedestrian movements.

- 4.5 Councillors then held a workshop on Tuesday 29 September to consider answers to the questions raised previously.
- 4.6 The programme for the northern building was outlined in the 23 July 2015 report. That was that the concept design be developed and finalised by the end of September 2015 with the final concept plan then to be reported back to the 15 October Council meeting for approval. This report meets that intention.

5. Discussion

Functionality outcomes

- 5.1 Council undertook user group and stakeholder consultation in 2009/10 in scoping and designing the new northern building that was proposed at that time.
- 5.2 The outcomes from previous consultation on the Northern Building have been reviewed. This has informed the direction of design, and the key outcome has been to create an open, welcoming and multi-purpose facility that can enhance the use of the existing main hall and the surrounding Rutherford Park.
- 5.3 Significant comment from the process at that time has informed the proposed key issues and the design responses are set out below:

- *Urban Design Panel recommendation to relocate entry to the east and 'tidy up' the eastern façade*

The new design revises circulation patterns, with main entry doors facing toward the east, and improves the appearance of the building from the Maitai Walkway.

- *Covered level access at the main entry doors.*

A generous two metre wide overhang is used to shelter the perimeter of the building, with entry doors fitted to a recess in the eastern wall, ensuring 3600mm of cover. The details of completed levels that ensure ready access for all building users are being addressed to coordinate with Rutherford Park development as the project progresses through Developed Design.

- *Include for Cloak room space and make allowance for ticketing, Bar and Merchandising functions*

A multipurpose joinery unit and dedicated area, located between building entry, stadium entry, and rear access to the service areas of the Main Hall allows for these functions. The North-eastern corner of the Main Hall is largely unused. The design intention is to locate

secondary functions there; storage, cleaners cupboard, offices and external ticketing if required. This allows the new building to remain a simple, open and multi-purpose space.

- *Direct connection from any kitchen to the Main Hall and Victory Room*

A new kitchen has been included within the new Northern Building. This kitchen is intended to service common building usage, with larger scale catering operations being accommodated in temporary external facilities, located at the rear of the building in the western service area. A rear service corridor, allows easy connection to the rear service area, and ensures direct access to both the main hall, and function areas of the new Northern Building.

- *Options for the Victory Room*

There has been considerable debate over the need or otherwise of the Victory Room as a separate room in the Northern Building. The proposed concept plan proposes to create a large foyer and/or meeting space that is open and clear of obstruction. The opportunity to utilise the Northern Building as a separate meeting room has been retained by installing a separate outdoor access to the Main Hall off the two metre wide overhang on the eastern side of the Northern Building. Smaller meeting space could be created through the use of temporary partitions such as plants or partitions.

- *Potential to connect to a corridor running the full extent of the western edge of the Main Hall*

The rear service corridor is designed to allow the new kitchen to connect to an extended western corridor, revised to run the length of the Main Hall. This will require some adaptation of escape stairs and toilets; the detail will be explored further as the project progresses through developed design.

- *Improving lighting, power, public address and data provision*

In progressing design, inclusion of low energy lighting, power to support foreseeable internal and external uses, a simple PA system, and extensive provision of telecommunications and 'WIFI' will be included. This consideration will enable the new Northern Building to operate as a standalone facility, as well as an entry hub for larger events, either within the main hall or located on the surrounding park.

- 5.4 These comments have been considered in assessing concept design options for the Northern Building and surrounds.

6. Concept Design

- 6.1 The Concept Design is outlined in Attachment 1 *Northern Building Concept Plans* and in Attachment 2 *Northern Building Perspective*.

7. Cost Estimates

- 7.1 At its meeting 23 July 2015, Council was presented with the following estimates for this project;

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

- 7.2 This amount included \$667,000 already spent in 2014/15.
- 7.3 Council has since approved \$12.289M in the 2015/16 year for this project (excluding Rutherford Park works).
- 7.4 The estimate as shown above for the Northern Building was \$4,155,000. Whilst the estimate for the Concept Plan has not been finalised, it should be available when Council considers this report.

8. Alignment with relevant Council policy

- 8.1 This report is in line with Council's position of re-opening the Trafalgar Centre, the Long-Term Plan and recent Council resolutions.

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

- 9.1 This decision is not a significant decision in terms of the Council's Significance and Engagement Policy.

10. Consultation

- 10.1 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.

11. Inclusion of Māori in the decision making process

- 11.1 Consultation with Maori occurred through the Annual and Long Term Plan processes.

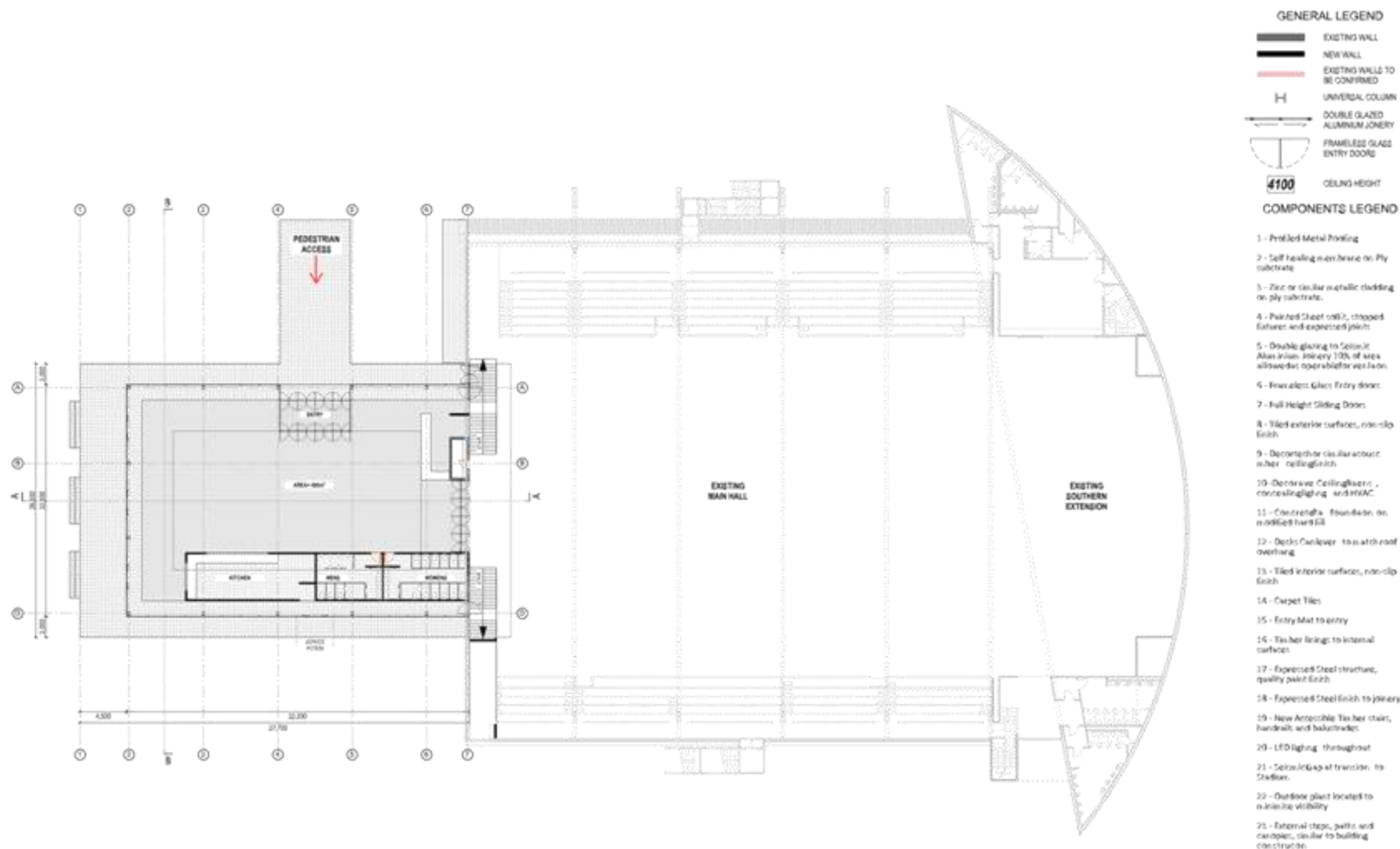
12. Conclusion

- 12.1 The development of the concept plans for the northern building has progressed well.
- 12.2 Councillors have held workshops on three occasions to consider and provide direction into the concepts for the Northern Building.
- 12.3 The new Northern Building Concept Plan has been developed and outlined in this report.
- 12.4 Councillors have also had input into the proposed Rutherford Park up-grading with particular focus on the roading and footpath linkages to the northern building and other parts of the Trafalgar Centre facility.
- 12.5 Once the concept plan is approved it will be subjected to detailed design, scheduling and pricing. Once the total out-turn cost has been derived and the associated due diligence completed, it will be submitted to those with delegated authority to sign off.

