



AGENDA

Ordinary meeting of the

Nelson City Council

Thursday 24 March 2016

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 Bob Bickerton, Manager, Adam Chamber Music Festival

Bob Bickerton, Manager of the Adam Chamber Music Festival,
will speak about the Festival's submission to Council.**5. Confirmation of Minutes**

5.1 17 December 2015

19 - 40

Document number M1650

Recommendation

***THAT the minutes of the meeting of the Council,
held on 17 December 2015, be confirmed as a
true and correct record.***

5.2 Extraordinary Meeting - 24 December 2015

41 - 43

Document number M1668

Recommendation

***THAT the minutes of the extraordinary meeting of
the Council, held on 24 December 2015, be
confirmed as a true and correct record.***

- 5.3 18 February 2016 **44 - 46**
- Document number M1710
- Recommendation
- THAT the minutes of the meeting of the Council, held on 18 February 2016, be confirmed as a true and correct record.***
- 5.4 3 March 2016 **47 - 59**
- Document number M1743
- Recommendation
- THAT the minutes of the meeting of the Council, held on 3 March 2016, be confirmed as a true and correct record.***
- 6. Status Report - Council - 24 March 2016 60 - 71**
- Document number R5646
- Recommendation
- THAT the Status Report Council 24 March 2016 (R5646) and its attachments (A1168168) be received.***
- 7. Mayor's Report 72 - 76**
- Document number R5614
- Recommendation
- THAT the Mayor's Report (R5614) and its attachments (A1511415 and A1511419) be received.***
- 8. Modellers' Pond - Design Details and Estimates 77 - 85**
- Document number R5194
- Recommendation
- THAT the report Modellers' Pond - Design Details and Estimates (R5194) and its attachment (A1518929) be received;***

AND THAT Council confirm the Modify Pond option as its preferred option subject to the Nelson Society of Modellers raising all additional funding;

AND THAT Council accepts that this decision underpins its commitment to provide the Nelson Society of Modellers certainty surrounding their future fund raising campaign;

AND THAT The Nelson Society of Modellers be afforded the opportunity to finalise and confirm additional funding for the balance over and above the \$600,000 committed by Council no later than the end of November 2016;

AND THAT if the funding is confirmed that the option to modify the pond be included in the 2017/18 Annual Plan;

AND THAT Council note and accept that this preferred option will require ongoing operational maintenance funding of \$45,000/year in subsequent years;

AND THAT Council confirm that should the additional funding not be raised by the Nelson Society of Modellers by the end of November 2016, that it be agreed that the option to convert the pond back to estuarine environment at an estimated cost of \$690,000 be its second option and included in the 2017/18 Annual Plan;

AND THAT in the interim and until such time as any decision is made to upgrade the Modellers Pond that it be noted that existing maintenance of the pond will continue.

9. Alterations to delegations for effective delivery of capital projects

86 - 91

Document number R5631

Recommendation

THAT the report Alterations to delegations for effective delivery of capital projects (R5631) and its attachments (A1515909 and A1519796) be received;

AND THAT Council delegate powers to the Chief Executive under the Public Works Act 1981, section 111;

AND THAT Council approve a change to the Procurement Policy to allow the Chief Executive to accept tenders for capital projects of more than \$1million, when they fit within LTP budgets, and then retrospectively advise to Council, to reduce project down-time.

10. Administrative Matters

92 - 109

Document number R5324

Recommendation

THAT the report Administrative Matters (R5324) and its attachments (A1515586, A1103850, A1508267, A1508221, A1474067 and A1495677) be received;

AND THAT the Schedule of Documents Sealed (A1474067) 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;

AND THAT Schedule One – Members of Committees in the Delegations Register (A1495677) be amended to reflect the change in membership to the Regional Transport Committee;

AND THAT the Hearings Panel – Other, Temporary Road Closures continues until the end of the triennium.

REPORTS FROM COMMITTEES

11. Hearings Panel - Other Minutes

110 - 116

11.1 1 April 2015

Document number A1339204

Recommendation

THAT the minutes of a meeting of the Hearings Panel - Other, held on 1 April 2015, be received.

- 11.2 28 May 2015 **117 - 122**
Document number A1363785
Recommendation
THAT the minutes of a meeting of the Hearings Panel - Other, held on 28 May 2015, be received.
- 11.3. 29 July 2015 **123 - 127**
Document number A1395146
Recommendation
THAT the minutes of a meeting of the Hearings Panel - Other, held on 29 July 2015, be received.
- 11.4. 21 September 2015 **128 - 133**
Document number A1424772
Recommendation
THAT the minutes of a meeting of the Hearings Panel - Other, held on 21 September 2015, be received.
- 11.5. 20 November 2015 **134 - 142**
Document number A1463859
Recommendation
THAT the minutes of a meeting of the Hearings Panel - Other, held on 20 November 2015, be received.
- 11.6. 17 December 2015 **143**
Document number A1477292
Recommendation
THAT the minutes of a meeting of the Hearings Panel – Other – Temporary Road Closures, held on 17 December 2015, be received.

11.7. 4 February 2016 **144 - 145**

Document number A1498284

Recommendation

THAT the minutes of the meetings of the Hearings Panel – Other – Temporary Road Closures, held on 4 February 2016, be received.

11.8 4 February 2016 **146-152**

Document number A1498908

Recommendation

THAT the minutes of the meetings of the Hearings Panel - Other, held on 4 February 2016, be received.

12. Nelson Regional Sewerage Business Unit - 18 September 2015 **153 - 156**

Document number M1481

Recommendation

THAT the confirmed minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 18 September 2015, be received.

13. Nelson Regional Sewerage Business Unit - 11 December 2015 **157 - 162**

Document number M1643

Recommendation

THAT the confirmed minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 11 December 2015, be received.

14. Extraordinary Governance Committee - 24 December 2015 **163 - 165**

Document number M1670

Recommendation

THAT the confirmed minutes of an extraordinary meeting of the Governance Committee, held on 24 December 2015, be received.

15. Planning and Regulatory Committee - 18 February 2016 **166 - 176**

Document number M1711

Recommendation

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 18 February 2016, be received.

15.1 Fees and Charges: Resource Consents, Resource Management Act Planning Documents and Applications under Housing Accord and Special Housing Areas Act

Recommendation to Council

THAT the draft Fees and Charges Resource Consents and Resource Management Act Planning Documents (A1483163 and A1483172) be approved for public consultation and notification using the Special Consultative Procedure as set out in the Local Government Act 2002.

15.2 Fees and Charges Consents and Compliance (non RMA) commencing 1 July 2016

Recommendation to Council

THAT the Dog Control fees and charges as detailed in Attachment 1 (A1483521) to Report R5319 be adopted;

AND THAT the Environmental Health and other activities fees and charges as detailed in Attachment 2 (A1483604) to Report R5319 be adopted;

AND THAT the Draft Food Act 2014 fees and charges as detailed in Attachment 3 (A1488034) to Report R5319 be approved for public consultation and notification using the Special Consultative Procedure as set out in the Local Government Act 2002;

AND THAT the circumstances to reduce alcohol licensing fees as detailed in Attachment 4 (A1488085) to Report R5319 be adopted to apply from the date of Council resolution;

AND THAT Provision of Property Information fees and charges as detailed in Attachment 5 to Report R5319 (A1483610) be adopted;

AND THAT the Draft Fencing of Swimming Pools Act 1987 fees and charges as detailed in Attachment 6 (A1498999) to Report R5319 be approved for public consultation and notification using the Special Consultative Procedure as set out in the Local Government Act 2002;

AND THAT the charges for Dog Control Environmental Health and Provision of Property Information activities apply from 1 July 2016 until such time as they are varied or amended by Council;

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

- 15.3 Strategy and Environment Report for 1 October to 31 December 2015

Recommendation to Council

THAT Council note the notification of the Whakamahere Whakatu Nelson Plan is planned for early 2017 subject to confirming the timing of the consultation period for the Annual Plan.

- 15.4 Gambling Policy Review 2016

Recommendation to Council

THAT Council, acknowledging community feedback that the current Gambling Policy is functioning as intended and noting the resource cost a Local Government Act 2002 Special Consultative Procedure to review the Gambling

Policy imposes on all involved, agrees to retain the current Policy without change.

16. Chief Executive Employment Committee - 22 February 2016 177 - 180

Document number M1717

Recommendation

THAT the unconfirmed minutes of a meeting of the Chief Executive Employment Committee, held on 22 February 2016, be received.

17. Works and Infrastructure Committee - 25 February 2016 181 - 188

Document number M1725

Recommendation

THAT the unconfirmed minutes of a meeting of the Works and Infrastructure Committee, held on 25 February 2016, be received.

17.1 Days Track Resolution

Recommendation to Council

THAT remediation of Days Track with a gravel track at an estimated cost of \$430,000 be approved, noting this will require additional funding of \$265,000 to be included in the Annual Plan 2016/17.

18. Community Services Committee - 1 March 2016 189 - 196

Document number M1737

Recommendation

THAT the unconfirmed minutes of a meeting of the Community Services Committee, held on 1 March 2016, be received.

18.1 Crematorium Delivery Review

Note: Following the Community Services Committee meeting on 1 March 2016, clauses 1-6 of the Crematorium Delivery Review Recommendation to Council can now be considered in public

Recommendation to Council

THAT it be confirmed that Council retain ownership of the crematorium and keep it operating;

AND THAT approval be given to renew the main cremator as set out in the Long Term Plan 2015/25;

AND THAT it be confirmed not to proceed with a new pet cremator and the \$150,000 provision set aside for this in the 2016/17 year be removed;

AND THAT all cremation fees be increased from 1 July 2016 transitioned over a three year period with equal annual increases of 15 % per annum, with year one to be \$575 including GST;

AND THAT services for private cremations be promoted;

AND THAT until such time as a commercial pet/animal cremator is up and running, pets/animals continue to be cremated.

18.2 Marsden Valley Cemetery - Request for Dedicated Burial Plots

Recommendation to Council

THAT within the Marsden Valley cemetery, 100 plots be allocated as Catholic burial plots and 30 plots be allocated as Muslim burial plots, as shown on the indicative map attached as Appendix 2 (A1485622).

18.3 Nelson Marina Strategy

Recommendation to Council

THAT the draft Nelson Marina Strategy (A1498122) be received;

AND THAT fees and charges at the Marina be increased as from 1 July 2016 as per the Consumer Price Index;

AND THAT the Marina Development Levy be discontinued as from 1 July 2016;

AND THAT an unbudgeted amount of \$30,000 be provided in the Marina Opex Account in 2015/16 to remedy existing health and safety risks;

AND THAT the draft Nelson Marina Strategy (A1498122) be work shopped with the Marina users, other key stakeholders, and interested parties and reported back to a future Community Services Committee prior to adoption.

19. Extraordinary Governance Committee - 3 March 2016

197 - 204

Document number M1747

Recommendation

THAT the unconfirmed minutes of an extraordinary meeting of the Governance Committee, held on 3 March 2016, be received.

19.1 Audit, Risk and Finance Subcommittee Terms of Reference and Delegations Update

Recommendation to Council

THAT the Audit Risk and Finance Subcommittee draft Terms of Reference (A1437349) be adopted;

AND THAT the Delegations Register be updated as illustrated in (A1507355) to:

- include a reference to the Audit, Risk and Finance Subcommittee Terms of Reference;**
- remove Health and Safety from the Audit, Risk and Finance Subcommittee's area of responsibility.**

**19.2 Internal Audit Plan and Procedure
Item from Audit, Risk and Finance Subcommittee meeting - 12/11/2015**

Recommendation to Council

THAT the Internal Audit Plan to 30 June 2016 (A1452073) be approved, with the amendment:

- ***Under the heading 'Extension for Action Plans', insert the words "or organisational risk" after the words "no safety-related issues".***

- 19.3 Liability Management Policy amendment
Item from Audit, Risk and Finance Subcommittee meeting - 12/11/2015

Recommendation to Council

THAT the amended Liability Management Policy (A1450461) be adopted.

- 19.4 Corporate Report to 31 December 2015
Item from Audit, Risk and Finance Subcommittee meeting - 18/02/2016

Recommendation to Council

THAT Council resolves to fund the additional expenditure for Tasman Street from the following activities; Roading subsidised budgets (\$119,000), Roading unsubsidised budgets (\$117,000) and Stormwater budgets (\$92,000), a total of \$328,000, from operational and capital expenditure budgets as appropriate, noting that any individual project underspends which cover this overspend will be reported by 30 June 2016;

AND THAT funding of \$100,000 for the Stoke Foothills Traffic Study be deferred from 2015/16 to 2016/17;

AND THAT funding of \$100,000 for the Atawhai Hills Traffic Study be brought forward from 2016/17 to 2015/16.

- 19.5 Letter to the Council on the audit for the year ending 30 June 2015
Item from Audit, Risk and Finance Subcommittee meeting - 18/02/2016

Recommendation to Council

THAT Council notes Audit NZ's comments (A1499499) and how officers intend to address the issues raised.

- 19.6 Internal Audit Report to 31 December 2015
Item from Audit, Risk and Finance Subcommittee meeting - 18/02/2016

Recommendation to Council

THAT Council note the internal audit findings, recommendations and status of action plans up to 31 December 2015 (R5452).

PUBLIC EXCLUDED BUSINESS

20. Exclusion of the Public

Recommendation

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

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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Public Excluded Minutes - 17 December 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)(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).

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
2	Extraordinary Council Meeting - Public Excluded Minutes - 24 December 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	Council Meeting - Public Excluded Minutes - 3 March 2016	<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.
4	Public Excluded Status Report - Nelson City Council - 24 March 2016	<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)(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)
5	Tenancy Options for CBD Building - Update	<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</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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		under section 7	commercial and industrial negotiations)
6	Adam Chamber Music Festival events fund application	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)
7	Extraordinary Governance Committee Meeting - Public Excluded Minutes - 24 December 2015 These minutes contain a recommendation to Council relating to: Tenancy option for CBD Building	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.
8	Chief Executive Employment Committee Meeting - Public Excluded Minutes - 22 February 2016 These minutes contain a recommendation to Council relating to: Chief Executive Performance/Remuneration Review Process and Timeline 2015-2016	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person.
9	Works and Infrastructure Committee Meeting - Public Excluded Minutes -	Section 48(1)(a) The public conduct of this matter would be likely to result in	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,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	25 February 2016 These minutes contain a recommendation to Council relating to: Moana Landowner Negotiations	disclosure of information for which good reason exists under section 7.	without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
10	Community Services Committee Meeting - Public Excluded Minutes - 1 March 2016 These minutes contain a recommendation to Council relating to: Crematorium Delivery Review Hardstand Akersten Street – Managemetn Options Community Leases – Omnibus Report	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).
11	Extraordinary Governance Committee Meeting - Public Excluded Minutes - 3 March 2016 These minutes contain a recommendation to Council relating to: Letter to the Council on the audit for year ending 30 June 2015 – Utilities 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)(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.

21. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note:

- **Nelson Youth Councillors will join Councillors for morning tea**
- **This meeting is expected to continue beyond lunchtime.**
- **Lunch will be provided at 12.30pm.**
- **Youth Councillors Keegan Phipps and Samuel Kuo will be in attendance at this meeting.**

Minutes of a meeting of the Nelson City Council

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

On Thursday 17 December 2015, commencing at 9.04am

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

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Administration (P Langley), and Administration Adviser (G Brown)

Opening Prayer

Councillor Copeland gave the opening prayer.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Her Worship the Mayor informed councillors there would be an additional four public forums and that item 8, Notice of Motion regarding appointing members to the Nelson City Council Regional Transport Committee would be considered after public forum.

She added that there were two late items, and to consider the first, Arts Festival Governance Update, the following resolution needed to be considered:

2.1 Arts Festival Governance Update

Late item memo M1648 refers.

Resolved CL/2015/184

THAT the item regarding Arts Festival Governance Update 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/Noonan

Carried

3. Interests

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

4. Public Forum

4.1 Jim Cable - Southern Link

Mr Cable spoke about issues in relation to the Southern Link. He said the Southern Link was needed as road users were now using Princes Drive as an alternative route. He added that not progressing with the Southern Link was not sustainable.

Mr Cable referred to Councillor Davy's extensive transport experience.

4.2 Woodburner Lobby Group - Graeme O'Brien, Peter Olorenshaw, Gaire Thompson, Greg West and Harry Pearson

The Woodburner Lobby Group gave a PowerPoint presentation (A1476895), and tabled a document (A1477614).

In response to a question, Mr O'Brien said that Ultra Low Emission Burners (ULEB's) were expensive. Mr Thompson added the focus for Council should be on the proper use of woodburners.

Attachments

- 1 A1476895 - Woodburner Lobby Group PowerPoint Presentation
- 2 A1477614 - Woodburner Lobby Group Air Quality Comparison Tabled Document

4.3 Nelson Marlborough District Health Board – Dr Ed Kiddle

Dr Kiddle spoke to a tabled document (A1477157).

He reminded councillors there was no evidence that an increase in hospital admissions was related to cold homes.

Attachments

- 1 A1477157 - Nelson Marlborough District Health Board Comments on

Woodburner Provisions

4.4 Kate Malcolm

Ms Malcolm spoke about Council's role in the Southern Link debate.

She spoke to a tabled document (A1477616), which referred to air quality in the Victory airshed, better cycling facilities on Rocks Road, and the need for an express bus service between Richmond and Nelson.

Attachments

- 1 A1477616 - Kate Malcolm Tabled Document

4.5 John Gilbertson – Tahunanui Business Association – Notice of Motion

Mr Gilbertson spoke about his support for Councillor Davy in relation to his involvement in the New Zealand Transport Agency (NZTA) Southern Link Investigation Strategic Case and highlighted that the investigation was a government initiative.

He suggested that if councillors had an issue with the process then they should contact NZTA.

5. **Notice of Motion regarding appointing members to the Nelson City Council Regional Transport Committee**

Document number R5239, agenda pages 45 - 47 refer.

Councillor Acland, seconded by Councillor Lawrey moved the Notice of Motion.

Councillor Acland spoke about the Notice of Motion. He spoke about process and good governance, referring to the principles of openness and transparency.

He said he had lost confidence in the Regional Transport Committee due to the lack of these principles. He felt the correct way to remedy this was to change the leadership. He referred to the 6 October 2015 Regional Transport Committee (RTC) meeting where it was advised that the RTC had no input in the Southern Link Investigation Strategic Case which was consistent with what councillors had previously been told. He said councillors were then advised that the RTC Chair had been attending focus groups to define NZTA's strategic case since January 2015.

Councillor Acland highlighted that the RTC was governed by the Land Transport Management Act 2003 and appointments were for councillors to decide.

Councillor Acland advised that the Notice of Motion was not about the Southern Link; his concerns were solely regarding good governance which he emphasised must apply at all times.

There was some discussion that the Notice of Motion was unexpected and that if councillors had concerns a Code of Conduct complaint could have been made.

A Division was called:

Councillor Acland	Aye
Councillor Barker	No
Councillor Copeland	Aye
Councillor Davy	No
Councillor Fulton	Aye
Councillor Lawrey	Aye
Councillor Matheson	No
Councillor McGurk	Aye
Councillor Noonan	No
Councillor Rainey	Aye
Councillor Skinner	No
Councillor Ward	Aye
Her Worship the Mayor	No

The motion was passed, 7-6.

Resolved CL/2015/188

THAT Council's resolution on 27 March 2014 appointing members of the Nelson City Council Regional Transport Committee:

AND THAT Council appoints Councillor Davy as Chair, Councillor Copeland as Deputy Chair, Her Worship the Mayor and Councillor McGurk to the Nelson City Council Regional Transport Committee and adopts the delegations for this committee in attachment 1 (A1159846)

BE AMENDED from the date of this resolution to change the membership of that Committee, as follows:

Council appoints Councillor Copeland as Chair, Councillor McGurk as Deputy Chair, Her Worship the Mayor and Councillor Rainey to the Nelson City Council Regional Transport Committee

BUT OTHERWISE the resolution remain unchanged.

Acland/Lawrey

Carried

6. Mayor's Report

Late item memo M1648 refers.

Attendance: Councillor Fulton left the meeting from 10.32am to 10.34am.

Resolved CL/2015/189

THAT the item regarding the Mayor'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.

Her Worship the Mayor/Rainey

Carried

Attendance: Councillor Lawrey left the meeting at 10.35am.

Her Worship the Mayor advised councillors she had arranged for an NZTA briefing scheduled for Friday 18 December. She added that NZTA valued Councillor Davy's contribution therefore he would continue to be involved in the process.

Her Worship the Mayor thanked staff for their contribution over the year and advised that Council was on a strong financial platform for the year ahead. She referred to 2016 projects such as the reopening of the Trafalgar Centre, the Suter project and the Nelson School of Music development.

Attendance: Councillor Lawrey returned to the meeting at 10.42am.

Her Worship the Mayor spoke about the many successes in Nelson and advised that there were many role models for youth in Nelson. She highlighted the recent achievement of Harry Denton who broke the world record for the longest 'wheelie'.

Resolved CL/2015/190

THAT the Mayor's Report (R5265) and its attachments (A1437219) be received;

AND THAT the Central Business District Enhancement Panel draft Terms of Reference (A1437219) be received;

AND THAT \$324 be paid from the Mayor's Discretionary Fund for the Nelson Trolley Derby road closure application.

Her Worship the Mayor/Skinner

Carried

Attendance: The meeting adjourned for morning tea from 10.46am until 10.57am.

7. Proposed Change A3 to the Nelson Air Quality Plan - Amendments to Woodburner Provisions

Document number R5193, agenda pages 139 - 148 refer.

Group Manager Strategy and Environment, Clare Barton, Manager Planning, Matt Heale, and External Planning Consultant, Jason Jones, presented the report.

Mr Heale advised that clause 1 in the officer's recommendation needed to be updated to clarify that option 1 was the preferred option and that an additional clause was required regarding a survey to residential landowners without woodburners.

Mr Heale explained that option 1 would provide cleaner air than options 2 and 3, however this relied on behavioural change. He added that option 1 allowed capacity for Ultra Low Emission Burners (ULEBs) or National Environmental Standard (NES) burners across two airsheds and that the survey would indicate what the demand for these burners would be.

In response to a question, Mr Heale explained the survey would be released over the plan change submission period and the results would inform the report which would be considered at the hearing.

In response to a further question, Mr Heale advised that the plan change would set up a certification process which would simply record the numbers for a permitted activity.

In response to questions, Mr Jones explained the measurements taken in various airsheds and outlined an adaptive management approach that could be taken for future plan changes.

Mr Heale explained that the external consultant, Emily Wilton, had undertaken modelling which took into account a 10% increase in vehicle kilometres travelled but no increase in emissions as vehicles were becoming more efficient. He added air quality modelling did not specifically factor in the Southern Link proposal.

Attendance: Councillors Lawrey left at 11.24am and Councillor Acland left the meeting at 11.26am.

In response to a question, Mr Heale advised there were currently four ULEBs on the market which met air quality standards.

Attendance: Councillors Lawrey and Acland returned to the meeting at 11.27am.

In response to a question, Mr Heale advised that options 2 and 3 were not preferred options due to timing issues and that if option 2 or 3 were to be proceeded with then changes to the current policy would be required. He added that the plan change was a quick response to a specific issue.

Attendance: Councillor Noonan left the meeting from 11.45am to 11.48am.
Councillor Acland left the meeting at 11.48am.

In response to a question, Ms Barton advised that if content of the NES changed it would not require retrospective changes to the Air Quality Plan.

Attendance: Councillor Lawrey left the meeting and Councillor Acland returned to the meeting at 11.56am.

Councillor McGurk, seconded by Councillor Fulton moved the following motion.

THAT the report Proposed Change A3 to the Nelson Air Quality Plan - Amendments to Woodburner Provisions (R5193) – based on Option 1 of continuing to seek improving air quality as outlined in the Nelson Air Quality Plan and its attachments (A1473707, A1472304, A1472293, A1469510, A1469489, A1472174, A1469497, A1469511, A1469503) be received;

AND THAT the Woodburner Plan Change (PCA3) and section 32 report be approved for notification on 16 January 2016;

AND THAT at the time of notification of Proposed Change A3, Council officers survey residential landowners without woodburners to indicate the likelihood and preference for installing either a new NES compliant woodburner or an Ultra Low Emission Burning device over the next two years;

AND THAT the Mayor, Planning and Regulatory Committee Chair and Chief Executive be delegated authority to make further minor changes following the Council meeting to enable notification on 16 January 2016.

Councillor Skinner, seconded by Councillor Noonan moved an amendment.

THAT the report Proposed Change A3 to the Nelson Air Quality Plan - Amendments to Woodburner Provisions (R5193) – based on Option 1 of continuing to seek improving air quality as outlined in the Nelson Air

Quality Plan and its attachments (A1473707, A1472304, A1472293, A1469510, A1469489, A1472174, A1469497, A1469511, A1469503) be received;

AND THAT officers be requested to redraft PCA3 on basis of Option 3 - allowing a greater number of burners and achieving compliance with NES levels - and bring this to Council in April 2016 for notification in May 2016.

Attendance: Councillor Lawrey returned to the meeting at 11.58am and Councillor Davy left the meeting at 11.59am.

The amendment was discussed and it was highlighted that if notification occurred in May 2016, no decision would be released prior to winter and that further consultation would be required because of policy change. In response to a question, Ms Barton advised that additional costs for option 3 could equate to approximately \$20,000 to \$30,000.

The high costs of ULEB's was highlighted.

Attendance: Councillor Rainey left the meeting at 12.07pm and Councillors Davy and Rainey returned to the meeting at 12.09pm.

The amendment was put and lost, and the meeting returned to the original motion.

Attendance: The meeting adjourned for lunch at 12.19pm until 12.56pm. During this time Councillor Fulton left the meeting.

8. Exclusion of the Public

Mr John Palmer, Chairman of the Economic Development Services Transition Group, was in attendance for Item 6 of the Public Excluded agenda to answer questions and, accordingly, the following resolution was passed:

Resolved CL/2015/191

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, John Palmer, Chairman of the Economic Development Services Transition Group remain after the public has been excluded, for Item 6 of the Public Excluded agenda (Economic Development Services Transition Group Recommendations), as he has knowledge that will assist the Council;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that John Palmer possesses relates to the Economic

**Development Services Transition Group
Recommendations.**

Her Worship the Mayor/Matheson

Carried

Resolved CL/2015/192

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/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)
6	Economic Development Services Transition Group Recommendations	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 12.58pm and resumed in public session at 1.12pm.

9. Re-admittance of the Public

Resolved CL/2015/193

THAT the public be re-admitted to the meeting.

Matheson/Davy

Carried

10. Arts Festival Governance Update

Document number R5272, late items agenda pages 2 - 4 refer.

Chief Executive, Clare Hadley, presented the report.

Resolved CL/2015/194

THAT the report Arts Festival Governance Update (R5272) be received;

AND THAT officers bring terms of reference for a Arts Festival Transition Group to the Council meeting on 18 February 2016.

Matheson/Davy

Carried

11. Proposed Change A3 to the Nelson Air Quality Plan - Amendments to Woodburner Provisions (Cont.)

Document number R5193, agenda pages 139 - 148 refer.

It was discussed that the submission process would provide an opportunity for the community to provide feedback and that even though option 1 was conservative it still allowed capacity for further woodburners whilst being mindful of the potential National Environmental Standard changes from central government.

Attendance: Councillor Fulton returned to the meeting at 1.26pm.

Resolved CL/2015/195

THAT the report Proposed Change A3 to the Nelson Air Quality Plan - Amendments to Woodburner Provisions (R5193) – based on Option 1 of continuing to seek improving air quality as outlined in the Nelson Air Quality Plan and its attachments (A1473707, A1472304, A1472293, A1469510, A1469489, A1472174, A1469497, A1469511, A1469503) be received;

AND THAT the Woodburner Plan Change (PCA3) and section 32 report be approved for notification on 16 January 2016;

AND THAT at the time of notification of Proposed Change A3, Council officers survey residential landowners without woodburners to indicate the likelihood and preference for installing either a new NES compliant woodburner or an Ultra Low Emission Burning device over the next two years;

AND THAT the Mayor, Planning and Regulatory Committee Chair and Chief Executive be delegated authority to make further minor changes following the Council meeting to enable notification on 16 January 2016.

McGurk/Fulton

Carried

12. Housing Accord

Document number R5065, agenda pages 100 - 138 refer.

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

Ms Gibellini explained that there were two maps missing from the report and these were tabled (A1479186).