Richard Kirby
Consulting Engineer

Attachments

- Attachment 1: A1439311 - Trafalgar Centre Northern Building Concept Plans
- Attachment 2: A1439312 - Trafalgar Centre Northern Building Perspective



PRELIMINARY DEVELOPED DESIGN- 02.10.2015

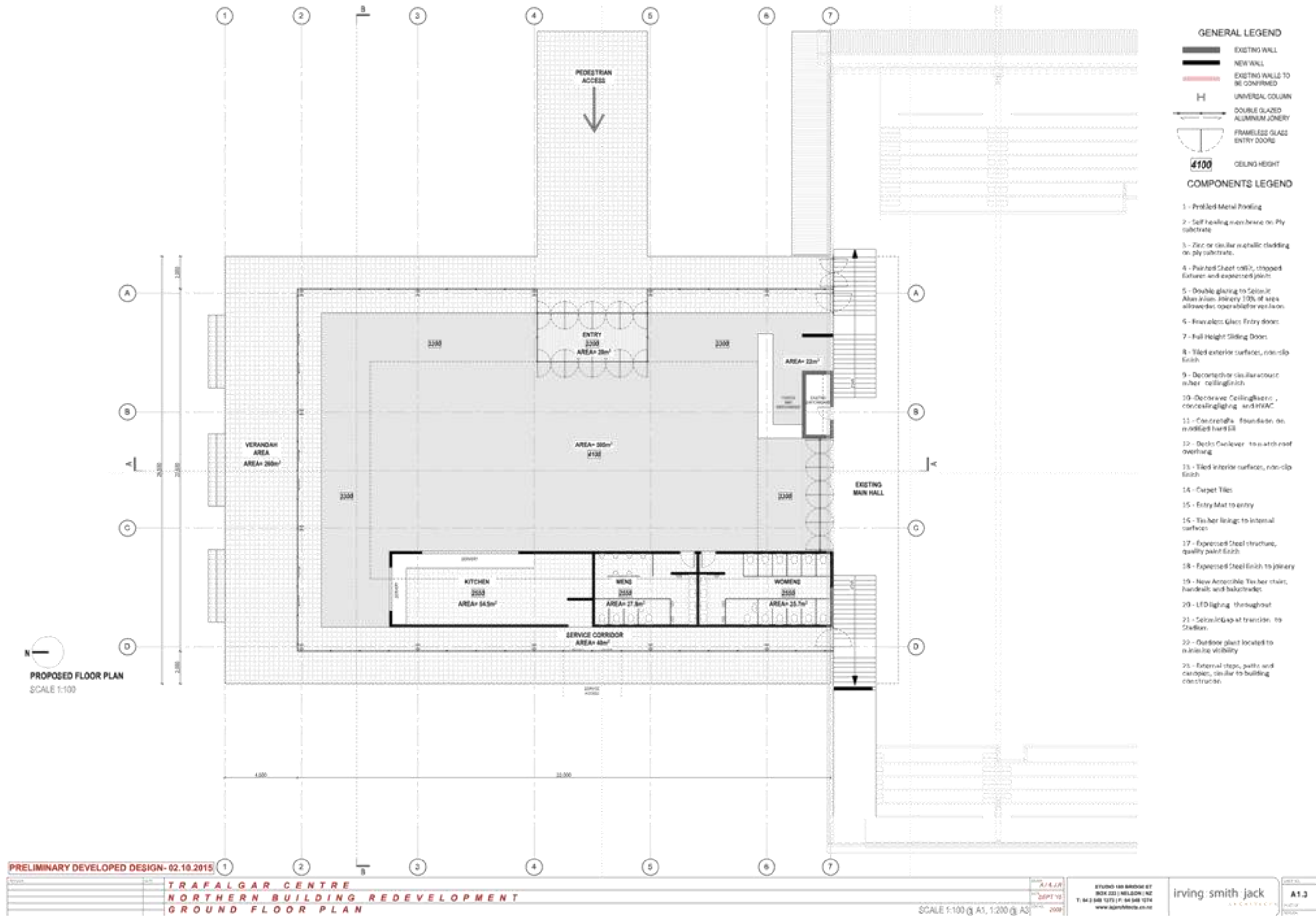
TRAFFALGAR CENTRE
NORTHERN BUILDING REDEVELOPMENT
SITE PLAN

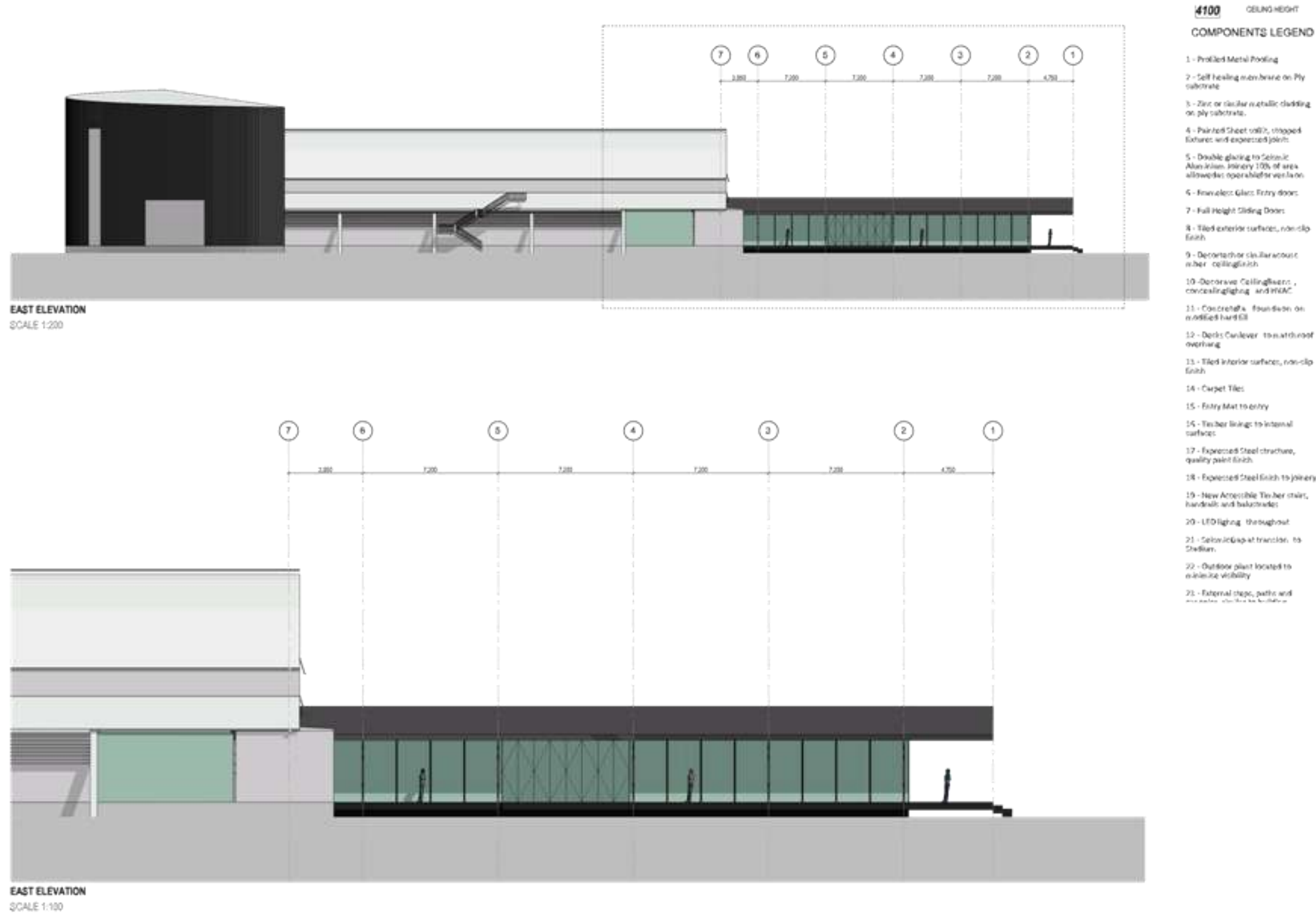
SCALE 1:200 @ A1, 1:400 @ A3

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irving smith jack
ARCHITECTS