Attendance: Councillors Acland and Skinner left the meeting at 1.41pm.

In response to a question, Ms Gibellini advised the special housing areas (SHA) proposed were initiated by developers.

Attendance: Councillor Skinner returned to the meeting at 1.43pm.

It was agreed that option 4, 'Nelson South' be renamed 'Saxton', as this was a more accurate description of this area.

In response to a question, Ms Gibellini said that SHA applications would be assessed against the Nelson Resource Management Plan (NRMP), however there was no requirement to have insulation. She added that applications would still be assessed through the Building Act 2004.

Attendance: Councillor Acland returned to the meeting at 1.48pm.

In response to a question, Ms Gibellini said SHA's were only enabling developers; if they chose not to proceed there was no obligation.

Her Worship the Mayor, seconded by Councillor Barker, moved the recommendation in the officer's report.

There was a discussion regarding option 4, Saxton. Some Councillors expressed the view that it was the least attractive proposal, that it could be seen as urban sprawl and that it did not contribute to any of Council's strategic goals for Nelson City intensification.

Councillor Lawrey, seconded by Councillor Copeland moved an amendment to delete the third clause.

There was a discussion regarding the expense and time taken for plan changes and that Saxton was not seen as urban sprawl as it fitted with the urban area between Nelson and Richmond. It was highlighted that a regional approach needed to be taken.

The amendment was put and lost, and the meeting returned to consider the original motion.

Resolved CL/2015/196

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

Acland/Davy

Carried

Resolved CL/2015/197

THAT the report Housing Accord (R5065) and its attachment (A1463097) be received;

AND THAT Council approve options 1 to 3, 5 to 7 and 9 to 11 as detailed in the attached Special Housing Area options analysis as potential Special Housing Areas (A1463097);

AND THAT Council approve option 4 (Saxton) subject to an agreement between Council and the landowners requiring a master planning exercise for the purpose of ensuring infrastructure and open space network connectivity to be completed by the landowners prior to resource consent applications being lodged;

AND THAT Her Worship the Mayor recommend those potential areas to the Minister of Building and Housing for consideration as Special Housing Areas under the Housing Accord and Special Housing Areas Act 2013;

AND THAT officers report back on specified design controls which could be included in an expressions of interest process to dispose of Betts carpark (Pt Lot 2 DP 224).

Her Worship the Mayor/Barker

Carried

Attachments

1 A1479186 - Housing Accord Tabled Document Maps 4 and 8

13. Hampden Street Little Go Stream Stormwater Upgrade Tender Approval Report

Document number R5006, agenda pages 91 - 95 refer.

Attendance: Councillors Lawrey and Fulton left the meeting at 2.25pm.

Manager Operations, Shane Davies, presented the report.

In response to a question, Mr Davies advised that contingency figures were dependant on the project and the related risks specific to that project.

Attendance: Councillor Lawrey returned to the meeting at 2.27pm.

Resolved CL/2015/198

THAT the report Hampden Street Little Go Stream Stormwater Upgrade Tender Approval Report

(R5006) and Attachment 1 (A1470190) be received;

AND THAT the tender for \$3,621,787 from Donaldson Civil Ltd be accepted.

Davy/Lawrey

Carried

14. Approval of Tender for Maitai Pipeline Upgrade

Document number R4824, agenda pages 96 - 99 refer.

Manager Operations, Shane Davies, presented the report.

In response to a question, Mr Davies advised that no other projects were affected by the change in pipe lengths due to health and safety.

Resolved CL/2015/199

THAT the report Approval of Tender for Maitai Pipeline Upgrade (R4824) be received;

AND THAT the tender for \$4,766,817 from Fulton Hogan Ltd be accepted;

AND THAT an additional \$800,000 be included in the 2016/17 financial year to complete this project;

AND THAT this acceptance be on the basis that this is a multi-year contract over two financial years and that the contract be considered a committed contract.

Davy/McGurk

Carried

15. Draft Health and Safety Management System Governance Charter

Document number R4947, agenda pages 65 - 90 refer.

Attendance: Councillor Copeland left the meeting at 2.37pm.

Group Manager Corporate Services, Nikki Harrison, tabled updated pages 78 and 87 of the agenda. It was noted that the page numbers were actually 74 and 87 of the agenda. She explained the update related to due diligence of officers.

Her Worship the Mayor advised that councillors needed to attend a Health and Safety workshop and site visits in 2016 as Councillors were deemed 'officers' under the Health and Safety at Work Act 2015.

Attendance: Councillor Copeland returned to the meeting at 2.42pm.

Resolved CL/2015/200

THAT the report Draft Health and Safety Management System Governance Charter (R4947) and its attachments (A1448669, A1451891, A1394804 including edits to pages 74 and 87 as tabled, and A1455112) be received;

AND THAT the Health and Safety Management System Governance Charter (A1394804) be approved.

Ward/Her Worship the Mayor

Carried

Attachments

- 1 A1486975 - Health and Safety Management System Governance Charter Tabled Pages

16. Events Strategy: Proposal to Align Development with Regional Identity Project

Document number R5240, agenda pages 151 - 154 refer.

Group Manager Community Services, Chris Ward, and Senior Strategic Adviser, Nicky McDonald, presented the report.

Resolved CL/2015/201

THAT the report Events Strategy: Proposal to Align Development with Regional Identity Project (R5240) be received;

AND THAT development of the Nelson City Council Events Strategy be delayed until 2016 to better align with work on regional identity by the new economic development agency;

AND THAT transitional arrangements (as agreed during deliberations on the Long Term Plan 2015-25) relaxing the Events Fund criteria to allow support to be given to community events be extended until an Events Strategy is adopted.

Matheson/Ward

Carried

17. Stoke Urban Design Strategy Update

Document number R5249, agenda pages 148 - 150 refer.

Manager Community Partnerships, Shanine Hermsen, presented the report.

Resolved CL/2015/202

THAT the report Stoke Urban Design Strategy Update (R5249) be received.

Barker/Matheson

Carried

18. Exclusion of the Public

Resolved CL/2015/203

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/Matheson

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Public Excluded Minutes - 19 November 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)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities.• Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
2	Status Report - Council - 17	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)
	December 2015	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	<ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(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	Risk Management KPI	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
4	Review of recycling kerbside collection services	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)
7	Nelson Events Fund Application Update	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.

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
8	Civil Defence Emergency Management Group Meeting - Public Excluded Minutes - 20 November 2015	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person
9	Joint Shareholders Committee Meeting - Public Excluded Minutes - 20 November 2015 These minutes include a recommendation to Council regarding: Port Nelson Limited Proposed Constitution Changes	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.
10	Works and Infrastructure Committee Meeting - Public Excluded Minutes - 26 November 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)(b)(i) To protect information where the making available of the information would disclose a trade secret. • 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)(ii) 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)
			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.

The meeting went into public excluded session at 2.59pm and resumed in public session at 3.52pm. During this time Councillor Fulton returned to the meeting and Councillor Copeland left the meeting.

19. Re-admittance of the Public

Resolved CL/2015/204

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Matheson

Carried

20. Confirmation of Minutes

20.1 19 November 2015

Document number M1604, agenda pages 13 - 31 refer.

A correction to item 7, Mayor's Report was raised in that it was Councillor Noonan who formed part of the Central Business District Enhancement Panel and not Councillor Fulton.

Resolved CL/2015/205

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

Her Worship the Mayor/Davy

Carried

20.2 24 November 2015

Document number M1620, agenda pages 32 - 38 refer.

Resolved CL/2015/206

THAT the minutes of the meeting of the Council, held on 24 November 2015, be confirmed as a true and correct record.

21. Status Report - Council - 17 December 2015

Document number R5246, agenda pages 39 - 44 refer.

In response to a question, Group Manager Infrastructure, Alec Louverdis, advised that the Modellers' Pond item had been delayed due to appointing a consultant.

Attendance: Councillor Noonan left the meeting at 3.54pm.

Resolved CL/2015/207

THAT the Status Report Council 17 December 2015 (R5246) and its attachment (A1168168) be received.

Her Worship the Mayor/Matheson

Carried

22. Administrative Matters

Document number R5179, agenda pages 48 - 64 refer.

A correction was highlighted in attachment 3 in that it was recorded 'n/a' for Councillor Copeland's attendance at the Regional Transport Committee 16 October 2015 and that the table should read 'Yes' for attendance.

Resolved CL/2015/208

THAT the report Administrative Matters (R5179) and its attachments (A1465719, A1103850, A1465783 - as amended, A1465742 and A1405873) be received;

AND THAT the Schedule of Documents Sealed (A1405873) 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.

Ward/Skinner

Carried

REPORTS FROM COMMITTEES

23. Hearings Panel - Other

Document number R5245, agenda pages 155 - 156 refer.

Resolved CL/2015/209

THAT the minutes of a meeting of the Hearings Panel - Other, held on 20 November 2015, be received.

Barker/McGurk

Carried

24. Civil Defence Emergency Management Group - 20 November 2015

Document number M1618, agenda pages 157 - 159 refer.

Resolved CL/2015/210

THAT the unconfirmed minutes of a meeting of the Civil Defence Emergency Management Group, held on 20 November 2015, be received.

Her Worship the Mayor/Barker

Carried

25. Joint Shareholders Committee - 20 November 2015

Document number M1616, agenda pages 160 - 163 refer.

Resolved CL/2015/211

THAT the unconfirmed minutes of a meeting of the Joint Shareholders Committee, held on 20 November 2015, be received.

Barker/Matheson

Carried

26. Works and Infrastructure Committee - 26 November 2015

Document number M1622, agenda pages 164 - 172 refer.

Resolved CL/2015/212

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

Davy/Lawrey

Carried

27. Planning and Regulatory Committee - 26 November 2015

Document number M1624, agenda pages 173 - 177 refer.

Resolved CL/2015/213

THAT the unconfirmed minutes of a meeting of the Planning and Regulatory Committee, held on 26 November 2015, be received.

McGurk/Barker

Carried

28. Exclusion of the Public

Resolved CL/2015/214

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)
5	Funding for the Youth and Community Facilities Trust	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)

The meeting went into public excluded session at 4.00pm and resumed in public session at 4.23pm. During this time Councillors Rainey and Lawrey left the meeting.

29. Re-admittance of the Public

Resolved CL/2015/215

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Copeland

Carried

There being no further business the meeting ended at 4.23pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of an extraordinary meeting of the Nelson City Council

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

On Thursday 24 December 2015, commencing at 9.43am

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

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Manager Communications (P Shattock), and Administration Adviser (G Brown)

Apologies: Councillors L Acland, R Copeland, M Lawrey and P Rainey

Opening Prayer

Her Worship the Mayor gave the opening prayer.

1. Apologies

Resolved CL/2015/222

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

Her Worship the Mayor/Ward

Carried

2. Confirmation of Order of Business

Her Worship the 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:

2.1 Tenancy Options for CBD Building

Late item memo M1673 refers.

Resolved CL/2015/223

***THAT the public excluded item Tenancy Options for
CBD Building 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.

Noonan/Davy

Carried

3. Interests

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

4. Public Forum

There was no public forum.

5. Exclusion of the public

Resolved CL/2015/224

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, John Murray remains after the public has been excluded, for Item 1 of the Public Excluded agenda (Tenancy Options for CBD Building), as he has knowledge that will assist Council;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that John Murray possesses relates to the Tenancy Options for CBD Building.

Ward/Barker

Carried

Resolved CL/2015/225

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:

Ward/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.	Tenancy Options for CBD Building	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 9.45am and resumed in public session at 9.54am.

6. Re-admittance of the public

Resolved CL/2015/226

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Davy

Carried

There being no further business the meeting ended at 9.54am.

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 Thursday 18 February 2016, commencing at 9.04am

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

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Manager Communications (P Shattock), Manager Administration (P Langley), Manager Community Partnerships (S Hermsen), Administration Adviser (E-J Ruthven), and Nelson Youth Councillors (J Alison and K Phipps)

Apologies: Councillors E Davy (leave of absence) and M Ward

Councillor Noonan gave the opening prayer.

1. Apologies

Resolved CL/2016/001

***THAT apologies be received and accepted from
Councillors Davy and Ward.***

Her Worship the Mayor/Noonan

Carried

2. Confirmation of Order of Business

Her Worship the Mayor noted that there would be a public forum presentation.

Attendance: Councillor Skinner joined the meeting at 9.05am

3. Interests

Her Worship the Mayor asked councillors to declare any interests as they arose over the course of the meeting.

4. Public Forum

4.1 Lewis Stanton

Mr Gaire Thompson addressed Council regarding Lewis Stanton, and explained his concerns about Mr Stanton's on-going protest activity in the central business district.

Mr Thompson asked Council to pass a bylaw limiting protests to seven days per year. He said that this would allow for legitimate protests, but limit the potential for lengthy occupation of inner city locations for protest purposes.

In response to a question, Mr Thompson spoke about trespass notices issued against Mr Stanton, and asked Council to re-issue a trespass notice against Mr Stanton camping in the doorway to Civic House.

Her Worship the Mayor explained that the Chief Executive would report back to a future Council meeting on the matters raised by Mr Thompson.

5. Mayor's Report

Document number R5392, agenda page 4 refers.

Her Worship the Mayor noted the rain event that had occurred overnight.

Resolved CL/2016/002

THAT the Mayor's Report (R5392) be received.

Her Worship the Mayor/Matheson

Carried

5. Arts Festival Transition Group Terms of Reference

Document number R5277, agenda pages 5 - 12 refer.

Manager Community Partnerships, Shanine Hermsen, presented the report.

In response to a question, Ms Hermsen clarified that notes of Transition Group meetings would be taken by officers.

There was discussion regarding the use of a transition group to move towards delivering a new Arts Festival entity. In response to a question, Ms Hermsen noted other examples of local authorities transitioning Arts Festivals to separate entities, although these had not used a transition group. It was noted that Council had recently used a transition group to

develop the Nelson Regional Development Agency, and that the transition group model ensured that members of the community could have input into the most appropriate form for the entity.

There was a further discussion regarding remuneration. In response to a question, Ms Hermesen explained that Arts Festival Trust positions were generally not remunerated positions. It was noted that the transition group would recommend an appropriate form of Arts Festival entity back to Council, and could also consider and make recommendations regarding remuneration, if appropriate.