A1.2
PLOT
TOTAL





PRELIMINARY DEVELOPED DESIGN- 02.10.2015

TRAFFALGAR CENTRE
NORTHERN BUILDING REDEVELOPMENT
EAST ELEVATION

SCALE 1:100 @ A1, 1:200 @ A3

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A1.1
PLOT
TITLE



SECTION B-B
SCALE 1:100

4100

CEILING HEIGHT

COMPONENTS LEGEND

1 - Profiled Metal Roofing

2 - Self-healing membrane on ply substrate

3 - Zinc or similar metallic cladding on ply substrate

4 - Painted Sheet metal, sloped fixtures and expressed joints

5 - Double glazing to Selenic

6 - Frameless Glass Entry doors

7 - Full Height Sliding Doors

8 - Tiled exterior surfaces, non-slip finish

9 - Decorative similar wood timber ceiling finish

10 - Decorative Ceiling lights, connecting lighting and HVAC

11 - Concrete floor, finished on

12 - Deck Car level to match roof overhang

13 - Tiled interior surfaces, non-slip finish

14 - Carpet Tiles

15 - Entry Mat to entry

16 - Timber linings to internal surfaces

17 - Exposed steel structure

18 - Exposed steel structure, quality paint finish

19 - New Accessible Timber stairs, handrails and balustrades

20 - LED lighting throughout

21 - Selenic Gap at junction to Shed

22 - Outdoor plant located to minimise visibility

23 - External steps, paths and

PRELIMINARY DEVELOPED DESIGN- 02.10.2015

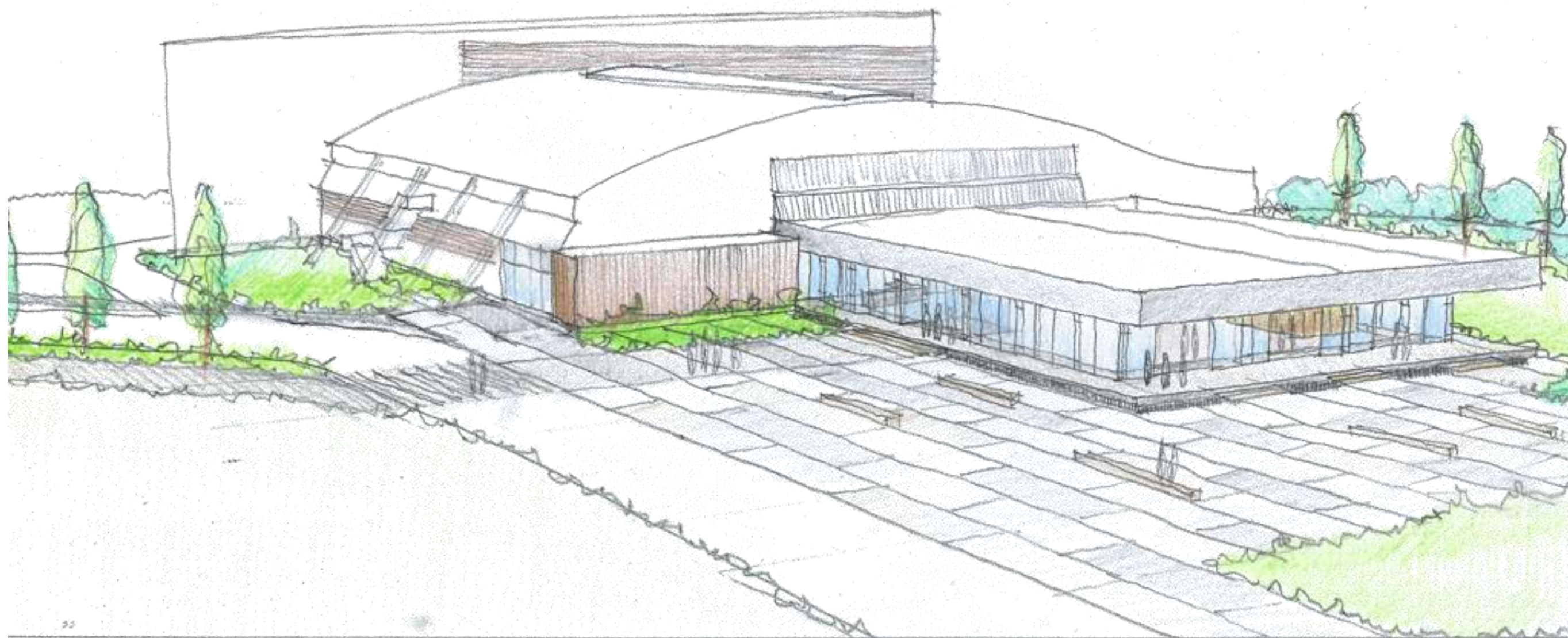
TRAFALGAR CENTRE
NORTHERN BUILDING REDEVELOPMENT
SECTION B-B

SCALE 1:100 @ A1, 1:200 @ A3

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POST NO.
A1.11
PLANT
TYPICAL



TRAFALGAR CENTRE - NORTHERN BUILDING REPLACEMENT
- VIEW FROM NORTHEAST
- ISJ ARCHITECTS 26/09/15 - PRELIM DD WORKSHOP.

REPORT R4898**Administrative Matters****1. Purpose of Report**

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

2. Delegations

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

3. Recommendation

THAT the report Administrative Matters (R4898) and its attachments (A1400594, A1431584 and A1431605) be received;

AND THAT the Elected Member's Code of Conduct be amended to include the Procedure for Leave of Absence (A1400594);

AND THAT Schedule Five – Other Organisations (A1431584) be updated in the Delegations Register to formalise Councillor Davy's role as a representative at the Accessibility for All organisation;

AND THAT Schedule Six – Appointed Champions (A1431605) be included in the Delegations Register.

4. Leave of Absence Procedure

- 4.1 At present, there is no formal procedure for elected members to follow when it comes to applying for a leave of absence. The current system of accepting a leave of absence through an Administrative Matters report results in requests only being considered every six weeks.
- 4.2 It is recommended that the procedure detailed in Attachment 1 be added to the Elected Members' Code of Conduct as it will ensure effective planning and management of Council business, especially as we come into an election year.

- 4.3 Approving this procedure would formalise the process to be followed when an elected member requires leave of absence from four or more consecutive formal meetings. It will also minimise the risk of creating a vacancy if an elected member is absent without leave from four or more consecutive formal meetings (cl. 5(d) Schedule 7 of the Local Government Act 2002).
- 4.4 Changes to the Code would involve:
 - 4.4.1 Section 5.3 Conduct at Meetings: expand the final bullet point regarding seeking a leave of absence to include '(leave of absence procedure can be found in Section 6 of this Code)'.
 - 4.4.2 Section 6 General Protocols: include new section 6.20-6.23 'Procedure for Leave of Absence' as detailed in Attachment 1.
- 4.5 Amendments to the Elected Members' Code of Conduct require a resolution supported by 75% or more of the elected members present. If approved, the amended Code will be added to the Google Drive for Councillors, be updated on the Council website, and will be available upon request to an Administration Adviser.

5. Other Matters

Accessibility for All Representative

- 5.1.1 At the Council meeting on 24 February 2015 a report back from representatives was given.
- 5.1.2 Councillor Davy confirmed that he was a representative for the Accessibility for All organisation.
- 5.1.3 To formalise Councillor Davy's representation for the Accessibility for All organisation it is proposed that it be included in Schedule Five – Other Organisations in the Delegations Register. Attachment 2 refers.

Appointed Champions

- 5.1.4 Two champions have been appointed by resolution of Council.
- 5.1.5 At the inaugural Council meeting of 29 October 2013, it was resolved that Councillor Rainey be appointed as the Urban Design Panel Champion.
- 5.1.6 At the Council meeting of 20 May 2015, it was resolved that Councillor Ward be appointed as the Sustainability Champion.
- 5.1.7 Champion roles are currently not recorded in the Delegations Register.
- 5.2 In order to maintain accurate records it is proposed a new schedule is included in the Delegations Register to record appointed champions. Attachment 3 refers.

Gayle Brown
Administration Adviser

Attachments

- Attachment 1: A1400594 - Amendments to Code of Conduct - Leave of
Absence Procedure for Elected Members
- Attachment 2: A1431584 - Schedule Five - Other Organisations 15OCT2015
- Attachment 3: A1431605 - Schedule Six - Appointed Champions 15OCT2015

Amendments to the Elected Members' Code of Conduct

Section 5.3: Conduct at Meetings

- elected members who are aware that they will be unable to attend meetings of the Council over a certain period of time, are encouraged to seek leave of absence in advance (leave of absence procedure can be found in Section 6 of this Code).

Section 6: General Protocols

New Section: Procedure for Leave of Absence

- 6.20 As per section 5.3 of this Code, elected members are encouraged to seek leave of absence from Council meetings in advance. A leave of absence is required if an elected member will be absent from four or more consecutive formal meetings (Council, committee, and subcommittee, not including extraordinary meetings). If the absence is for three or less formal meetings, elected members must notify their apologies to the Administration Advisers in writing at their earliest convenience.
- 6.21 Seeking a leave of absence will ensure the office of an elected member does not become vacant if they are absent without leave of the local authority from four consecutive meetings (cl. 5(d) Schedule 7 of the Local Government Act 2002).
- 6.22 The procedure for a leave of absence follows:
- Once an elected member is aware of the need for a leave of absence they must advise the Mayor, Chief Executive and Administration Advisers in writing (email is acceptable) of the beginning and end dates of absence as soon as practicable. They must also advise if courier delivery is to be placed on hold.
 - The request of leave of absence will be included on the public excluded agenda (for security reasons) of the next available Council or committee meeting of which that person is a member. The meeting will consider and vote on the request and pass the associated resolution.
 - If an elected member is unable to have a leave request considered at a meeting before they leave, they are to follow the above process and the request will be considered retrospectively. An Administration Adviser will notify the elected member of the resolution.
 - It is anticipated that most requests will be granted. However, the meeting will need to consider matters such as previous leaves of absence, attendance record, other leaves of absence that may be occurring at the same time, and whether Council work would be adversely affected.

A1400594

6.23 During a leave of absence:

- The elected member will be listed as 'on leave of absence' in the minutes of any relevant meetings while they are away. This does not need to be resolved at each meeting.
- The elected member will continue to receive Council information and agendas by email and blue bag delivery (unless placed on hold) during their absence.
- If an elected member wishes to attend a meeting and vote during their leave of absence, this is to be notified to the Chairperson before the meeting.

A1400594

Schedule Five - Other Organisations/Groups with Official Council Representation

Accessibility for All

- Councillor Davy

Marina Users Group

- Councillor Barker
- Councillor Rainey

Sustainability Forum

- Councillor Copeland
- Councillor Fulton
- Councillor Lawrey
- Councillor Ward

Nelson Biodiversity Forum

- Councillor Davy
- Councillor Fulton
- Councillor McGurk

Nelson Tasman Connections Steering Group

- Mayor

Positive Ageing Forum

- Councillor Noonan

Sister Cities

- Mrs Gail Collingwood (Coordinator)
- Mayor
- Councillor Davy

Tasman Bay Heritage Trust Appointments Committee

- Councillor Barker
- Councillor Ward

Waimea Water Augmentation Committee

- Councillor Matheson

Community Action Youth and Drugs (CAYAD)

- Councillor Fulton
- Councillor McGurk

Nelson Tasman Housing Forum

- Councillor Ward

Waimea Inlet Forum

- Councillor Copeland
- Councillor McGurk
- Councillor Ward

Kotahitanga Hui

- All Councillors

Note: From time to time the Kotahitanga Hui may also include the Mayor and Councillors from Tasman District Council and Marlborough District Council.

Schedule Six – Appointed Champions

Urban Design Panel

- Councillor Rainey

Sustainability

- Councillor Ward

Note: These roles are covered under the definition of a Councillor's position description and hold no delegated authority.

Minutes of a meeting of the Nelson Regional Sewerage Business Unit

Held in Ruma Mārama, Level 2A, Civic House, 110 Trafalgar Street, Nelson

On Friday 19 June 2015, commencing at 1.03pm

Present: Councillors M Higgins (Chairperson), and D Dowler (Tasman District Council) , Councillor R Copeland (Nelson City Council), and Mr Derek Shaw

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 (S McLean)

1. Apologies

There were no apologies

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

Matt Hippolite advised he had an interest in consenting discharges referred to in the General Manager's Report.

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

4.1 13 March 2015

Document number M1268, agenda pages 4 - 7 refer.

It was agreed the word 'conflict' would be removed in terms of an interest declared. It was noted that reference to trials and peaks would be corrected in page three of the minutes.

Nelson Regional Sewerage Business Unit Manager, Richard Kirby, advised that detail on the Nelson Regional Sewerage Business Unit (NRSBU) contract with Nelson City Council for services rendered was being collated and would be presented to a future meeting.

In response to a question, it was clarified that the pump stations referred to in the last paragraph of the minutes were owned by Nelson City Council.

Resolved NRSBU/2015/001

THAT the amended minutes of the meeting of the Nelson Regional Sewerage Business Unit, held on 13 March 2015, be confirmed as a true and correct record.

Dowler/Copeland

Carried

5. Status Report - Nelson Regional Sewerage Business Unit - 19 June 2015

Document number R4405, agenda pages 8 - 9 refer.

Mr Kirby provided detail on biosolids application at Rabbit Island. He spoke about research on geobags and cost-effective options which would be presented to a future meeting.

It was suggested the Bell Island Spit Restoration project committee progress report occur annually instead of quarterly, to align with financial reporting.

Resolved NRSBU/2015/002

THAT the Bell Island Spit Restoration project committee progress report occur annually.

Shaw/Dowler

Carried

Councillor Higgins raised concerns about the absence of an official chairperson for the Nelson Regional Sewerage Business Unit.

There was discussion on whether the chairperson needed to be independent, if a deputy chair was required, and what term a chairperson should be appointed for. It was agreed this matter would be on the agenda for the next meeting

Resolved NRSBU/2015/003

THAT the Status Report Nelson Regional Sewerage Business Unit 19 June 2015 (R4405) and its attachment (A1370036) be received.

Copeland/Dowler

Carried

6. General Manager's Report

Document number R4409, agenda pages 10 - 36 refer.

Mr Kirby presented the report.

In response to comments on contributors quotas, Philip Wilson said the reduced quotas were linked to improving treatment capacity on site, reducing waste, and reducing sampling issues.

There was discussion on the charging regime for contributors and fixed costs at the treatment plant. It was noted that capacity at the plant would increase if loads continued to decline, which may impact on future capital programmes. Mr Kirby said the adjustment in load would not have a large impact and savings at this stage were still small.

There was discussion on the biosolids trial area and the identification of Koiwi areas. There was suggestion that the continued cost of the trial was too high and it should be put on hold, with data on the timber collected at harvest. It was agreed that a case was required to explain why continued monitoring was required.

Johan Thiart advised that Scion was focussed on obtaining funding from other organisations, as it felt the biosolids data had national and international importance. He suggested a key aspect was that the data was required in time for the next resource consent application.

It was agreed that if Scion could not source additional funding then NRSBU would cease contributing towards the trial.

Some concern was raised that NRSBU would not benefit from wood analysis. Alternative views were expressed about the potential benefits to be gained in environmental values.

Mr Thiart suggested the data could be extrapolated to reduce time spent waiting for results. He said the officer recommendation for \$30,000 was not suggested to be allocated to any specific aspect of the trial.

Resolved NRSBU/2015/004

THAT NRSBU contribute an amount of \$20,000 for the completion of the research by SCION payable on receipt of the final environmental report;

AND THAT NRSBU contribute an amount of \$10,000 payable on receipt for the final harvest report.

Shaw/Copeland

Carried

Mr Kirby provided detail on a recent spill because of air in a probe pipe. He confirmed a new procedure had been established to avoid this re-occurring. Mr Thiart added that a third overflow measure was being investigated.

In response to a question, Mr Kirby agreed to ask Nelmac for more information on the increased volume of biosolids.

Mr Kirby provided a correction to the report data for overflows on page 15 of the agenda. He said the past three months contained 1 overflow, and the past 12 months contained 2 overflows.

There was discussion on the customer survey results, the comments made by Alliance and the current meat industry economy. It was suggested that further information on the industry would be beneficial for NRSBU.

Resolved NRSBU/2015/005

THAT the General Manager investigates future meat industry plans in relation to NRSBU activity, and advises the Board and shareholders of the outcome of that investigation.

Higgins/Dowler

Carried

It was agreed that the General Manager's recommendation regarding a spare storm pump was already included in the business plan and did not require a formal decision.

In response to a question, Mr Kirby clarified that P&ID stood for Process and Instrumentation Diagram.

Resolved NRSBU/2015/006

THAT the report General Manager's Report (R4409) and its attachments (A1359066, A1346866, A1369953 and A1314700) be received.

Shaw/Dowler

Carried

7. Financial Report

Document number R4410, agenda pages 37 - 39 refer.

Management Accountant, Andrew Bishop, presented the report.

Mr Bishop highlighted that operating expenditure was back within budget. He said the variable income would be closer to that projected by year end.

There was discussion on the high cost of electricity and any opportunities to reduce this. It was pointed out that previous research into biodigestion, as a means of reducing electricity use, had shown the risks were higher than the benefits. It was also highlighted that the electricity used was renewable.

In response to comments on the reactive and proactive maintenance overspend, Mr Bishop advised this was from work done earlier in the year, as well as work carried over from the previous year.

Resolved NRSBU/2015/007

THAT the Financial Report (R4410) and its attachment (A1370497) be received.

Dowler/Copeland

Carried

There being no further business the meeting ended at 2.56pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Joint Shareholders Committee

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

On Wednesday 2 September 2015, commencing at 9.30am

Present: Her Worship the Mayor R Reese (Chairperson), Deputy Mayor of Nelson P Matheson, Nelson City Councillors P Rainey, B McGurk, I Barker, and E Davy, His Worship the Mayor of Tasman R Kempthorne, Tasman District Councillors M Higgins, J Edgar, T Norriss and S Bryant

In Attendance: Chief Executive Nelson City Council (C Hadley), Chief Executive Tasman District Council (L McKenzie), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Group Manager Infrastructure (A Louverdis), Manager Communications (P Shattock), Corporate Services Manager (M Drummond), and Administration Adviser (G Brown)

Apology: Deputy Mayor of Tasman T King

1. **Apology**

Resolved JSC/2015/003

***THAT an apology be received and accepted from
Deputy Mayor of Tasman T King.***

Her Worship the Mayor of Nelson/Edgar

Carried

2. **Confirmation of Order of Business**

There was no change to the order of business.

3. **Interests**

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 24 July 2015 - Extraordinary Meeting

Document number M1369, agenda pages 7 - 10 refer.

Resolved JSC/2015/004

THAT the minutes of the extraordinary meeting of the Joint Shareholders Committee, held on 24 July 2015, be confirmed as a true and correct record.

His Worship the Mayor of Tasman/Barker

Carried

5.2. Joint Shareholders Committee Minutes - 17 April 2015

Document number R4754, agenda pages 11 - 16 refer.

Resolved JSC/2015/005

THAT the minutes of the meeting of the Joint Shareholders Committee, held on 17 April 2015, be confirmed as a true and correct record.

Higgins/His Worship the Mayor of Tasman

Carried

6. Tasman Bays Heritage Trust Statement of Intent 2015/16

Document number R4237, agenda pages 17 - 45 refer.

Olivia Hall, Chairperson, and Terry Horne, Trustee, of Tasman Bays Heritage Trust, joined the meeting.

Group Manager Community Services, Chris Ward, presented the report.

It was discussed that some of the key Strategic Objectives in the Statement of Intent (SOI) had no targets identified. Ms Hall advised that the Tasman Bays Heritage Trust focussed on maintaining a simplified SOI, however she pointed out that on page 20 of the agenda SOI targets were illustrated.

It was highlighted that the SOI contained some minor grammatical errors which needed rectifying before being formally published.

Resolved JSC/2015/006

THAT the report Tasman Bays Heritage Trust Statement of Intent 2015/16 (R4237) and its attachments (A1389167 and A1389171) be received;

AND THAT the Tasman Bays Heritage Trust Statement of Intent 2015/16 (A1389167) be approved for signing.

Davy/Bryant

Carried

7. Exclusion of the Public

Rob Evans and Paul Steere, of Nelson Airport Ltd, and Evzen Novak, of Studio Pacific Architecture, were to be in attendance for Item 4 of the Public Excluded agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved JSC/2015/007

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Rob Evans, Paul Steere and Evzen Novak remain after the public has been excluded, for Item 4 of the Public Excluded agenda Presentation from Nelson Airport Limited, as they have 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 Rob Evans, Paul Steere and Evzen Novak possess relates to Nelson Airport Limited plans for the development.

Her Worship the Mayor of Nelson/Matheson

Carried

Daryl Wehner and Bronwyn Monopoli, of Port Nelson Ltd, were to be in attendance for Item 5 of the Public Excluded agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Daryl Wehner, and Bronwyn Monopoli remain after the public has been excluded, for Item 5 of the Public Excluded agenda Port Nelson Ltd Draft Statement of Intent

2015/16 as they have 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 Daryl Wehner and Bronwyn Monopoli possess relates to the Port Nelson Draft Statement of Intent 2015/16.

Barker/Higgins

Carried

Resolved JSC/2015/008

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:

His Worship the Mayor of Tasman/Her Worship the Mayor of Nelson

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	Extraordinary Joint Shareholders Committee Meeting Minutes - Public Excluded - 24 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). • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.
2	Joint Shareholders Committee	Section 48(1)(a) The public conduct of	The withholding of the information is necessary: <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)
	Meeting Minutes Public Excluded 17 April 2015	this matter would be likely to result in disclosure of information for which good reason exists under section 7	<p>To protect the privacy of natural persons, including that of a deceased person</p> <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Presentation from Nelson Airport Limited This presentation relates to plans for development	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
4	Port Nelson Ltd Draft Statement of Corporate Intent 2015/16	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)
5	Directors and Trustees Remuneration 2015/16	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 Section 7(2)(i) To enable the local authority to carry on,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 9.38am and resumed in public session at 10.52am.

8. Re-admittance of the Public

Resolved JSC/2015/009

THAT the public be re-admitted to the meeting.

His Worship the Mayor of Tasman/Her Worship the Mayor of Nelson

Carried

There being no further business the meeting ended at 10.52am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

**Minutes of a meeting of the Nelson Tasman Civil Defence
Emergency Management Group**

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

On Wednesday 2 September 2015, commencing at 10.54am

Present: Her Worship the Mayor of Nelson R Reese (Chairperson), His
Worship the Mayor of Tasman (R Kempthorne), and Deputy
Mayor of Nelson P Matheson

In Attendance: Chief Executive Nelson City Council (C Hadley), Chief Executive
Tasman District Council (L McKenzie), Manager Emergency
Management (R Ball), Corporate Services Manager (M
Drummond), and Administration Adviser (G Brown)

Apology: Deputy Mayor of Tasman T King

1. Apology

Resolved CDEM/2015/001

***THAT an apology be received and accepted from
Deputy Mayor of Tasman T King.***

Her Worship the Mayor of Nelson/Matheson

Carried

2. Interests

No interests with items on the agenda were declared.