Resolved CL/2016/003

THAT the report Arts Festival Transition Group Terms of Reference (R5277) and its attachment (A1486043) be received;

AND THAT Council approve the draft Arts Festival Transition Group Terms of Reference (A1486043);

AND THAT the Arts Festival Transition Group is established;

AND THAT the Chair and Deputy Chair of the Community Services Committee identify a shortlist of members for the Arts Festival Transition Group to present to the Community Services Committee for approval;

AND THAT officers report back to the Community Services Committee on 14 April 2016 with the list of members for the Arts Festival Transition Group for approval.

Her Worship the Mayor/Barker

Carried

There being no further business the meeting ended at 9.29am.

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 Thursday 3 March 2016, commencing at 9.06am

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

In Attendance: Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Administration (P Langley), and Administration Adviser (G Brown)

Her Worship the Mayor welcomed the senior government officials from South East Asia in the public gallery who were in Nelson for 8 weeks studying New Zealand people, systems, community and governance.

She added that the meeting was being recorded and could be watched on Council's YouTube channel.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Her Worship the Mayor advised that the Nelson Regional Sewerage Business Unit reports, item 6 and 7 would be taken first on the agenda, followed by item 10, the Nelson City and Tasman District Regional Landfill – Joint Venture Proposal report, to accommodate the presenters.

3. Interests

Her Worship the Mayor advised councillors that they were to raise any interests with agenda items as the meeting progressed.

4. Nelson Regional Sewerage Business Unit - Annual Report 2014-15

Document number R5306, agenda pages 8 - 47 refer.

Tasman District Councillor and Chair of the Nelson Regional Sewerage Business Unit, Michael Higgins, and Nelson Regional Sewerage Business Unit Manager, Richard Kirby, presented the report.

In response to a question, Mr Kirby advised that the location of the Bell Island wastewater treatment facilities could cope with a one metre sea level rise, and with regards to future storm events, mitigations had been put in place to reduce pump station overflows.

In response to a further question, Mr Kirby clarified that heavy metal disposal was regulated by a trade waste agreement which aligned with New Zealand standards.

There was a discussion on whether analysis had been conducted on spreading dry solids at pine tree locations. Mr Kirby advised that analysis had been conducted and results were positive as trees were growing at a faster pace and there were no negative impacts on the surrounding environment.

Resolved CL/2016/004

THAT the report Nelson Regional Sewerage Business Unit - Annual Report 2014-15 (R5306) and its attachment (A1469480) be received.

Davy/Noonan

Carried

5. Nelson Regional Sewerage Business Unit: Draft Business Plan 2016/17

Document number R5314, agenda pages 48 - 70 refer.

Tasman District Councillor, Michael Higgins, and Consulting Engineer, Richard Kirby, presented the report.

In response to a question, Mr Kirby advised that the activity 'Review Board Performance' as stated in Appendix A of the Business Plan 2016/17 had been included for several years to ensure processes and outcomes were assessed.

Resolved CL/2016/005

THAT the report Nelson Regional Sewerage Business Unit: Draft Business Plan 2016/17 (R5314) and its attachment (A1501600) be received;

AND THAT Council adopt the Nelson Regional Sewerage Business Unit Draft Business Plan 2016/17.

Noonan/Davy

Carried

6. Nelson City and Tasman District Regional Landfill - Joint Venture Proposal

Document number R5512, agenda pages 99 - 140 refer.

Consulting Engineer, Richard Kirby, presented the report.

Attendance: Councillor Copeland left the meeting at 9.25am.

Her Worship the Mayor advised that Tasman District Council would also be considering the regional landfill matter today.

Attendance: Councillor Copeland returned to the meeting at 9.28am.

Resolved CL/2016/006

THAT the report Nelson City and Tasman District Regional Landfill - Joint Venture Proposal (R5512) and its attachments (A1504294 and A1504295) be received;

AND THAT Council approve a Joint Venture model as the preferred option for the management of Tasman District and Nelson City Councils' landfills;

AND THAT a 50:50 Joint Venture is preferred, with a one-off payment of \$4.2 million paid by Tasman District Council to Nelson City Council to compensate for the difference in midpoint landfill values between York Valley and Eves Valley be approved;

AND THAT for Eves Valley, operational control of all land used for the existing landfill and for Stage 3 landfill purposes will be transferred to the Joint Venture and that for York Valley operational control of all of the land currently

used (but not the land designated for Stage 2) will be transferred to the Joint Venture (noting that, for formal decision-making purposes, maps and legal descriptions will be provided);

AND THAT both councils retain buffer land and designations, and that should any alternative use be proposed, the views and preferences of the joint venture will be taken into account in determining the future use of that land;

AND THAT the structure, governance, funding and ownership aspects of the landfill Joint Venture will be the subject of a future report to both Councils, noting the intention that this Joint Venture be similar to Nelson Regional Sewerage Business Unit;

AND THAT the Nelson City Council will undertake consultation on the proposal through its Annual Plan 2016/17 process and that, concurrently, Tasman District Council will engage with its community through its engagement on its Annual Plan 2016/17 whilst acknowledging that Tasman District Council may need to amend its Long-term Plan in July 2016 to enable this transaction (as the Eves Valley landfill is a strategic asset);

AND THAT, subject to confirmation through the Annual Plan consultation processes, the Joint Venture formally commence 1 July 2017 with the one-off payment of \$4.2 million to be made from Tasman District Council to Nelson City Council on that date;

AND THAT from the date of 3 March 2016 (being the date both Councils consider the proposal) both Councils will continue to support the model in the way they manage their landfills in anticipation of it being the approved outcome;

AND THAT prior to commencement of the Joint Venture on 1 July 2017, that each Council continue with all necessary work to establish the Joint Venture in anticipation of approval of the proposal;

AND THAT all direct and external costs for establishment of the Joint Venture will continue to be shared 50:50 between both Councils;

AND THAT the Chief Executive be instructed to establish with Tasman District Council a Joint

Venture project team and do all necessary work for the purpose of establishing the Joint Venture for landfill operations from 1 July 2017;

AND THAT all the statements in this recommendation be subject to the Tasman District Council passing equivalent resolutions on the joint landfill management.

Her Worship the Mayor/Matheson

Carried

7. Mayor's Report

Her Worship the Mayor advised that additional papers would be tabled for item 11, Approval of Draft Annual Plan 2016/17 (the Plan).

She confirmed with councillors that there would be an additional workshop scheduled for 22 March from 9am until 11am. She said the topic of the workshop would be the Code of Conduct and the protocol for the upcoming local government election.

She advised councillors that while bringing together the Annual Plan, she had identified a significant workload for the Community Services Committee moving forward. She felt the Committee had made some great progress but a greater focus was required to better engage with sports and recreation groups, and to develop partnerships which would ultimately better inform the 2018-2028 Long Term Plan.

Her Worship the Mayor advised that she had established a new Sports and Recreation Committee and has appointed the Deputy Mayor as the Chairperson. She added that for diary efficiency she intended that membership otherwise be the same as the Community Services Committee and proposed that both committees would meet on the same day.

Attendance: The meeting adjourned from 9.37am to 9.42am, during this time Councillor Fulton left the meeting.

Late Item Memo M1741 refers.

The Late Item – Mayors Report was tabled, and Her Worship the Mayor advised that for the matter to be discussed at this meeting, a resolution needed to be passed for the item to be considered.

Councillor Davy, seconded by Councillor Skinner moved the recommendation to consider the late item.

THAT the item regarding Mayor'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.

Attendance: Councillor Fulton returned to the meeting at 9.42am.

There was a discussion about the significant workload referred to for the Community Services Committee and that further information was needed in relation to deliverables expected from the Annual Plan 2016/17.

Attendance: The meeting adjourned from 9.47am to 9.49am.

Concerns were raised in relation to the lateness of the item and the reasons for the establishment of the new Committee.

Attendance: The meeting adjourned from 9.58am to 10.14am.

A division was called:

Councillor Acland	No
Councillor Barker	Aye
Councillor Copeland	No
Councillor Davy	Aye
Councillor Fulton	No
Councillor Lawrey	No
Councillor Matheson	Aye
Councillor McGurk	No
Councillor Noonan	Aye
Councillor Rainey	No
Councillor Skinner	Aye
Councillor Ward	No
Her Worship the Mayor	Aye

The motion was lost 6-7.

It was noted that some councillors felt there was not a capacity issue for the Community Services Committee.

Her Worship the Mayor spoke about the 2016 Local Government New Zealand Conference, and in response to a question she said that Councillors could attend and the costs would be taken from their own travel and training budgets.

8. Betts Carpark Special Housing Area

Document number R5302, agenda pages 71 - 86 refer.

Senior Planning Adviser, Lisa Gibellini, presented the report.

Attendance: Councillor Rainey declared an interest and left the room. Councillor Acland left the meeting at 10.29am

In response to a question, Ms Gibellini advised that the design controls were formulated to provide high quality amenity both on site and off site, considering adjoining properties and the prominent location of the site. In relation to a question on the specific design objective in e) of 5.7 she advised that Graeme McIndoe, Urban Designer had since reviewed the design criteria and suggested changing e) to better clarify the intent as follows: 'Integration of high quality shared open spaces that provide for vehicle and pedestrian circulation within the development', which would also be reflected in the report in section 5.7e.

Attendance: Councillor Acland returned to the meeting at 10.32am.

In response to a question, Ms Gibellini explained that 'predominantly residential' in section 4.4 was defined in the Housing Accord and Special Housing Areas Act 2013 (HASHA) and essentially meant that the primary purpose was residential but that other uses were provided for so long as they were ancillary to the residential use.

Attendance: Councillor Matheson left at 10.39am and returned to the meeting at 10.41am. Councillor Noonan left at 10.41am and returned to the meeting at 10.43am.

In response to a question, Ms Gibellini advised that the short development window referred to in section 6.4 of the report was due to central government repealing the first part of HASHA containing the Special Housing Area provisions. HASHA set out its repeal dates because it was initially only intended for Auckland which was required to meet their targets before the date.

Attendance: Councillor Davy left the meeting at 10.43am and Councillor Copeland left the meeting at 10.45am.

In response to a question, Ms Gibellini said the Request for Expressions of Interest (REOI) stated that carparking, balcony requirements and acoustic installation were matters that the developer could decide on.

In response to a further question, she advised that the Betts carpark height allowance of 15m was higher than that specified in the Nelson Resource Management Plan as a permitted activity. However in providing for this height allowance the requirement to minimise shading on Nile Street residences had been controlled in the REOI design criteria.

Attendance: Councillor Davy returned at 10.48am and Councillor Copeland returned to the meeting at 10.52am.

There was support for the officer recommendations as they aligned with Council's strategic direction and would contribute positively to inner city living in Nelson.

Resolved CL/2016/007

THAT the report Betts Carpark Special Housing Area (R5302) and its attachments (A1503472 and A1499622) be received;

AND THAT the design controls in attachment 1, (A1503472) to be included in a Request for Expressions of Interest for the sale and development of Betts Carpark Special Housing Area, be approved;

AND THAT Council expresses a preference for the sale of Betts Carpark (Pt Lot 2 DP 224) for development as a Special Housing Area.

McGurk/Her Worship the Mayor

Carried

Attendance: Councillor Rainey returned to the meeting at 10.59am.

9. Special Housing Areas

Document number R5354, agenda pages 87 - 98 refer.

Senior Planning Adviser, Lisa Gibellini, presented the report.

In response to a question, Ms Gibellini said the Housing Accord targets had been measured across the year and this was the six monthly update. She added that she had no concerns about meeting the targets set.

Attendance: Councillor Lawrey left the meeting at 11.00am and Councillor Skinner left at 11.02am and returned to the meeting at 11.04am.

There was some discussion about traffic concerns and the impact on infrastructure for the possible Special Housing Area at Saxton.

Attendance: Councillor Lawrey returned to the meeting at 11.05am.

There was general support for the officer recommendations and it was highlighted that infrastructure and open space connectivity would be considered as part of the Saxton master plan.

Attendance: Councillor Copeland left the meeting at 11.07am.

Resolved CL/2016/008

THAT the report Special Housing Areas (R5354) and its attachment (A1503228) be received;

AND THAT Council approve the extension of Saxton Special Housing Area over part of the Richards property (Lot 4 DP 8212) as shown in

the attachment (A1503228), subject to the Saxton master plan agreement specified in the Council resolution of 17 December 2015 being entered into;

AND THAT Council approve a new Beach Road Special Housing Area adjoining the Ocean Lodge Special Housing Area over the Elliot and Menzies (Lots 1 & 2 DP 530) properties as shown in the attachment (A1503228);

AND THAT Her Worship the Mayor recommend the Beach Road area to the Minister of Building and Housing for consideration as a Special Housing Area under the Housing Accord and Special Housing Areas Act 2013;

AND THAT Her Worship the Mayor recommend to the Minister of Building and Housing the extended Saxton Special Housing Area after the master plan conditions have been met.

Noonan/Davy

Carried

Attendance: The meeting adjourned from 11.11am to 11.22am. During this time Councillor Fulton left the meeting and Councillor Copeland returned to the meeting.

10. Approval of Draft Annual Plan 2016/17

Document number R5525, agenda pages 141 - 172 refer.

Senior Strategic Adviser, Nicky McDonald, and Group Manager Corporate Services, Nikki Harrison, presented the report.

Ms McDonald advised that since the Council workshop figures had been updated and legal advice had been received.

The Mayors Message (A151032), the Consultation Document on the Draft Annual Plan 2016/17 (A1512576), Funding Impact Statement (A1414959) and additional Rates Policies resolutions (A1512560) were tabled.

Attendance: Councillor Fulton returned to the meeting at 11.26am.

Ms McDonald advised councillors of the changes to the Significance and Engagement Policy.

Ms McDonald advised that Simpson Grierson had reviewed the Rates Remission Policy and Rates Postponement Policy. Changes to these policies were tabled (A1512007).

It was highlighted that page 4 of the Consultation Document needed to state that the Southern Link project was the responsibility of the New Zealand Transport Agency.

Attendance: Councillor Rainey declared an interest and moved away from the table.

There was a discussion regarding the \$50,000 funding earmarked for the gondola project and whether this was a sufficient indication of support for it. An additional \$50,000 was proposed in the draft Annual Plan.

Councillor Lawrey, seconded by Councillor Fulton, moved a motion.

AND THAT \$100,000 be earmarked for the Gondola project in the draft Annual Plan 2016/17.

Several councillors felt the current funding of \$50,000 was adequate and should the community think otherwise then submissions would be received.

Attendance: The meeting adjourned from 11.42am to 11.43am.

The financial implications in making a change to the draft Annual Plan 2016/17 at this stage were discussed.

Attendance: Councillor Rainey returned to the meeting at 11.50am.

The motion was put and lost.

Attendance: Councillor Rainey returned to the table at 11.51am.

Her Worship the Mayor, seconded by Councillor Barker, moved the recommendations in the officer report.

Councillors spoke in support of the draft Annual Plan. Her Worship the Mayor noted the limited areas of exception from the Long Term Plan which was an indication that Councils work programme was on track.

Resolved CL/2016/009

THAT the report Approval of Draft Annual Plan 2016/17 (R5525) and its attachments (A1448943, A1458865, and A1509118) be received;

AND THAT Council adopts the amended Significance and Engagement Policy (A1509118);

AND THAT Council adopts the Draft Annual Plan 2016/17 (A1448943) as amended, as an accurate reflection of its proposed variations to year two of the Long Term Plan 2015-25;

AND THAT Council adopts the Consultation Document for the Draft Annual Plan 2016/17 (A1458865) as amended, for public consultation from 11 March 2016 to 5pm 11 April 2016;

AND THAT the Mayor, Deputy Mayor and Chief Executive be delegated to approve any minor amendments required to the draft Annual Plan 2016/17 or the Consultation Document;

Her Worship the Mayor/Barker

Carried

The meeting then considered the tabled resolutions relating to the Rates Remissions and Rates Postponement Policies.

Resolved CL/2016/010

AND THAT Council adopts the consultation document on changes to the Rates Remission and Rates Postponement Policies (A1512007) for concurrent consultation with the Consultation Document on the draft Annual Plan;

AND THAT the Mayor, Deputy Mayor and Chief Executive be delegated to approve any minor amendments required to the consultation document on changes to the Rates Remission and Rates Postponement Policies;

AND THAT hearings and deliberations on the changes to the Rates Remission and Rates Postponement Policies be held at the same time as hearings and deliberations on the draft Annual Plan.

Her Worship the Mayor/Matheson

Carried

Attachments

- 1 A1510532 - Draft Annual Plan 2016/17 Mayor's Message
- 2 A1512576 - Consultation Document on the Draft Annual Plan 2016/17
- 3 A1512007 Amendments to Rates Remission Policy and Rates Postponement Policy
- 4 A1514959 - Funding Impact Statement Changes
- 5 A1512560 - Rates Remission and Rates Postponement Policies Recommendations

11. Lewis Stanton Update

Document number R5537, agenda pages 173 - 174 refer.

The Chief Executive, Clare Hadley, presented the report.

Resolved CL/2016/011

THAT the report Lewis Stanton Update (R5537) be received.

Davy/Rainey

Carried

12. Exclusion of the Public

Resolved CL/2016/012

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/Matheson

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Nelson Regional Development Agency - Appointment of Chair and Recruitment of Board Members	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 12.00pm and resumed in public session at 12.05pm.

13. Re-admittance of the Public

Resolved CL/2016/013

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Skinner

Carried

There being no further business the meeting ended at 12.05pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

REPORT R5646

Status Report - Council - 24 March 2016

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 24 March 2016 (R5646) and its attachments (A1168168) be received.

Shailey Burgess
Administration Adviser

Attachments

Attachment 1: Status Report - Nelson City Council - 24 March 2016

Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
11 December 2014	Solid Waste: Regional Landfill Implementation	<p>AND <u>THAT</u> the binding deed be brought back to Council before signing for ratification;</p> <p>AND <u>THAT</u> in line with the 20 November 2014 resolution, further work be undertaken in 2015 to determine whether the effectiveness and efficiency of solid waste management activities can be improved across the two districts, and if so to undertake a more fundamental review of the activities;</p>	Alec Louverdis	<p>Following a workshop with TDC/NCC on the joint landfill proposal, a report was tabled and recommendations accepted at the 3 March Council meeting.</p> <p>Complete</p>
20 May 2015	Cycling	<p><u>THAT</u> 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 <u>THAT</u> 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 <u>THAT</u> 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>Clause 1: Complete</p> <p>Clause 2: Consultation with off road cycling stakeholders has begun with a view to developing an off road strategy.</p> <p>Ongoing</p>

Outstanding Actions

Status Report – Nelson City Council – 24 March 2016

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	Nelson Arts Festival	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.	Chris Ward	Transition Report to be brought to Community Services meeting on 14 April 2016. Ongoing
20 May 2015	Marina Strategy	<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>	Alec Louverdis	<p>The consultant presented feedback to councillors in December 2015 and a report was tabled at the 1 March 2016 Community Services meeting, with a recommendation to Council on this matter, which is on this agenda.</p> <p>Complete</p>

Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
11 June 2015	Modellers' Pond - Detailed Assessment of Options	<p><u>AND THAT</u> further information be sought based on questions raised at today's Council meeting 11 June 2015;</p> <p><u>AND THAT</u> the detailed design of Option 3 – Modify Pond be undertaken and (in report R4199) be consulted on;</p> <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>	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. Once the detailed design is complete the Nelson Society of Modellers will be asked to confirm their support and funding.</p> <p>A report has been scheduled for the 24 March 2016 Council meeting.</p> <p>Ongoing</p>
23 July 2015	Reserve Management Plan: Sports Ground Reserves	<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 the physical welfare and enjoyment of the public.	Susan Moore-Lavo	<p>Workshop provided input into draft RMP.</p> <p>Ongoing</p>
15 October 2015	Adoption of the Brook Recreation Reserve Management Plan	<p><u>THAT</u> the report Adoption of the Brook Recreation Reserve Management Plan (R4142) and its attachments (A1436078 and A1438749) be received;</p> <p><u>AND THAT</u> the Brook Recreation Reserve Management Plan, as amended by the Hearing Panel</p>	Alec Louverdis	Legal advice has been sought and the process to implement statutory requirements has

Outstanding Actions

Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p>following consideration of submissions, be adopted in principle;</p> <p><u>AND THAT</u> the vision be amended to 'The Brook Recreation Reserve serves 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';</p> <p><u>AND THAT</u> the Chief Executive be delegated authority to proceed to stop the following two sections of formed legal road as shown on plan (A1438749);</p> <p><u>AND THAT</u> 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), noting this will be subject to separate statutory processes under the Reserves Act 1977;</p> <p><u>AND THAT</u>, once the Gazettal process is complete, a report be brought back to Council to enable the Brook Recreation Reserve Management Plan to take effect;</p> <p><u>AND THAT</u> Officers prepare a Comprehensive Development Plan for the area covered by the Brook Recreation Reserve Management Plan.</p>		<p>commenced.</p> <p>Clause 1-3: Complete</p> <p>Clause 4-6: Ongoing</p> <p>Clause 7: dependant on completion of gazettal process.</p>

A1168168

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Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
19 November 2015	Draft Whakamahere Whakatu Nelson Plan - Woodburners and Air Quality	<p><u>THAT</u> a Plan change to alter the woodburner provisions of the Nelson Air Quality Plan is notified in January 2016;</p> <p><u>AND THAT</u> in respect of the plan change for the Air Quality Plan an independent hearing panel be decided by Her Worship the Mayor, the Chair and Deputy Chair of the Planning and Regulatory Committee and be given delegations to hear and make decisions on the Woodburner Plan Change.</p>	Clare Barton	Both these actions have been undertaken. Submissions received. Further submission period open. Hearing to be confirmed for May 2016. Complete
17 December 2015	Proposed Change A3 to the Nelson Air Quality Plan - Amendments to Woodburner Provisions	<p><u>THAT</u> the report Proposed Change A3 to the Nelson Air Quality Plan - Amendments to Woodburner Provisions (R5193) – based on Option 1 of continuing to seek improving air quality as outlined in the Nelson Air Quality Plan and its attachments (A1473707, A1472304, A1472293, A1469510, A1469489, A1472174, A1469497, A1469511, A1469503) be received;</p> <p><u>AND THAT</u> the Woodburner Plan Change (PCA3) and section 32 report be approved for notification on 16 January 2016;</p> <p><u>AND THAT</u> at the time of notification of Proposed Change A3, Council officers survey residential landowners without woodburners to indicate the likelihood and preference for installing either a new NES compliant woodburner or an Ultra Low Emission Burning device over the next two years;</p> <p><u>AND THAT</u> the Mayor, Planning and Regulatory Committee Chair and Chief Executive be delegated</p>	Clare Barton	All actioned. Survey results collated and reported. Ongoing

A1168168

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Outstanding Actions

Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		authority to make further minor changes following the Council meeting to enable notification on 16 January 2016.		
17 December 2015	Events Strategy: Proposal to Align Development with Regional Identity Project	<p><u>THAT</u> the report Events Strategy: Proposal to Align Development with Regional Identity Project (R5240) be received;</p> <p>AND <u>THAT</u> development of the Nelson City Council Events Strategy be delayed until 2016 to better align with work on regional identity by the new economic development agency;</p> <p>AND <u>THAT</u> transitional arrangements (as agreed during deliberations on the Long Term Plan 2015-25) relaxing the Events Fund criteria to allow support to be given to community events be extended until an Events Strategy is adopted.</p>	Nicky McDonald	<p>Events Management Committee advised of extension to transitional arrangements.</p> <p>Ongoing</p>
17 December 2015	Housing Accord	<p><u>THAT</u> the report Housing Accord (R5065) and its attachment (A1463097) be received;</p> <p>AND <u>THAT</u> Council approve options 1 to 3, 5 to 7 and 9 to 11 as detailed in the attached Special Housing Area options analysis as potential Special Housing Areas (A1463097);</p> <p>AND <u>THAT</u> Council approve option 4 (Saxton) subject to an agreement between Council and the landowners requiring a master planning exercise for the purpose of ensuring infrastructure and open space network connectivity to be completed by the landowners prior to resource consent applications</p>	Clare Barton	<p>All actioned. Design controls for Betts Carpark provided to Thursday 3 March Council meeting.</p> <p>Complete</p>

Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		being lodged; AND <u>THAT</u> Her Worship the Mayor recommend those potential areas to the Minister of Building and Housing for consideration as Special Housing Areas under the Housing Accord and Special Housing Areas Act 2013; AND <u>THAT</u> officers report back on specified design controls which could be included in an expressions of interest process to dispose of Betts carpark (Pt Lot 2 DP 224).		
17 December 2015	Arts Festival Governance Update	<u>THAT</u> the report Arts Festival Governance Update (R5272) be received; AND <u>THAT</u> officers bring terms of reference for a Arts Festival Transition Group to the Council meeting on 18 February 2016.	Chris Ward	Presented to Council 18 February 2016. Complete
18 February 2016	Arts Festival Transition Group Terms of Reference	<u>THAT</u> the report Arts Festival Transition Group Terms of Reference (R5277) and its attachment (A1486043) be received; AND <u>THAT</u> Council approve the draft Arts Festival Transition Group Terms of Reference (A1486043); AND <u>THAT</u> the Arts Festival Transition Group is established; AND <u>THAT</u> the Chair and Deputy Chair of the Community Services Committee identify a shortlist of members for the Arts Festival Transition Group to present to the Community Services Committee for	Chris Ward	Call for nominations to the group has commenced. Transition Report to be brought to Community Services meeting on 14 April 2016. Ongoing

Outstanding Actions

Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		approval; <u>AND THAT</u> officers report back to the Community Services Committee on 14 April 2016 with the list of members for the Arts Festival Transition Group for approval.		
03 March 2016	Nelson City and Tasman District Regional Landfill - Joint Venture Proposal	<p><u>THAT</u> the report Nelson City and Tasman District Regional Landfill - Joint Venture Proposal (R5512) and its attachments (A1504294 and A1504295) be received;</p> <p><u>AND THAT</u> Council approve a Joint Venture model as the preferred option for the management of Tasman District and Nelson City Councils' landfills;</p> <p><u>AND THAT</u> a 50:50 Joint Venture is preferred, with a one-off payment of \$4.2 million paid by Tasman District Council to Nelson City Council to compensate for the difference in midpoint landfill values between York Valley and Eves Valley be approved;</p> <p><u>AND THAT</u> for Eves Valley, operational control of all land used for the existing landfill and for Stage 3 landfill purposes will be transferred to the Joint Venture and that for York Valley operational control of all of the land currently used (but not the land designated for Stage 2) will be transferred to the Joint Venture (noting that, for formal decision-making purposes, maps and legal descriptions will be provided);</p> <p><u>AND THAT</u> both councils retain buffer land and</p>	Alec Louverdis	<p>Consultation on proposal through councils upcoming 2016/17 Annual Plan underway.</p> <p>Ongoing</p>

A1168168

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Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p>designations, and that should any alternative use be proposed, the views and preferences of the joint venture will be taken into account in determining the future use of that land;</p> <p><u>AND THAT</u> the structure, governance, funding and ownership aspects of the landfill Joint Venture will be the subject of a future report to both Councils, noting the intention that this Joint Venture be similar to Nelson Regional Sewerage Business Unit;</p> <p><u>AND THAT</u> the Nelson City Council will undertake consultation on the proposal through its Annual Plan 2016/17 process and that, concurrently, Tasman District Council will engage with its community through its engagement on its Annual Plan 2016/17 whilst acknowledging that Tasman District Council may need to amend its Long-term Plan in July 2016 to enable this transaction (as the Eves Valley landfill is a strategic asset);</p> <p><u>AND THAT</u>, subject to confirmation through the Annual Plan consultation processes, the Joint Venture formally commence 1 July 2017 with the one-off payment of \$4.2 million to be made from Tasman District Council to Nelson City Council on that date;</p> <p><u>AND THAT</u> from the date of 3 March 2016 (being the date both Councils consider the proposal) both Councils will continue to support the model in the way they manage their landfills in anticipation of it being the approved outcome;</p>		

Outstanding Actions

Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><u>AND THAT</u> prior to commencement of the Joint Venture on 1 July 2017, that each Council continue with all necessary work to establish the Joint Venture in anticipation of approval of the proposal;</p> <p><u>AND THAT</u> all direct and external costs for establishment of the Joint Venture will continue to be shared 50:50 between both Councils;</p> <p><u>AND THAT</u> the Chief Executive be instructed to establish with Tasman District Council a Joint Venture project team and do all necessary work for the purpose of establishing the Joint Venture for landfill operations from 1 July 2017;</p> <p><u>AND THAT</u> all the statements in this recommendation be subject to the Tasman District Council passing equivalent resolutions on the joint landfill management.</p>		
03 March 2016	Special Housing Areas	<p><u>THAT</u> the report Special Housing Areas (R5354) and its attachment (A1503228) be received;</p> <p><u>AND THAT</u> Council approve the extension of Saxton Special Housing Area over part of the Richards property (Lot 4 DP 8212) as shown in the attachment (A1503228), subject to the Saxton master plan agreement specified in the Council resolution of 17 December 2015 being entered into;</p> <p><u>AND THAT</u> Council approve a new Beach Road Special Housing Area adjoining the Ocean Lodge Special Housing Area over the Elliot and Menzies (Lots 1 & 2</p>	Clare Barton	<p>Master plan for Saxton is being prepared by landowners. Are will be recommended to the Minister.</p> <p>Ongoing</p>

Status Report – Nelson City Council – 24 March 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p>DP 530) properties as shown in the attachment (A1503228);</p> <p><u>AND THAT</u> Her Worship the Mayor recommend the Beach Road area to the Minister of Building and Housing for consideration as a Special Housing Area under the Housing Accord and Special Housing Areas Act 2013;</p> <p><u>AND THAT</u> Her Worship the Mayor recommend to the Minister of Building and Housing the extended Saxton Special Housing Area after the master plan conditions have been met.</p>		

REPORT R5614

Mayor's Report

1. Purpose of Report

- 1.1 To update Council on a number of matters.