3. Confirmation of Minutes

3.1 17 April 2015

Document number M1416, agenda pages 4 - 5 refer.

Resolved CDEM/2015/002

***THAT the minutes of the meeting of the Nelson
Tasman Civil Defence Emergency Management
Group, held on 17 April 2015, be confirmed as a
true and correct record.***

Matheson/His Worship the Mayor of Tasman

Carried

4. Report of the Emergency Management Office

Document number R4748, agenda pages 6 - 11 refer.

Resolved CDEM/2015/003

THAT the Report of the Emergency Management Office (R4549) and its attachment (A1408727) be received.

Her Worship the Mayor of Nelson/His Worship the Mayor of Tasman

Carried

REPORTS FROM COMMITTEES

5. Nelson Tasman Civil Defence Emergency Management Coordinating Executive Group - 6 November 2013

Document number M1215, agenda pages 12 - 17 refer.

Resolved CDEM/2015/004

THAT the minutes of a meeting of the Nelson Tasman Civil Defence Emergency Management Coordinating Executive Group, held on 6 November 2013, be received.

Her Worship the Mayor of Nelson/His Worship the Mayor of Tasman

Carried

6. Nelson Tasman Civil Defence Emergency Management Coordinating Executive Group - 31 July 2015

Document number M1374, agenda pages 18 - 24 refer.

Resolved CDEM/2015/005

THAT the unconfirmed minutes of a meeting of the Nelson Tasman Civil Defence Emergency Management Coordinating Executive Group, held on 31 July 2015, be received.

Her Worship the Mayor of Nelson/His Worship the Mayor of Tasman

Carried

There being no further business the meeting ended at 10.57am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Works and Infrastructure Committee

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

On Thursday 10 September 2015, commencing at 9.01am

Present: Councillor E Davy (Chairperson), Her Worship the Mayor R Reese, Councillors I Barker, R Copeland, G Noonan and T Skinner

In Attendance: Councillors P Matheson, B McGurk, and M Ward, Group Manager Infrastructure (A Louverdis), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Administration Adviser (S McLean), and Nelson Youth Councillors (E Ang and K Shaw)

Apologies: Councillors L Acland and M Lawrey

1. Apologies

Resolved WI/2015/018

***THAT apologies be received and accepted from
Councillors Acland and Lawrey.***

Davy/Noonan

Carried

2. Confirmation of Order of Business

The Chairperson advised that agenda items 8 (Transportation Asset Management Plan 2015-2025) and 10 (Solid Waste Asset Management Plan 2015-2025) would be considered at the 22 October Works and Infrastructure Committee meeting as their attachments were not the most up to date version.

Group Manager Infrastructure, Alec Louverdis, apologised to the Committee for this oversight.

The Chairperson advised of one late item for the public excluded part of the meeting, and that the following resolution needed to be passed for the items to be considered:

2.1 Zumo Lease Extension

Resolved WI/2015/019

THAT the public excluded item regarding Zumo Lease Extension 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.

Davy/Skinner

Carried

3. Interests

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

4. Public Forum

4.2 Owen Houliston - General State of the City's Infrastructure

Mr Houliston raised concerns about Nelson City's infrastructure. He spoke about recent works to Tipahi Street driveways which had resulted in a steeper slope for vehicles. Mr Houliston said the slope had been damaging the underside of cars.

Mr Houliston raised concerns about shared pathways in areas such as St Vincent and Vanguard Streets.

In response to a question, Mr Houliston advised that Downer had amended his driveway and it was no longer damaging his vehicle.

Point of Order: Her Worship the Mayor raised a point of order in accordance with Standing Order 3.13.4(e), noting that debate could not be held on a public forum matter. The Chairperson accepted the point of order.

It was agreed that further information on work underway on Council's footpaths would included as an addendum to the Transport Asset Management Plan to be presented to the 22 October Committee meeting.

5. Confirmation of Minutes

5.1 30 July 2015

Document number M1375, agenda pages 8 - 13 refer.

Resolved WI/2015/020

THAT the minutes of the meeting of the Works and Infrastructure Committee, held on 30 July 2015, be confirmed as a true and correct record.

Davy/Noonan

Carried

6. Status Report - Works and Infrastructure Committee - 10 September 2015

Document number R4789, agenda pages 14 - 18 refer.

In response to questions, officers provided further detail on timeframes and progress for several projects.

The Group Manager Infrastructure, Alec Louverdis, undertook to provide information on the renewal uptake of street stall licenses in the next status report.

Resolved WI/2015/021

THAT the Status Report Works and Infrastructure Committee 10 September 2015 (R4789) and its attachment (A1150321) be received.

Barker/Skinner

Carried

7. Chairperson's Report

The Chairperson advised the Works and Infrastructure Committee meeting set for 22 October would be held in Nelson North, with a location to be confirmed.

8. Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025

Document number R4659, agenda pages 21 - 23 refer.

Manager Asset Management, Kevin Patterson, and Senior Asset Engineer – Utilities, Phil Ruffell, presented the report.

Mr Ruffell explained that a change was required to the table in the Executive Summary for the Stormwater/Flood Protection Asset Management Plan, but the financial tables at the back of the Plan were correct.

In response to a question, Mr Ruffell confirmed the project to reduce water supply pressure was anticipated to reduce maintenance costs.

Group Manager Infrastructure, Alec Louverdis, advised that updates to all asset management plans would be presented to Council in March/April

2016 to show any further changes following formal adoption and to further inform the Annual Plan 2016/17.

It was agreed that future asset management plan reports presented to Council for adoption would include an attachment summarising key changes.

Resolved WI/2015/022

THAT the report Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025 (R4659) and its attachments (A824126, A824068 and A824368) be received.

Davy/Skinner

Carried

In response to a question, Mr Ruffell explained the key changes for each asset management plan.

Her Worship the Mayor acknowledged the work of officers in preparing the plans.

Recommendation to Council WI/2015/023

THAT the Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025 (A824126, A824068 and A824368), amended to reflect the approved Long Term Plan 2015- 2025, be adopted.

Davy/Skinner

Carried

Attendance: The meeting adjourned from 10.19am to 10.35am.

9. Solid Waste: Acceptance of Contaminated Soil from Sites on the Hazardous Activities and Industries List (HAIL)

Document number R4312, agenda pages 26 - 31 refer.

Senior Asset Engineer – Solid Waste, Johan Thiart, presented the report.

In response to questions, Mr Thiart provided further information on how the Hazardous Activities and Industries List (HAIL) material would be tested. He explained the balance between testing expenses and volume of disposal. Mr Thiart advised that the majority of HAIL material received at the landfill had been appropriate for landfill cover or construction.

In response to a question, Group Manager Infrastructure, Alec Louverdis, advised that financial estimates for the proposed charging regime were not available, but would be monitored and available for the Annual Plan 2016/17.

Resolved WI/2015/024

THAT the report Solid Waste: Acceptance of Contaminated Soil from Sites on the Hazardous Activities and Industries List (HAIL) (R4312) be received.

Copeland/Davy

Carried

Recommendation to Council WI/2015/025

THAT Council approve the development of a consent practice note that will allow the receiving of up to 25m³ soil (at the York Valley landfill) from a HAIL site (to align with the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health - NESCS), subject to bulk testing at the landfill at current landfill charges;

AND THAT the following concessions for soil from HAIL residential sites be approved (subject to compliance with current York Valley landfill resource consent criteria):

- 40% discount of the applicable landfill charge where the soil has been tested, meets the NESCS recreation standards and can be used as construction/cover material;**
- 15% discount of the applicable landfill charge where the soil has been tested, does not meet the NESCS recreation standards and cannot be used as construction/cover material;**

AND THAT the following volume concessions for soil from HAIL commercial sites be approved (subject to compliance with current York Valley landfill resource consent criteria), irrespective of whether the material can be used as construction/cover material:

- 0-10,000m³ - 10% discount of the applicable landfill charge;**
- >10,000m³ - 15% discount of the applicable landfill charge.**

Copeland/Barker

Carried

BUILDINGS

10. Outline Business Case for Millers Acre Public Toilets Upgrade

Document number R4604, agenda pages 32 - 42 refer.

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

In response to questions, Mr Homan confirmed that the number of buses using Millers Acre had declined. He said there had been no recent complaints from bus users or the public about the toilets. Mr Homan advised there would be an additional public toilet established as part of the Rutherford Park development.

Councillor Noonan, seconded by Councillor Copeland, moved the recommendation in the officer's report.

Some concern was raised that visitor numbers may be increasing and Council should progress the upgrade sooner rather than later. It was noted that freedom camping had reduced in the area, therefore cleanliness issues had reduced.

There was discussion on the location of the toilets relative to the Maitai walkway. There was general agreement that the Millers Acre toilets should be integrated into another building and not stand alone.

Resolved WI/2015/026

THAT the report Outline Business Case for Millers Acre Public Toilets Upgrade (R4604) and its attachments (A1328484) be received;

AND THAT option 1 as detailed in the outline business case (A1328484) - monitor and assess needs, defer design and construction - is approved.

Noonan/Copeland

Carried

11. Exclusion of the Public

Resolved WI/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:

Davy/Barker

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Works and Infrastructure Committee Meeting Minutes - Public Excluded - 30 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)(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	Collection and Processing of Recycling Services in Nelson	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 • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Zumo Lease Extension	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

The meeting went into public excluded session at 11.02am and resumed in public session at 11.54am.

12. Re-admittance of the Public

Resolved WI/2015/028

THAT the public be re-admitted to the meeting.

Davy/Barker

Carried

There being no further business the meeting ended at 11.54am.

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 14 September 2015, commencing at 12.06pm

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 (G Brown)

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. Confirmation of Minutes

5.1 15 June 2015

Document number M1274, agenda pages 7 - 11 refer.