2. Recommendation

THAT the Mayor's Report (R5614) and its attachments (A1511415 and A1511419) be received.

3. LGNZ Conference 2016

- 3.1 In 2015 many councillors attended the Local Government New Zealand Conference held in Rotorua. In 2016 the conference is to be held in Dunedin from 24 to 26 July.
- 3.2 Registrations for the conference are now open. Councillors who are interested in attending are requested to make their intentions known to the Office of the Mayor or the Administration Advisers as soon as possible, so that bookings can be made.
- 3.3 Councillors are reminded that the cost of attending would come from each councillor's triennial budget for travel and training. Further details for the conference can be found here <http://www.lgnz2016.co.nz/lgnz16>.

4. Local Government New Zealand 2016 Annual General Meeting Remit Process

- 4.1 The Local Government New Zealand (LGNZ) Annual General Meeting (AGM) is being held on Sunday 24 July 2016, in Dunedin as part of the LGNZ Conference.
- 4.2 LGNZ has invited member authorities wishing to submit proposed remits for consideration at the LGNZ AGM, to do so no later than 5.00pm, Monday 13 June 2016.
- 4.3 A copy of the memo received from LGNZ outlining the remit process is provided as Attachment 2.

- 4.4 A copy of the remit application form from LGNZ is provided as Attachment 3.
- 4.5 Councillors are requested to approach the Office of the Mayor for assistance in preparing any remits.

5. Mayor's Discretionary fund

- 5.1 The Mayor has donated \$500.00 from her Mayor's Discretionary Fund to 'Go Wild NZ'. 'Go Wild NZ' has been organised by Nigel Muir, CE Sport Tasman. It is aimed at bringing the youth of NZ into better physical activity habits encouraging them to the outdoors. 6 Myanmar students, who attend Nelson College, are to take part in a run from Mohikinui on the West Coast to Lyle in the Buller Gorge – a distance of 85kms. Each person is to have a 2-3 hour run with Nigel Muir doing the whole distance. The baton they carry is to be presented to the Prime Minister after completion.
- 5.2 The Mayor is donating 6 Civic flags (desk size) and 25 NCC pins to the Principal of Henley School, Richmond, who is travelling to Beijing in May visiting schools and universities. The cost is \$120 for the flags and \$100 for the pins (although this is for 50 pins as there is a minimum order requirement so will hold 25 pins for future use).
- 5.3 The Mayor has donated \$500.00 from the Mayoral Discretionary Fund to the Cancer Society to cover the use of amplified sound for the Relay for Life event held on 5/6 March at Saxton Field.
- 5.4 The Mayor will be mentoring TUIA candidate, Liam Doherty, during 2016. TUIA is a nationwide programme designed to develop the leadership capacity of young Maori (rangatahi). The programme offers both Mayor and rangatahi a deeper insight into inter-generational issues, cultural values and experiences. Costs of the programme are covered by the Tukaha Global Consultancy Ltd with the exception of air travel to the 5 wananga throughout New Zealand which Liam is expected to attend. The cost of the air travel will be funded from the Mayor's Discretionary Fund.

Rachel Reese
Mayor of Nelson

Attachments

- Attachment 1: A1511415 Local Government New Zealand Remit Process Memo
- Attachment 2: A1511419 Local Government New Zealand Remit Application

MEMORANDUM

**We are.
LGNZ.**

Date: 29 February 2016
To: Mayors, Chairs and Chief Executives
From: Malcolm Alexander, Chief Executive
Subject: 2016 Annual General Meeting Remit Process

We invite member authorities wishing to submit proposed remits for consideration at the Local Government New Zealand Annual General Meeting (AGM) to be held on **Sunday 24 July 2016** in Dunedin, to do so no later than **5pm, Monday 13 June 2016**. Notice is being provided now to allow members of zones and sectors to gain the required support necessary for their remit (see point 3 below). The supporting councils do not have to come from the proposing council's zone or sector.

Proposed remits should be sent with the attached form. The full remit policy can be downloaded from the [LGNZ website](#).

Remit policy

Proposed remits, other than those relating to the internal governance and constitution of Local Government New Zealand, should address only major strategic "issues of the moment". They should have a national focus articulating a major interest or concern at the national political level.

The criteria for considering remits were reviewed in March 1999 and National Council adopted the following Remits Screening Policy:

1. Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;
2. Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action;
3. Remits must have formal support from at least one zone or sector group meeting, or five councils, prior to their being submitted, in order for the proposer to assess support and clarity of the proposal;
4. Remits defeated at the AGM in two successive years will not be permitted to go forward;
5. Remits will be assessed to determine whether the matters raised can be actioned by alternative, and equally valid, means to achieve the desired outcome;
6. Remits that deal with issues or matters currently being actioned by Local Government New Zealand may also be declined on the grounds that the matters raised are "in-hand". This does not include remits that deal with the same issue but from a different point of view; and
7. Remits must be accompanied by background information and research to show that the matter warrants consideration by delegates. Such background should demonstrate the:
 - nature of the issue;
 - background to it being raised;
 - issue's relationship, if any, to the current Local Government New Zealand Business Plan and its objectives;

A1511415

- level of work, if any, already undertaken on the issue by the proposer, and outcomes to date;
- resolution, outcome and comments of any zone or sector meetings which have discussed the issue; and
- suggested actions that could be taken by Local Government New Zealand should the remit be adopted.

Remit process

Local Government New Zealand will take the following steps to finalise remits for the 2016 AGM:

- all proposed remits and accompanying information must be forwarded to Local Government New Zealand no later than **5pm, Monday 13 June 2016**, to allow time for the remits committee to properly assess remits;
- a remit screening committee (comprising the President, Vice President and Chief Executive) will review and assess proposed remits against the criteria described in the above policy;
- prior to their assessment meeting, the remit screening committee will receive analysis from the Local Government New Zealand staff on each remit assessing each remit against the criteria outlined in the above policy;
- proposed remits that fail to meet specified criteria will be informed as soon as practicable of the committee's decision, alternative actions available, and the reasons behind the decision;
- proposers whose remits meet the criteria will be contacted as soon as practicable to arrange the logistics of presenting the remit to the AGM; and
- all accepted remits will be posted to the Local Government New Zealand website at least one month prior to the AGM.

To ensure quality preparation for members' consideration at the AGM, the committee will not consider or take forward proposed remits that do not meet this policy, or are received after **5pm, Monday 13 June 2016**.

General

Remits discussed at the AGM will be presented in the AGM Business Papers that will be distributed to delegates not later than two weeks before the AGM, as required by the Rules.

Should you require further clarification of the requirements regarding the remit process please contact Leanne Brockelbank on 04 924 1212 or leanne.brockelbank@lgnz.co.nz

Author:
Date:
Ref:
A1511415

2

Annual General Meeting 2016**Remit application**

Council Proposing Remit:	
Contact Name:	
Phone:	
Email:	
Fax:	
Remit passed by: (zone/sector meeting and/or list 5 councils as per policy)	
Remit:	

Background information and research:

Please attach separately and include:

- nature of the issue;
- background to its being raised;
- new or confirming existing policy;
- how the issue relates to objectives in the current Work Programme;
- what work or action on the issue has been done on it, and the outcome;
- any existing relevant legislation, policy or practice;
- outcome of any prior discussion at a Zone or Sector meeting;
- evidence of support from Zone/Sector meeting or five councils; and
- suggested course of action envisaged.

Please forward to: Local Government New Zealand

Leanne Brockelbank, Chief Financial Officer

P O Box 1214, Wellington 6140

leanne.brockelbank@lgnz.co.nz

No later than 5pm, Monday 13 June 2016.

A1511419

3

Modellers' Pond - Design Details and Estimates

1. Purpose of Report

- 1.1. To provide the detailed estimates for the Modellers' Pond upgrades comprising the option to upgrade with a concrete base and the option to reinstate to an estuarine environment.
- 1.2. To approve a preferred option.

2. Delegations

- 2.1. The upgrade of the Modellers' Pond is a decision for Council.

3. Recommendation

THAT the report Modellers' Pond - Design Details and Estimates (R5194) and its attachment (A1518929) be received;

AND THAT Council confirm the Modify Pond option as its preferred option subject to the Nelson Society of Modellers raising all additional funding;

AND THAT Council accepts that this decision underpins its commitment to provide the Nelson Society of Modellers certainty surrounding their future fund raising campaign;

AND THAT The Nelson Society of Modellers be afforded the opportunity to finalise and confirm additional funding for the balance over and above the \$600,000 committed by Council no later than the end of November 2016;

AND THAT if the funding is confirmed that the option to modify the pond be included in the 2017/18 Annual Plan;

AND THAT Council note and accept that this preferred option will require ongoing

operational maintenance funding of \$45,000/year in subsequent years;

AND THAT Council confirm that should the additional funding not be raised by the Nelson Society of Modellers by the end of November 2016, that it be agreed that the option to convert the pond back to estuarine environment at an estimated cost of \$690,000 be its second option and included in the 2017/18 Annual Plan;

AND THAT in the interim and until such time as any decision is made to upgrade the Modellers Pond that it be noted that existing maintenance of the pond will continue.

4. Background

- 4.1. At its 11 June 2015 Council meeting, Council considered a report outlining the options for the Modellers Pond. These options included:
 - 4.1.1. Retaining the status quo with estimated annual maintenance costs of between \$128,000 and \$166,000 (option1).
 - 4.1.2. Reinstating to estuarine environment including decommissioning the pond at an estimated capital cost of \$680,000 with annual maintenance of around \$9,600 (option 2).
 - 4.1.3. Modifying the pond including installation of a concrete liner and modifying the outlet structure and the Centennial Road pump station to enable frequent flushing of the pond at high tides. The estimated cost of this option was \$1,160,000 with annual maintenance of \$45,000 (option 3).
- 4.2. The Net Present Values (NPV) comprising the capital and annual maintenance costs over 30 years, as previously presented are as follows:

Option	NPV
1	\$2,180,000
2	\$ 760,000
3	\$1,640,000 to \$2,540,000

- 4.3. Council at this meeting subsequently resolved:

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

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

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

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

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

- 4.4. OPUS International consultants (OPUS) were appointed to undertake the detailed estimates for the two options – modify the pond and reinstate to estuarine environment. That report was received in late February 2016.
- 4.5. The Nelson Society of Modellers (Society) have been kept informed of progress and officers and OPUS have met with them to review the detailed design.
- 4.6. The answers to the specific questions raised by councillors have been provided in Attachment 1.

5. Discussion of options

Modify Pond

- 5.1. This option comprises the following key aspects;
- a) Removal of contaminated material, installation of subsurface drainage, installation of a concrete floor to the pond and aerators to increase oxygenation.
 - b) Modifying Centennial Pump Station and installing automated controls at the Parkers Cove outlet and the pond inlet/outlet weir to coordinate emptying and filling the pond with sea water.
- 5.2. These proposed works should largely resolve the current water quality issues and the concrete pond base will facilitate cleaning of sediment and sludge.
- 5.3. This proposal will require new resource consents, in addition to the existing consents granted in 1998, as it involves earthworks within 20m

of the Coastal Marine Area, works within a HAIL site, extraction of sea water, and discharge to the Coastal Marine Area.

- 5.4. The estimated capital cost for this option is \$1,190,000 (including a 15% contingency to cover price uncertainty). These capital costs are reasonably robust based on the detailed design work undertaken. However, as with work around existing facilities it is not until work starts that Council can with certainty confirm the intended scope.
- 5.5. The ongoing cost to annually empty and clean the pond (including pump electricity and maintenance costs) is estimated at \$45,000/year and funding will need to be provided in future subsequent Council budgets if this option goes ahead.
- 5.6. The proposed depth of the pond complies with the requests of the Society.

Option – Return to Estuarine Environment

- 5.7. This option transitions the modeller's pond area to a more natural estuarine state. This would then allow for the ingress of tidal waters on the larger tides.
- 5.8. To carry out this transition the pond would need to be drained; any remaining contamination or unsuitable material removed; potentially new estuarine material bought in and contoured to shape; stormwater discharges managed or relocated; concrete surrounds removed and edges naturalised; and indigenous vegetation established.
- 5.9. It would be more appropriate to develop a dry land, head of the estuary environment than create a deeper pond estuary environment.
- 5.10. The cost of reinstating to an estuarine environment is difficult to assess with certainty. Based on the information at hand the estimated cost for this option is \$690,000.
- 5.11. It is estimated the ongoing operational costs will be minimal.
- 5.12. This option will also require securing resource consents.

6. Discussion

Capital funding

- 6.1. Council has signalled in its June 2015 resolution that whilst it has a \$1 Million provision for capital expenditure in its Long Term Plan 2015-25 (LTP), that this be capped at \$600,000.
- 6.2. The Society has expressed interest in finding contributors to this project but confirm potential contributors want more certainty on the detailed design and associated costs.