Resolved CEE/2015/010

THAT the minutes of the meeting of the Chief Executive Employment Committee, held on 15 June 2015, be confirmed as a true and correct record.

Her Worship the Mayor/Acland

Carried

5.2 15 July 2015 - Extraordinary Meeting

Document number M1349, agenda pages 12 - 14 refer.

Resolved CEE/2015/011

THAT the minutes of the extraordinary meeting of the Chief Executive Employment Committee, held on 15 July 2015, be confirmed as a true and correct record.

Matheson/Her Worship the Mayor

Carried

6. **Exclusion of the Public**

Paul Bell, of Intepeople, was to be in attendance for Items 4 and 5 of the public excluded agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved CEE/2015/012

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Paul Bell remains after the public has been excluded, for Items 4 and 5 of the Public Excluded agenda (Chief Executive's Performance Review 2014/15 and Performance Agreement with Chief Executive 2015/16 - Competencies for Discussion), 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/2015/013

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

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

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 Minutes - 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. • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). • 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.
2	Extraordinary Chief Executive Employment Committee Meeting Minutes- Public Excluded - 15 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.
3	Chief Executive's Performance	Section 48(1)(a)	The withholding of the information is necessary:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Review 2014/15	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	<ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person
4	Performance Agreement with Chief Executive 2015/16 - Competencies for Discussion	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 12.09pm and resumed in public session at 2.07pm.

7. Re-admittance of the Public

Resolved CEE/2015/014

THAT the public be re-admitted to the meeting.

Acland/Her Worship the Mayor

Carried

There being no further business the meeting ended at 2.07pm.

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 17 September 2015, commencing at 9.01am

Present: Councillors B McGurk (Chairperson), I Barker, R Copeland, E Davy, K Fulton (Deputy Chairperson), M Lawrey, and M Ward, and Mrs G Paine

In Attendance: Councillors P Matheson and G Noonan, Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Manager Communications (P Shattock), Administration Adviser (S McLean), and Nelson Youth Councillors (F Jankiewicz-McClintock and B Shaw)

Apology: Her Worship the Mayor R Reese

1. Apology

Resolved PR/2015/039

***THAT an apology be received and accepted from
Her Worship the Mayor.***

McGurk/Barker

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 6 August 2015

Document number M1394, agenda pages 7 - 15 refer.

Resolved PR/2015/040

THAT the minutes of the meeting of the Planning and Regulatory Committee, held on 6 August 2015, be confirmed as a true and correct record.

Ward/Paine

Carried

Attendance: Councillor Fulton joined the meeting at 9.04am.

6. Status Report - Planning and Regulatory Committee - 17 September 2015

Document number R4828, agenda pages 16 - 18 refer.

Resolved PR/2015/041

THAT the Status Report Planning and Regulatory Committee 17 September 2015 (R4828) and its attachment (A1155974) be received.

McGurk/Lawrey

Carried

7. Chairperson's Report

Document number R4834, agenda pages 19 - 21 refer.

In response to questions on air quality, Group Manager Strategy and Environment, Clare Barton, advised that the Minister for the Environment had signalled an introduction of PM2.5 standards, but work on this was not expected to be completed until late 2016.

The Committee raised issues with the Nelson Air Quality Plan review being undertaken before the National Environmental Standard for Air Quality review was complete.

The Chairperson provided further detail on dates for Rugby World Cup 2015 trading.

Resolved PR/2015/042

THAT the Chairperson's Report (R4834) be received.

McGurk/Lawrey

Carried

8. Ship to Ship Transfer of Fuels

Document number R4350, agenda pages 22 - 42 refer.

Port Nelson Harbourmaster, David Duncan, Manager Consents and Compliance, Mandy Bishop, and Manager Environmental Inspections, Stephen Lawrence, presented the report.

Mr Duncan explained that if a ship to ship transfer of fuel took place outside the 12 mile limit of Port Nelson, the Port could not place conditions on the transfer to ensure it was closely controlled. He added there would be additional costs to an operator if they did set up outside the 12 mile limit.

Mr Duncan made reference to Tasman District Council having a Bylaw charge in place for the transfer of fuels activity.

Mr Duncan spoke about the procedure that Tasman District Council had put in place, and the funds that had been set up to distribute fees.

In response to questions, Mr Duncan spoke about the conditions which would need to be stipulated so that fumes would not vent into the air. He advised that several refineries had closed in Australia, which may make New Zealand more attractive to operators.

In response to a question, it was advised that an external consultant had not been considered for the review of the risk assessment.

Mr Duncan explained the procedure which would take place in auditing fuel transfer ships.

In response to a question, Ms Bishop explained that a Cultural Impact Assessment on ship to ship transfer of fuels had not been carried out, but would be done in future if the activity became more likely.

Concern was raised that more information was required in order to propose conditions for operators. Ms Bishop explained that the nature of conditions had been identified but not specified in the risk assessment.

Councillor Davy moved, seconded by Councillor Barker, the following motion, stating that it would be better to have a degree of control of such an operation.

Recommendation

THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be received.

Recommendation to Council

THAT the Nelson City Council informs Maritime New Zealand that in the absence of specific details on ship to ship transfer of fuels operations the Council

conditionally supports the ship to ship transfer of fuels in our territorial waters provided the operations are conducted in accordance with conditions and criteria determined by Maritime New Zealand and the harbourmaster.

It was pointed out that Port Nelson had an excellent safety record, and the negative effects and risks to the Nelson region of fuel transfers was very minor, while the benefits could be significant.

In response to discussion on fuel type, iwi concerns, ethical considerations, and environmental effects, the mover and seconder agreed to amend the second clause of the motion to:

Recommendation to Council

***THAT** the Nelson City Council informs Maritime New Zealand that in the absence of specific details on ship to ship transfer of light distillates and kerosene fuels operations the Council conditionally supports the ship to ship transfer of fuels in our territorial waters provided the operations are conducted in accordance with conditions and criteria determined by Maritime New Zealand and the harbourmaster, and subject to a requirement on the applicant for a cultural impact assessment and a report on environmental effects to be provided to Maritime New Zealand.*

Attendance: The meeting adjourned from 10.17am to 10.19am.

The motion on the table was withdrawn with the agreement of the Committee.

Attendance: The meeting adjourned for morning tea from 10.22am to 10.34am.

The Chairperson noted that the matter was a polarising issue and would be appropriate to be considered by full Council.

Resolved PR/2015/043

THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be received.

AND THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be referred to Council.

Davy/Barker

Carried

9. Nelson Port and Harbour Marine Safety Code

Document number R4751, agenda pages 43 - 101 refer.

Port Nelson Harbourmaster, David Duncan, and Manager Consents and Compliance, Mandy Bishop, presented the report.

Councillor Davy moved, seconded by Councillor Barker, the recommendation in the officer's report.

Mr Duncan clarified that the Code was not compulsory but was adopted by most councils in New Zealand.

In response to questions, Mr Duncan provided further detail on upper size limits of vessels, risk assessments, activity zoning, drills, fire fighting capability of vessels, and the risk score calculation. Mr Duncan highlighted that any matters relating to risk were peer reviewed.

Resolved PR/2015/044

THAT the report Nelson Port and Harbour Marine Safety Code (R4751) and its attachment (A1418392) be received.

Davy/Barker

Carried

Recommendation to Council PR/2015/045

THAT the Council adopts the Nelson Port and Harbour Marine Safety Code (A1418392) dated August 2015.

Davy/Barker

Carried

Attendance: Councillor Davy left the meeting at 10.52am.

10. Dog Control and District Licensing Committee Annual Reports 2014-2015

Document number R4619, agenda pages 102 - 110 refer.

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

In response to questions about dog control, Mr Lawrence provided further detail on variances in figures, staffing levels, wandering dogs, complaint levels and owner disqualification.

Attendance: Councillor Davy returned to the meeting at 10.57am.

In response to a question about district licensing, Ms Bishop advised there was no current issue with the fact that the Local Alcohol Policy was on hold, but it could be beneficial in future if there was a contested application.

Mr Lawrence agreed to provide further detail on cellar door definition and locations to the Committee.

Resolved PR/2015/046

THAT the report Dog Control and District Licensing Committee Annual Reports 2014-2015 (R4619) and its attachments (A1394170 and A1394117) be received;

AND THAT the Council approve the Nelson City Council Dog Control Activity Report 2014-2015 (A1394170);

AND THAT the Council approve the Nelson District Licensing Committee Report 2014-2015 (A1394117).

Barker/Davy

Carried

11. Building and Other Regulatory Activity Management Plan 2015-2025

Document number R4673, agenda pages 111 - 128 refer.

Manager Consents and Compliance, Mandy Bishop, and Manager Building, Martin Brown, presented the report.

Attendance: Councillor Barker left the meeting from 11.09am to 11.12am.

Resolved PR/2015/047

THAT the report Building and Other Regulatory Activity Management Plan 2015-2025 (R4673) and its attachments (A1423077 and A1150957) be received.

Davy/Fulton

Carried

Recommendation to Council PR/2015/048

THAT the Building and Other Regulatory Activity Management Plan 2015-2025 (A1150957), amended to reflect the Long Term Plan 2015-2025, be adopted.

Davy/Fulton

Carried

12. Environment Activity Management Plan 2015-2025

Document number R4693, agenda pages 129 - 160 refer.

Manager Planning, Matt Heale, and Manager Environmental Programmes, Dean Evans, presented the report.

There was discussion about the Minister for the Environment's delay in reviewing the National Environmental Standard for Air Quality, and the impact on the review of the Nelson Air Quality Plan.

Group Manager Strategy and Environment, Clare Barton, advised the Minister had signalled that amendments would be prepared by late 2016. Ms Barton added that Council officers had written to the Minister to ask that he work closely with Council, and she and the Mayor had planned a meeting with the Minister.

In response to a question, Ms Barton advised that Council's plans were required to be consistent with National Environmental Standards (NES).

In response to a question about bringing the notification date for the Air chapter of the Nelson Plan forward to January 2016, Mr Heale explained the implications on the timeframe for the delivery of the wider Nelson Plan. He explained that a contractor would be required in order to meet the notification deadline for the air provisions. Mr Heale said the wider Nelson Plan would need to be notified during the 2016 election period due to the volume of information for councillors and the need for a two step hearing process.