- 6.3. Any fund-raising requires certainty from two perspectives – that the Council is firstly committed to progressing with an option that will justify the time and commitment in pursuing fund raising and that this funding, once secured, will result in a long-term solution.
- 6.4. Now that the detailed design has been completed, the Society is in a better position to pursue fund raising and secure commitments from potential contributors.
- 6.5. However, it is important that Council confirm a preference for an option and confirm that this, if implemented, is a long-term option.
- 6.6. Officers therefore recommend that Council confirm Modifying the Pond as its preferred option and that this option be confirmed as the long-term option.

Operational

- 6.7. Council also signalled in its June resolution that the operational expenditure be capped at \$15,000 per year.
- 6.8. Indications are that this could be greater than this for the modify option (\$45,000/year). Should this option go ahead provision will need to be made for this in future years.
- 6.9. Until such time as any proposal is implemented, officers will continue with the current cleaning regime.

7. Alignment with relevant Council policy

- 7.1. Improvements to the pond align with the intent of the LTP which includes \$1 Million with a cap of \$600,000.

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. Consultation has been ongoing with the Society in terms of the detailed design. The Society and the Tahunanui Community presented their views to Council at its meeting 11 June 2015 and expressed strong preference to retain and modify the pond.
- 9.2. Previous involvement by Parklink Ltd indicated that flushing of the pond would ease the build up of algae. Flushing is included in the detailed design.
- 9.3. Previous involvement by NIWA (November 2010 and April 2015) indicated that the proposal to line the base of the pond with concrete and flushing of the pond would seem to address all issues – NIWA specifically

confirmed that *"the concept is very likely to be a good solution to the problem growths in Modellers Pond. The concrete lining will prevent the Ruppia growths and flushing as described will prevent sediment accumulation for future growths. The algal growths were non-attached so regular flushing would keep their abundance to a minimum. Pond emptying and refilling in the past has been successful in providing temporary relief from algae even though the pond could not be emptied completely and could only be done infrequently with refilling possible only on a spring tide. This proposal would seem to provide all the answers"*. This further endorses the detailed design work by OPUS.

10. Inclusion of Māori in the decision making process

- 10.1. Consultation was undertaken with all iwi as part of the Council commissioned Assessment of Cultural Effects.

11. Conclusion

- 11.1. The additional work for the two options has been completed.
- 11.2. Council has resolved that it will only contribute \$600,000 towards the capital cost of an option, with the balance funded by users and other contributors. The detailed design is now completed and the estimates sufficiently robust to allow potential contributors to make informed decisions.
- 11.3. Potential contributors have expressed interest in funding any shortfall but require commitment from Council.
- 11.4. For this reason officers recommend that Council provide this certainty by endorsing a preferred long-term option – the modify pond option.
- 11.5. Following on from this it is then appropriate to give the Society an opportunity to explore raising the funding shortfall. Fund-raising is complex and officers understand that the Society needs to be given time to undertake this work. Officers recommend that the Society be given to the end of November 2016 to confirm funding that will allow the preferred option to progress. This November timeline fits in with the next Annual Plan planning round (giving the Society a full 8 months to progress this).
- 11.6. Officers also recommend that should the Society be unable to raise the funding short-fall by the end of November 2016, that Council endorse the option to return the pond to an estuarine environment.

Richard Kirby
Consulting Engineer

Attachments

Attachment 1: A1518929 - Modellers' Pond - Answers to questions - Council meeting 11 June 2015

ANSWERS TO QUESTIONS - COUNCIL MEETING 11 JUNE 2015

1. **Where is the evidence of strong expressions of support for the Option Modify Pond proposal?** Council did include the upgrade in its Long Term Plan with funding of \$1.0 million and this was consulted on.
2. **Who currently uses the Modellers' Pond?** The Modellers' Pond is currently leased to the Modellers' Society Inc. Because of this other community groups only utilise the facility as members of the public. These have ranged from other modellers sailing their boats (not members of the Modellers' Society Inc.), kayakers, paddle boards, pedal boats and zorbs. These users are essentially members of the public, so it would be impossible to assess their numbers or document their demand for or use of the facility.
3. **What about the modellers using Saxton Creek?** The Saxton Creek pond has been suggested as an alternative modellers' pond. However it is not suitable as it has varying depths with weed and silt.
4. **Why the variation in the operating costs in the CGW Report compared to the Officer Report?** The major variation in the NPV value for the Modify Option is primarily due to the uncertainty around the ongoing maintenance. The CGW Report presented to Council on 11 June had an estimated operational and maintenance estimate of \$124,000. Nelmac provided these estimates based on its experience with the current pond. Council staff assessed that with the improvements it would more likely be \$45,000. The NPV range is based on this range of operational and maintenance estimates.
5. **Why have we used 6.5% as the discount rate in the NPV calculations?** The 6.5% used as the NPV discount rate is essentially the cost of capital to Council. Currently Council utilises 6.5% as its interest on capital so this was used to be consistent.
6. **Why has the estimate for Return to Estuarine Environment increased from previous estimates?** The estimate of \$680,000 is significantly greater than the \$240,000 quoted in the initial reports. However potentially dealing the HAIL material was not factored into this estimate.
7. **Why can't the NPV analysis also incorporate the social and community benefits of having a functional modellers' pond?** Undertaking a NPV around the costs and social benefits

of the Modellers' Pond to Tahunanui, Nelson City and the greater Tasman region is possible. However it would require a good deal of subjective analysis that may or may not stand up to rigour of proving it was not worth pursuing with the upgrade. Essentially this is a decision that Council needs to make based on its assessment of the community benefit.

8. **Have the Modellers' Society indicated a willingness to help maintain the facility?** The Modellers Society Inc members voluntarily operate and pond and undertake some of the minor maintenance duties. They have indicated they are happy to be involved in the operation and maintenance of the new upgrade. However Council would need to review this in the context of its health and safety responsibilities.

REPORT R5631

Alterations to delegations for effective delivery of capital projects

1. Purpose of Report

- 1.1 To delegate specific powers to the Chief Executive under the Public Works Act 1981, section 111 (attachment 1), relating to rights of entry in order to conduct surveys or investigations.
- 1.2 To advise of a change in the acceptance of tenders over \$1million, to reduce project down time for capital projects.

2. Delegations

- 2.1 Delegation of powers to the Chief Executive is a matter for full Council.

3. Recommendation

THAT the report Alterations to delegations for effective delivery of capital projects (R5631) and its attachments (A1515909 and A1519796) be received;

AND THAT Council delegate powers to the Chief Executive under the Public Works Act 1981, section 111;

AND THAT Council approve a change to the Procurement Policy to allow the Chief Executive to accept tenders for capital projects of more than \$1million, when they fit within LTP budgets, and then retrospectively advise to Council, to reduce project down-time.

4. Background

- 4.1 Over the last 18 months, officers have undertaken considerable work to remove barriers to successful completion of the capital programme. Two areas of down-time are identified in this report, and alterations to Council processes are proposed.

- 4.2 Firstly, each year a number of Council projects require officers or contractors to access privately owned land to undertake survey or investigation work. The Public Works Act 1981 sets out in section 111 the powers of entry for survey or investigation purposes. A delegation of this power to the Chief Executive is required, in order for this power to be exercised.
- 4.3 Secondly, the Chief Executive has delegated authority to accept tenders for capital projects that fit within the LTP budgets. The Chief Executive previously advised a preference for Council to accept tenders for more than \$1million; the Procurement Policy was drafted on this basis. A review of the Procurement Policy is proposed for April 2016. Programming work around Council meeting dates can lead to down time for project delivery, and a change to this practice is sought.

5. Discussion

Public Works Act 1981

- 5.1 Currently, officers work to obtain a written agreement from land owners for Council officers or contractors to enter their land to conduct a survey or investigation. These surveys and investigations are necessary to inform the design of new or upgraded utility infrastructure. Each year, in excess of 100 written agreement forms are sent to land owners.
- 5.2 Typically, signed agreements are not returned, and officers expend effort following up with land owners. The process is time-consuming, and results in delays to projects whilst land owner consent is obtained. It is extremely rare for a land owner to refuse access.
- 5.3 It is proposed to use the existing legislative power under Public Works Act 1981 s 111, Powers of entry for other survey and investigation purposes. This allows access to private land, based on having provided notice and information to the land owner, and on condition that the land owner does not object to the access. In the event that a land owner does object to the access, Council cannot proceed with the survey or investigation work until the objection is resolved through the District Court.
- 5.4 There is provision for land owners in the Act which sets out: the specific survey and investigation activities that are permitted under the Act; the information that must be provided to the land owner; and that the access must be at reasonable times.
- 5.5 When giving notice that access to land is needed, land owners are encouraged to contact the Council officer to talk through any queries or concerns they have; this feedback can be useful in planning the survey or investigation work.
- 5.6 For clarity, it should be noted that any subsequent construction works on private land falls under the Local Government Act 2002 s 181, and Council officers must obtain written consent from the land owner.

Procurement Policy

- 5.7 The Procurement Policy is due for review in April 2016. Clause 3 of the Policy - Policy Statements – states *CAPEX contracts and changes to contracts that are more than \$1million, and similarly any OPEX Purchase Orders >\$1.5m, shall be presented to the Council for approval.*
- 5.8 Programming work around Council meeting dates can lead to down time for project delivery. Financial authority has already been delegated to the Chief Executive to accept tenders where the amount fits within the LTP budgets. As the process for tender acceptance has been reviewed and tightened across the sector in recent years, it has reduced the governance role to one of ‘rubber stamping’ the process. On this basis, approval of a change to the Procurement Policy is sought, which would allow the Chief Executive to accept tenders which fit within the budget, and for these to be retrospectively advised to Council. This change is sought for capital projects only.

6. Options

- 6.1 The Council can choose to delegate powers to the Chief Executive under the Public Works Act 1981, section 111, or to decline to do so. The recommended option is to delegate powers to the Chief Executive under the Public Works Act 1981, section 111.
- 6.2 The Council can approve the proposed change to the Procurement Policy, to allow the Chief Executive to accept tenders over \$1million for capital projects, or decline the change. The recommended option is to approve it.

7. Alignment with relevant Council policy

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

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

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

9. Consultation

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

10. Inclusion of Māori in the decision making process

- 10.1 Maori have not been consulted on this matter.

11. Conclusion

- 11.1 Use of the Public Works Act 1981 section 111 will reduce project delays at design stage, where a survey or investigation on private land is required. A delegation of powers to the Chief Executive is required to enable this.
- 11.2 The proposed amendment to the Procurement Policy will reduce down time on capital projects and so increase the window for completing construction works.

Arlene Akhlaq
Senior Projects Adviser

Attachments

- Attachment 1: A1515909 - Public Works Act section 111
- Attachment 2: A1519796 - Example letter to access private property for survey and investigations

Public Works Act 1981 s 111

111 Powers of entry for other survey and investigation purposes

- (1) Subject to subsections (2) to (5), any person authorised either specifically or generally by the Minister or local authority, as the case may require, may, for the purposes of carrying out any public work or any proposed public work, and subject to the limitations of any authorisation so granted—
 - (a) enter and re-enter any land at reasonable times, with or without such assistants, aircraft, boats, vehicles, appliances, machinery, and equipment as are reasonably necessary for making any kind of survey or investigation:
 - (b) dig and bore into the land and remove samples of it:
 - (c) erect temporary buildings on the land:
 - (d) set out the lines of any works on the land.
 - (2) Unless the owner and occupier of the land otherwise agree, the powers conferred by subsection (1) shall not be exercised unless the owner and occupier of the land affected have been given 10 working days' notice in writing of—
 - (a) how and when entry is to be made; and
 - (b) the specific powers intended to be exercised; and
 - (c) a statement of the owner's or occupier's rights under subsection (4); and
 - (d) a statement that the owner or occupier may be entitled to compensation under this Act.
 - (3) Any person exercising any power under subsection (1) shall have with him, and shall produce if required to do so, evidence of—
 - (a) his authority; and
 - (b) his identity.
 - (4) The owner or occupier may, within 10 working days after receiving the notice and after giving notice to the Minister or local authority, as the case may be, of his intention to do so, object to the District Court nearest to the land concerned, and the court may summon the Minister or local authority, or his or its representative, to appear before the court at a time and place named in the summons.
 - (5) If it appears to the court that the proposed survey or investigation is unreasonable or unnecessary the court may—
 - (a) order that the survey or investigation shall not be undertaken, or shall not be undertaken in the manner proposed; or
 - (b) direct that the survey or investigation be undertaken in such manner and subject to such limitations and restrictions as the court thinks fit—
- and all persons concerned shall be bound by any such order.

Date PO Box 645 Nelson 7040
P 03 546 0200
F 03 546 0239

Date

@ncc.govt.nz
www.nelson.govt.nz

X
X
X

Dear Sir or Madam

PROJECT NAME – ACTIVITY – ACCESS REQUIRED

Nelson City Council is planning to upgrade the **activity** (e.g. sewer) through your property, **Address** as highlighted in red on the attached plan. **Define extent of work e.g. The intention is to pipe crack this section of pipe to minimise disruption caused. In order to confirm if this is a suitable solution the contractor will need to do some investigation work.**

Council staff or contractors will need access to your property (outside areas only) to check some details, so that a technical design for the work can be finalised. This investigation will be completed in two separate visits:

- The first visit will involve inspection of the manhole in the right of way and accessing your property to review the existing pipe route. Following this visit I will be able to confirm if pipe cracking is the preferred solution.
- The second visit will involve hand digging in your property to locate the laterals that connect into the sewer pipe. Once the laterals are located the excavation will be safely fenced off
- Once the investigation is complete your property will be reinstated to the same or a similar state as before. We will discuss this with you before we start this work.

Access to your property is required under the Public Works Act 1981 s 111 Powers of entry for other survey and investigation purposes. This letter covers the specific things that I am required to do by law:

- give you 10 days working notice of the need to access to your property;
- tell you why I need to access your property;
- tell you that you have the right to object to the access, within 10 working days of receiving this notice;
- tell you that, in the unlikely event that the investigation work results in damage to your property that will affect its value, you may be entitled to compensation under the Public Works Act 1981. If you have any concerns in this area please email or phone me before taking any other action.

If you have any concerns or would like more information please contact me, **name on (03) x**

Yours faithfully

Name

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 (R5324) and its attachments (A1495677,) be received;

AND THAT the Schedule of Documents Sealed (A1474067) 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;

AND THAT Schedule One – Members of Committees in the Delegations Register (A1495677) be amended to reflect the change in membership to the Regional Transport Committee;

AND THAT the Hearings Panel – Other, Temporary Road Closures continues until the end of the triennium.