Ms Barton explained there would be no time for a draft of the air provisions to be put out for consultation. Mr Heale advised a variation on air provisions could be undertaken in late 2016 to address potential changes to the NES, but this would delay the process as there may still be no operative version of the Plan.

It was agreed that the full list of Nelson 2060 goals would be added to section 1.10 of the Activity Management Plan.

Attendance: Councillor Lawrey left the meeting from 11.26am to 11.28am.

Resolved PR/2015/049

THAT the report Environment Activity Management Plan 2015-2025 (R4693) and its attachments (A1423448 and A1243203) be received.

Davy/Paine

Carried

Recommendation to Council PR/2015/050

THAT the Environment Activity Management Plan 2015-2025 (A1243203), amended to reflect the Long Term Plan 2015-25, be adopted.

Davy/Paine

Carried

There being no further business the meeting ended at 11.33am.

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 24 September 2015, commencing at 9.04am

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: Councillors B McGurk and I Barker, Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Manager Libraries (I Littleworth), Manager Communications (P Shattock), Manager Administration (P Langley), Administration Adviser (G Brown), and Youth Councillors (F Sawyer and K Phipps)

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

The Chairperson advised the Committee there would be an additional public forum and a late item, which was item 7, Chairperson's Report, on the agenda.

He advised that item 11, Broadgreen House Change Proposal would be taken as item 6.

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 Mary Gavin, Broadgreen Society - Broadgreen House

Mary Gavin, from the Broadgreen Society, spoke about Broadgreen House.

Ms Gavin spoke about the Annual General Meeting and the long service of some of the volunteers. A Broadgreen Historic House leaflet was tabled (A1434501).

Ms Gavin referred to item 11 on the agenda, Broadgreen House – Change Proposal. She advised the Broadgreen Society had concerns regarding house entrance fees and souvenir sales being retained by Council and that the 1 November start date was unlikely.

In response to a question, Ms Gavin said the operating budget for the Broadgreen Society was approximately \$20,000.

Attachments

- 1 A1434490 - Mary Gavin Broadgreen Society Presentation
- 2 A1434501 - Tabled Document - Mary Gavin Broadgreen Historic House Leaflet

4.2 National Council of Women - Broadgreen Historic House

Gail Collingwood of the National Council of Women – Nelson Branch spoke about Broadgreen Historic House.

Ms Collingwood spoke to a tabled document (A1432957).

In response to a question, Ms Collingwood said the reason she believed Broadgreen Historic House was only attracting eight visitors a day was due to lack of promotion and marketing.

In response to a further question, Ms Collingwood said Broadgreen Historic House was once part of school programmes however, due to health and safety, school field trips were now low in numbers.

Attachments

- 1 A1432957 - Tabled Document - Gail Collingwood's Presentation

4.3 Hans Dukker - Location of the Stoke Community Centre

Document number R4820, agenda pages 11 - 20 refer.

In response to a question, Mr Dukker said that he was involved in the Spotlight on Stoke and Stoke Urban Design consultations.

In response to a further question, Mr Dukker said the estimations included in his public forum documentation were his own and he believed the funds already spent on the Stoke Community Centre should be written off.

Mr Dukker confirmed that he believed the Stoke Community Centre should be constructed on the current cricket pitch.

4.4 Nelson Bays Community Law – Refugee Services

Peter Riley, of Nelson Bays Community Law, was joined by Thuang Thuang head of Nelson Refugee forum.

Mr Riley spoke to tabled documents (A1431573 and A1431581).

In response to a question, it was advised that only an acknowledgement had been received from the Chief Executive Officer and Chairperson at the Red Cross in relation to the letter sent to them regarding the concerns of Refugee Services.

In response to a further question, Mr Riley said the support contract with Red Cross was for a period of six months which was not realistic.

Mr Riley advised the number of refugees coming to Nelson was approximately 90 per year and was likely to increase.

In response to a question, Mr Riley said there were currently eight people working at Refugee Services and that rent was approximately \$25,000 per annum.

Attachments

- 1 A1431573 - Tabled Document - Nelson Community Law - Peter Riley
- 2 A1431581 - Tabled Document 2 - Refugee Services - Peter Riley and Thuang Thuang

5. Confirmation of Minutes

5.1 13 August 2015

Document number M1402, agenda pages 21 - 27 refer.

Attendance: Her Worship the Mayor left the meeting at 10.25am and returned to the meeting at 10.27am. Councillor Matheson left the meeting at 10.26am.

Resolved CS/2015/042

THAT the minutes of the meeting of the Community Services Committee, held on 13 August 2015, be confirmed as a true and correct record.

Ward/Lawrey

Carried

Attendance: The meeting adjourned for morning tea at 10.28am until 10.45am. During this time Councillor Matheson returned to the meeting.

6. Broadgreen House - Change Proposal

Document number R4770, agenda pages 94 - 114 refer.

Manager Libraries, Ian Littleworth, presented the report.

In response to a question, Mr Littleworth advised the Committee that officers were currently working on processes relating to 1 November 2015 when revenue from house entrance fees and souvenir sales would be retained by Council.

Attendance: Councillor Matheson left the meeting at 10.47am.

In response to a question, Mr Littleworth said that Broadgreen House had between 35 and 40 volunteers which was a comfortable number for staffing.

Attendance: Councillor Matheson returned to the meeting at 10.50am.

In response to a further question, Mr Littleworth said the expenditure illustrated on page 96 of the report was predominantly for two curators, one from the Broadgreen Society and the other from Founders Park, totalling approximately \$70,000.

Mr Littleworth informed the Committee that there was no intention in dropping the levels of service for Broadgreen House and that Council would be focussing on promotions and organising activities across all heritage facilities.

It was discussed that renegotiations were required in relation to the new Areas of Financial Responsibility agreement and that the date specified in clause 3 of the Officer's report was not flexible in relation to the renegotiations.

Attendance: The meeting adjourned from 11.12am until 11.17am.

Resolved CS/2015/046

THAT the report Broadgreen House - Change Proposal (R4770) and its attachments (A1368342 and A1374924) be received.

Rainey/Matheson

Carried

It was discussed that the heritage culture in Nelson needed to be strengthened and it was vital for Council to work closely with the Broadgreen Society.

It was highlighted that Council needed to think of new ways to connect with the community and get more people through the door at Broadgreen House.

Recommendation to Council CS/2015/047

THAT Broadgreen House operate over winter with reduced opening hours of 11am-3pm and return to full opening hours, 10.30am-4.30pm, from 1 October to 31 May;

AND THAT Broadgreen Society take responsibility

for providing volunteer guides necessary to enable Broadgreen House to remain open over winter;

AND THAT Council agrees in principle that all revenue from house entrance fees and souvenir sales be retained by Council and used to fund heritage promotions, exhibitions and other activities;

AND THAT staff negotiate a new Areas of Financial Responsibility agreement with Broadgreen Society to reflect Council decisions.

Rainey/Noonan

Carried

7. Status Report - Community Services Committee - 24 September

Document number R4876, agenda pages 28 - 31 refer.

In response to a question, Group Manager Community Services, Chris Ward advised he would circulate the Arts Fund concepts to Councillors.

Attendance: Her Worship the Mayor left the meeting at 11.29am and returned at 11.31am.

Resolved CS/2015/048

THAT the Status Report Community Services Committee 24 September 2015 (R4876) and its attachment (A1157454) be received.

Noonan/Ward

Carried

8. Chairperson's Report

Document number R4896, late items agenda pages 3 - 4 refer.

The Chairperson informed the Committee of the late item, Chairperson's Report, and advised that the following resolution needed to be passed for the item to be considered:

Resolved

THAT the item regarding Chairperson's Report 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.

Rainey/Ward

Carried

In response to a question about the Rutherford Park Playground, Group Manager Infrastructure, Alec Louverdis advised the Workshop to be held 1 December would be reviewing three concepts for design which would range in budget.

It was discussed that the recommendation needed to be flexible but still provide enough information to designers to be able to proceed with a concept.

Point of Order: Her Worship the Mayor raised a point of order in accordance with standing order 3.13.4(c). The Chairperson accepted the point of order, noting that discussions regarding budgets were irrelevant as this content was not being considered today.

Attendance: Councillor Copeland left the meeting at 11.46am.

Resolved CS/2015/049

THAT the Chairperson's Report (R4896) be received;

AND THAT Option 2 of the Outline Business Case for Rutherford Playground project 2294 be amended to read:

"Creating a playground which is capable of attracting and actively engaging a wide age group primarily focussed on the 5-13 years age group."

Rainey/Lawrey

Carried

ARTS, FESTIVALS AND EVENTS

9. Arts Activity Management Plan 2015-25

Document number R4448, agenda pages 32 - 82 refer.

Attendance: Councillor Copeland returned to the meeting at 11.47am.

Manager Community Partnerships, Shanine Hermsen, presented the report.

In response to a question, Group Manager Community Services, Chris Ward advised Washington Valley Artwork referenced on page 40 of the agenda was dependent on community fundraising.

Point of Order: Her Worship the Mayor raised a point of order in accordance with standing order 3.13.4(c). The Chairperson accepted the point of order, noting that discussions regarding budgets were irrelevant as this content was not being considered today.

Resolved CS/2015/050

THAT the report Arts Activity Management Plan 2015-25 (R4448) and its attachments (A1126659 and A1428219) be received.

Rainey/Noonan

Carried

Recommendation to Council CS/2015/051

THAT the Arts Activity Management Plan 2015-2025 (A1126659), amended to reflect the Long Term Plan 2015-25, be adopted.

Noonan/Matheson

Carried

Attendance: Councillor Lawrey left the meeting at 11.59am.

RECREATION AND LEISURE

10. Rutherford Park community groups relocation

Document number R4880, agenda pages 83 - 84 refer.

Group Manager Infrastructure, Alec Louverdis, presented the report.

Attendance: Her Worship the Mayor left the meeting at 11.58am.

Resolved CS/2015/052

THAT the report Rutherford Park community groups relocation (R4880) be received;

AND THAT the Community Services Committee agree to refer to Council for a decision the relocation of community groups from Rutherford Park.

Matheson/Noonan

Carried

COMMUNITY DEVELOPMENT

11. Community Investment Funding Panel Terms of Reference

Document number R4858, agenda pages 85 - 93 refer.

Manager Community Partnerships, Shanine Hermsen, presented the report.

Resolved CS/2015/053

THAT the report Community Investment Funding Panel Terms of Reference (R4858) and its attachments (A1381696, A1426782 & A1427107) be received.

Rainey/Ward

Carried

Attendance: Her Worship the Mayor and Councillor Lawrey returned to the meeting at 12.01pm.

In response to a question, Ms Hermesen said the panel was taken from expressions of interest.

It was discussed the outcome would be a good example of collaboration with staff, Council and the community.

Attendance: Councillor Copeland left the meeting at 12.06pm.

It was noted that it would be beneficial for the panel to provide feedback to Councillors.

Recommendation to Council CS/2015/054

THAT the Community Investment Funding Panel Terms of Reference (A1381696) are adopted and four community representatives are appointed to the membership of the Panel from September 2015 to June 2017 to incorporate the 2015/16 and 2016/17 financial years;

AND THAT the delegations register is updated in accordance with document A1426782 to incorporate the Community Investment Funding Panel and amend the name of the fund and delegated role of the Community Services Committee;

AND THAT the Community Assistance Policy is amended to reflect the changes in membership of the Community Investment Funding Panel as proposed in document A1427107.

Rainey/Ward

Carried

LIBRARIES

12. Nelson Youth Council - Update

Youth Councillors Fynn Sawyer and Keegan Phipps provided an update on Youth Council activities.

Mr Phipps informed the Committee that Youth Council had been involved in heritage week where photographs would be displayed at the Refinery Gallery. He added that recruitment had opened for the 2016 Youth Council and that it closed on 16 October.

Mr Phipps advised that Youth Council was currently working with Council officer Axel de Maupeou on a collective arts project with Nelson Marlborough Institute of Technology.

Attendance: Councillor Copeland returned to the meeting at 12.11pm.

Mr Phipps spoke about a potential study area in the future at Elma Turner Library which would be considered in future developments.

He advised the Committee that at the Youth Council meeting the Trans-Pacific Partnership Agreement was discussed. He added that Hon Dr Nick Smith would be attending the last Youth Council meeting for the year.

Mr Sawyer informed the Committee that 20 youth were involved in different workshops relating to emergency services and had the opportunity to extend their time at a chosen service.

REPORTS FROM COMMITTEES

13. Nelson Youth Council - 1 July 2015

Document number M1315, agenda pages 115 - 120 refer.

Resolved CS/2015/055

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

Rainey/Noonan

Carried

14. Nelson Youth Council - 11 August 2015

Document number M1398, agenda pages 121 - 128 refer.

Resolved CS/2015/056

THAT the confirmed minutes of a meeting of the Nelson Youth Council, held on 11 August 2015, be received.

Rainey/Noonan

Carried

15. Exclusion of the Public

Resolved CS/2015/057

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

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

Noonan/Lawrey

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Community Services Committee Meeting Minutes - Public Excluded - 13 August 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).
2	Status Report - Community Services Committee - 24 September	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)
3	Community Housing Management Contract	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)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
4	Saxton Oval Electricity Upgrade	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 • 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 12.18pm and resumed in public session at 1.31pm.

16. Re-admittance of the Public

Resolved CS/2015/058

THAT the public be re-admitted to the meeting.

Rainey/Lawrey

Carried

There being no further business the meeting ended at 1.31pm.

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 1 October 2015, commencing at 9.00am

Present: Councillor I Barker (Chairperson), Her Worship the Mayor R Reese, Councillors L Acland (Deputy Chairperson), E Davy, K Fulton, P Matheson, B McGurk, and G Noonan, and Mr J Peters

In Attendance: Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Group Manager Infrastructure (A Louverdis), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Administration (P Langley), and Administration Adviser (S McLean)

Apologies: Councillor P Rainey and Mr John Murray for attendance, Councillor K Fulton for lateness

1. **Apologies**

Resolved GOV/2015/044

***THAT apologies be received and accepted from
Councillor Rainey and Mr Murray for attendance,
and Councillor Fulton for lateness.***

Acland/Peters

Carried

2. **Confirmation of Order of Business**

There was no change to the order of business.

3. **Interests**

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

4. **Public Forum**

There was no public forum.

5. Confirmation of Minutes

5.1 20 August 2015

Document number M1409, agenda pages 8 - 13 refer.

Resolved GOV/2015/045

THAT the minutes of the meeting of the Governance Committee, held on 20 August 2015, be confirmed as a true and correct record.

McGurk/Davy

Carried

Attendance: Councillor Matheson joined the meeting at 9.02am.

6. Chairperson's Report

The Chairperson provided an update on the Port Nelson Annual General Meeting, highlighting that the company was performing well.

The Chairperson spoke about the opening of the new headquarters for Nelmac.

Resolved GOV/2015/046

THAT the Chairperson's Report be received.

Barker/Noonan

Carried

7. Sister Cities Update October 2015

Document number R4930, agenda pages 14 - 18 refer.

Group Manager Community Services, Chris Ward, and Sister City Coordinator, Gail Collingwood, presented the report.

Attendance: Councillor Fulton joined the meeting at 9.08am.

Ms Collingwood highlighted the volunteer contribution to sister cities and emphasised that the sister city agreements sat with Council. Her Worship the Mayor thanked Ms Collingwood and the volunteers for their service to sister cities relationships.

There was discussion on lower level relationships with other cities as Council was at capacity in terms of sister city level relationships.

Resolved GOV/2015/047

THAT the report Sister Cities Update October 2015 (R4930) and its attachment (A1433825) be received.

Noonan/Davy

Carried

8. Service Level Reviews Under Section 17A Local Government Act

Document number R4443, agenda pages 19 - 23 refer.

Senior Strategic Adviser, Nicky McDonald, and Policy Adviser, Susan Moore-Lavo, presented the report.

There was discussion on how contracts would be considered in the review and the level of 'business as usual' review currently undertaken in terms of contract renewal.

Questions were asked about timing of reporting the review back to the Committee, how comprehensive the review would be, what criteria would be set to determine if a review was needed, and what the resourcing implications would be. Concern was raised that Council would not be involved in determining which activities would be reviewed.

It was suggested that set criteria be used to assess activities, including a cut-off level in terms of cost of the service. It was also pointed out that officer assumptions on the need to review or not review activities should be tested.

Attendance: The meeting adjourned from 9.58am to 10.03am.

In response to a question about reviewing Council Controlled Organisation activities, Ms McDonald advised that further assessment on this matter was required.

It was asked that officers further assess legislation, costs, resources, criteria, breadth and governance oversight of the review.

It was pointed out that a level of service could not be amended until a contract was up for renewal.

Attendance: Councillor Acland left the meeting at 10.12am.

Resolved GOV/2015/048

THAT the report Service Level Reviews Under Section 17A Local Government Act (R4443) be received.

McGurk/Matheson

Carried

Recommendation to Council GOV/2015/049

THAT approval is given for officers to prepare scope of work and resourcing needed for service level review to comply with the requirements of Section 17A of the Local Government Act 2002;

AND THAT officers prepare a draft criteria of factors to be considered to determine if a service level review of an activity or contract is to be implemented;

AND THAT these matters are reported back to the Governance Committee;

AND THAT the Governance Committee maintains oversight of service level reviews.

McGurk/Matheson

Carried

9. Economic Development Services Contract with Tasman District Council

Document number R4588, agenda pages 24 - 33 refer.

Group Manager Community Services, Chris Ward, presented the report.

It was agreed that due to the need to discuss negotiations on the matter, it would be moved to the public excluded part of the meeting.

REPORTS FROM COMMITTEES

10. Audit, Risk and Finance Subcommittee - 10 September 2015

Document number M1459, agenda pages 34 - 39 refer.

Resolved GOV/2015/050

THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 10 September 2015, be received.

Peters/McGurk

Carried

10.1 Carry Forwards from 2014/15

Recommendation to Council GOV/2015/051

THAT \$4,233,000 of unspent capital budget from 2014/15 be carried forward for use in 2015/16;

AND THAT \$403,000 of capital spent in 2014/15 be offset against 2015/16 budgets;

AND THAT an amount of \$107,000 operating budget be carried forward for use in 2015/16.

Peters/McGurk

Carried

10.2 Draft Internal Audit Charter

Recommendation to Council GOV/2015/052

THAT the Draft Internal Audit Charter (A1395134) as amended as per the Audit, Risk and Finance Subcommittee minutes 10 September 2015 be approved.

Peters/McGurk

11. Commercial Subcommittee - 10 September 2015

Document number M1460, agenda pages 40 - 42 refer.

Resolved GOV/2015/053

THAT the unconfirmed minutes of a meeting of the Commercial Subcommittee, held on 10 September 2015, be received.

Peters/Noonan

Carried

12. Exclusion of the Public

Resolved GOV/2015/054

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 Minutes - Public Excluded - 20 August 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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			<p>industrial negotiations).</p> <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person. Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
2	Status Report - Governance Committee - October 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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
3	Akersten Street Land Purchase	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	City of Nelson Civic Trust - New Trustee	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person
5	Bishop Suter Trust - Trustee rotation and remuneration	<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 deceased person

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	
6	Commercial Subcommittee Meeting Minutes - Public Excluded - 10 September 2015 These minutes contain a recommendation regarding: <ul style="list-style-type: none"> Property Asset Review – 3 Precincts Workshop – terms of reference 	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.
7	Economic Development Services Contract with Tasman District Council	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 10.32am and resumed in public session at 12.42pm, during which time Councillor Acland returned to the meeting.

13. Re-admittance of the Public

Resolved GOV/2015/055

THAT the public be re-admitted to the meeting.

Acland/McGurk

Carried

There being no further business the meeting ended at 12.42pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date