4. Elected Members Travel and Training Expenditure

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

reminded to ensure a report back from any training is provided in a timely manner.

- 4.4 Attachment 1 is a table showing expenditure to 31 January 2016. Attachment 2 is the agreed criteria for elected members' travel and training.

5. Meeting attendance

- 5.1 Elected members' meeting attendance is recorded for purposes such as official information requests.
- 5.2 In order to improve transparency on this matter and in line with good practice it seems prudent to routinely report meeting attendance. Providing it this way also allows elected members an opportunity to ensure the record is correct.
- 5.3 Attachment 3 is a table showing meeting attendance from 21 November 2015 to 19 February 2016.

6. Interests Register

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

7. Schedule of Documents Sealed

- 7.1 Attachment 5 is the Schedule of Documents Sealed

8. Regional Transport Committee change in membership

- 8.1 At the 17 December Council meeting it was resolved that there would be a change to the membership of the Regional Transport Committee. The membership now consists of Councillor Ruth Copeland (Chairperson), Councillor Brian McGurk (Deputy Chair), Her Worship the Mayor, and Councillor Pete Rainey.
- 8.2 The Delegations Register must now be updated to reflect this change. The recommended amendment to the Delegations Register Schedule One – Members of Committees is included as Attachment 6.

9. Annual Review – Efficiency and Effectiveness of Temporary Road Closure Hearings Panel

- 9.1 The following resolutions were passed at the 19 March Council meeting:

AND THAT the Hearings Panel - Other be delegated authority to consider and determine applications for temporary road closures made under Schedule 10 Clause 11(e) of the Local Government Act 1974;

AND THAT the amended delegations for the Hearings Panel - Other as outlined in A1306876 be incorporated into the Delegations Register;

AND THAT a report on the efficiency and effectiveness of this delegation to the Hearings Panel - Other is made to Council in twelve months time.

- 9.2 Since the Hearings Panel – Other, Temporary Road Closures was established the Panel has conducted eight meetings, where only one temporary road closure received objections.
- 9.3 Minutes from the Hearing Panel – Other, Temporary Road Closures meetings are received by Council to keep all Councillors informed of upcoming events.
- 9.4 No issues have been raised in relation to the process for these meetings.
- 9.5 It is recommended that these meetings continue until the end of the triennium.

Gayle Brown
Administration Adviser

Attachments

- Attachment 1: A1515586 - Elected Members Travel and Training Budget Expenditure 1 November 2015-31 January 2016
- Attachment 2: A1103850 - Elected Members Travel and Training Budget Criteria 2013-2016
- Attachment 3: A1508267 - Elected Members Meeting Attendance 21 November 2015-19 February 2016
- Attachment 4: A1508221 - Elected Members - Interests Register 2013-2016
- Attachment 5: A1474067 - Schedule of Documents Sealed 20 November 2015-23 February 2016
- Attachment 6: A1495677 - Delegations Register Schedule One - Members of Committees amendment 24MAR2016

Elected Members Travel and training budget 1 November 2013 to 31 January 2016

Name	Date	Purpose	Total Triennial Budget	Spent to 31/01/2016	Triennial Budget remaining
Prev Triennium	1/7-31/10/13	Expenditure by previous Council	\$ 3,470.00	\$ 3,470.00	\$ -
Induction	31/07/2015	Expenditure previous period 1 Nov 2013-31 Jul 2015 No expenditure this period	\$ 20,000.00	\$ 18,953.55 \$ - \$ 18,953.55	\$ 1,046.45
Mayor: LGNZ	31/10/2015 1/12/2015 23/12/2015 20/01/2016	Expenditure previous period 1 Nov 2013-31 Oct 2015 Accommodation, WLG 26Nov15 Sep14, RSG meeting Flight to Wellington 26Nov15, RSG meeting Flights return Wellington 11-12Feb16, RSG meeting	\$ 22,200.00	\$ 5,292.19 \$ 208.70 \$ 75.22 \$ 341.74 \$ 5,917.85	\$ 16,282.15
Mayor: Non-LGNZ	31/10/2015 24/11/2015 26/11/2015 18/12/2015 8/12/2015 21/11/2015 22/01/2016 21/01/2016	Expenditure previous period 1 Nov 2013-31 Oct 2015 Registration, NZ River Awards 26Nov2015 Flights AKL, Freshwater Iwi Leaders Group stakeholder engagement, 8Dec15 Visa - 29/11/15 Taxi Fares Auckland & ChCh Expenses reimbursement Accommodation Auckland, Freshwater Iwi Leaders Group, 8Dec15 Flight to Christchurch, SOLGM/LGNZ Health & Safety Roadshow, 9Feb16 Registration fee, SOLGM/LGNZ Health & Safety Roadshow, 9Feb16	\$ 12,000.00	\$ 4,696.10 \$ 65.22 \$ 408.70 \$ 173.39 \$ 95.00 \$ 226.17 \$ 398.26 \$ 450.00 \$ 6,512.84	\$ 5,487.16
Cr Acland	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015 No expenditure this period	\$ 5,000.00	\$ 2,336.13 \$ - \$ 2,336.13	\$ 2,663.87

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10. Administrative Matters - Attachment 1 - A1515586 - Elected Members Travel and Training Budget Expenditure 1 November 2015-31 January 2016

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Name	Date	Purpose	Total Triennial Budget	Spent to 31/01/2016	Triennial Budget remaining
Cr Barker	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015	\$ 5,000.00	\$ 2,967.87	
	27/01/2016	Registration fee, SOLGM/LGNZ Health & Safety Roadshow, 9Feb16		\$ 450.00	
				\$ 3,417.87	\$ 1,582.13
Cr Copeland	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015	\$ 5,000.00	\$ 884.51	
		No expenditure this period		-	
				\$ 884.51	\$ 4,115.49
Cr Davy	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015	\$ 5,000.00	\$ 1,866.52	
		No expenditure this period		-	
				\$ 1,866.52	\$ 3,133.48
Cr Fulton	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015	\$ 5,000.00	\$ 2,695.71	
		No expenditure this period		-	
				\$ 2,695.71	\$ 2,304.29
Cr Lawrey	31/10/2016	Expenditure previous period 1 Nov 2013-31 Oct 2015	\$ 5,000.00	\$ 3,350.42	
		No expenditure this period		-	
				\$ 3,350.42	\$ 1,649.58
Cr McGurk	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015	\$ 5,000.00	\$ 3,736.13	
	21/01/2016	Registration fee, SOLGM/LGNZ Health & Safety Roadshow, 9Feb16		\$ 450.00	
	22/01/2016	Flight to Christchurch, Health & Safety Roadshow, 9Feb16		\$ 328.70	
				\$ 4,514.83	\$ 485.17

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Name	Date	Purpose	Total Triennial Budget	Spent to 31/01/2016	Triennial Budget remaining
Cr Matheson	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015 No expenditure this period	\$ 5,000.00	\$ 790.00 \$ - \$ 790.00	\$ 4,210.00
Cr Noonan	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015 No expenditure this period	\$ 5,000.00	\$ 1,914.39 \$ - \$ 1,914.39	\$ 3,085.61
Cr Rainey	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015 No expenditure this period	\$ 5,000.00	\$ 1,226.09 \$ - \$ 1,226.09	\$ 3,773.91
Cr Skinner	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015 No expenditure this period	\$ 5,000.00	\$ 1,226.09 \$ - \$ 1,226.09	\$ 3,773.91
Cr Ward	31/10/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015 No expenditure this period	\$ 5,000.00	\$ 1,191.30 \$ - \$ 1,191.30	\$ 3,808.70
One-off Funding Pool	31/10/2015 15/12/2015 15/12/2015	Expenditure previous period 1 Nov 2013-31 Oct 2015 Governance Techniques Training - Councillors Governance Techniques Training - External Appointees	\$ 28,765.00	\$ 9,954.66 \$ 3,500.00 \$ 700.00 \$ 14,154.66	\$ 14,610.34
TOTAL			\$ 146,435.00	\$ 74,422.76	\$ 72,012.24

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Elected Members' Travel and Training Criteria 2013-2016

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

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

Councillors must be able to demonstrate that:

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

Elected Members' Meeting Attendance 21 November 2015-19 February 2016

LEGEND:

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

Apols: Did not attend, apology entered

DNAs: Did not attend, no apology entered

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

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

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

n/a: Not a member, did not attend

Meeting Name	Date of meeting	Meeting Type: Council/Committee	Mayor Rachel Reese	Cr Luke Adland	Cr Ian Barker	Cr Ruth Copeland	Cr Eric Davy	Cr Kate Fulton	Cr Matt Lawrey	Cr Paul Matheson	Cr Brian McGuirk	Cr Galle Noonan	Cr Pete Rainey	Cr Tim Skinner	Cr Mike Ward	External Appointee - Glenice Paine	External Appointee - John Murray	External Appointee - John Peters	External Appointee - Derek Shaw
Council meeting - for Report Back from Councillor Representatives on External Planning and Regulatory Committee	24 Nov-15	Council	Yes	Yes	Yes	Yes	Yes	Apols	Yes	Yes	Yes	Yes	Apols	Yes	Yes	n/a	n/a	n/a	n/a
Works and Infrastructure Committee	26 Nov-15	Committee	Yes	n/a	Yes	Yes	Apols	DNAs	Yes	n/a	Yes	n/a	n/a	n/a	Yes	Yes	n/a	n/a	n/a
Nelson Regional Sewerage Business Unit Hearings Panel - Other - Proposed Temporary Road Closure Applications	11 Dec-15	Committee	n/a	n/a	n/a	Apols	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Yes
Council meeting	17 Dec-15	Hearings Panel - Other	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Yes	Yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Commercial Subcommittee - Extraordinary Governance Committee - Extraordinary	24 Dec-15	Subcommittee	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	n/a	n/a	n/a	n/a
Council meeting - Extraordinary	24 Dec-15	Council	Yes	Apols	Yes	n/a	Att	Att	n/a	Att	Att	Yes	Apols	Att	Att	n/a	Yes	Apols	n/a
Hearings Panel - Other - Proposed Temporary Road Closure Applications	4 Feb-16	Hearings Panel - Other	n/a	n/a	Yes	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Yes	Yes	n/a	n/a	n/a	n/a
Council meeting	18 Feb-16	Council	Yes	Yes	Yes	Yes	Apols	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Apols	n/a	n/a	n/a	n/a
Planning and Regulatory Committee	18 Feb-16	Committee	Yes	Att	Yes	Yes	Apols	Yes	Yes	Att	Yes	Att	Yes	Att	Apols	Yes	n/a	n/a	n/a
Audit, Risk and Finance Subcommittee	18 Feb-16	Subcommittee	Yes	n/a	Yes	n/a	n/a	n/a	n/a	Att	Yes	Att	n/a	n/a	n/a	n/a	Yes	Yes	n/a

Members' Interest Register – 2013-2016
at 24 March 2016

Elected Members:

Member	Last notified by Elected Member	Elected Member Declared Business Interest and value	Spouse/Partner Declared Interest
Her Worship the Mayor Rachel Reese	23 February 2016	Property co-owner 4A Allan Street Shareholder/Director - Rachel Reese Consulting Ltd Shareholder - Wharehunga Forestry 2004 Ltd Beneficiary - TuJaes Trust Minor Shareholder - AMP Ltp Minor Shareholder - Manus Resources Ltd Local government representative - Environmental Legal Assistance Advisory Panel <u>Council-related appointments</u> Patron - Civic Trust Trustee - Nelson Municipal Band Trustee - Cawthron Trust Board Trustee - Hilda and Auty Harley Trust Trustee - Whakatu Marae Komiti	Property co-owner 4A Allan Street Director/Shareholder - RH Investments Ltd
Councillor Luke Acland	5 June 2014	Property owner 15 Cambria Street	No declared interests

Member	Last notified by Elected Member	Elected Member Declared Business Interest and value	Spouse/Partner Declared Interest
Councillor Ian Barker	5 June 2014	Member – Age Concern Board member – Tahuna Beach Holiday Park Chairman – Guardian of Nightingale Library Trustee – Network Tasman Trust	No declared interests
Councillor Ruth Copeland	29 February 2016	No declared interests	Contracts with NCC in excess of \$25,000.00 for event coordination and related services for Nelson Arts Festival 2015, Masked Parade/Carnivale 2015, New Year's Eve Event 2015, and Opera in the Park 2016. Approved by the Office of the Auditor General for 2015/16 financial year on 10 December 2015.
Councillor Eric Davy	5 June 2014	No declared interests	No declared interests
Councillor Kate Fulton	5 June 2014	No declared interests	No declared interests

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Member	Last notified by Elected Member	Elected Member Declared Business Interest and value	Spouse/Partner Declared Interest
Councillor Matt Lawrey	27 July 2015	Properties (owner): 13/15, 23, 31 and 33 Orsman Cres Contributor - 2013 Nelson Arts Festival 2013 Race Unity Day (MC) 2013 Little Day Out (MC) Contributor - 2014 Nelson Arts Festival 2014 Race Unity Day (MC) Organiser of 'First Responders Parade 2014' - this event received \$575 of NCC Heritage Week Funding.	No declared interests
Councillor Paul Matheson	27 November 2014	NZ Community Trust Nelson Cancer Society NZ Fisheries Museum and Marine Education Centre Trust	No declared interests
Councillor Brian McGurk	18 August 2014	Trustee and beneficiary of BJ and DA McGurk Family Trust	No declared interests
Councillor Gaile Noonan	10 October 2014	Deputy Chair - Big Brothers Big Sisters Nelson Foodbank Volunteer	No declared interests

Member	Last notified by Elected Member	Elected Member Declared Business Interest and value	Spouse/Partner Declared Interest
Councillor Pete Rainey	28 October 2015	Director of Rockquest Promotions Ltd providing events partially funded by proceeds of gaming trusts, as well as having technical production contracts with NCC potentially in excess of \$25,000.00. Approved by the Office of the Auditor General for 2015/16 financial year on 16 October 2015. Artistic Director Opera in the park Trustee - Youth and Community Facilities Trust Trustee - Tawhiri Trust	Sales manager at Media Works Nelson
Councillor Tim Skinner	5 June 2014 (Interests Register received at Council meeting)	No declared interests	No declared interests
Councillor Mike Ward	5 June 2014 (Interests Register received at Council meeting)	Business: Studio (244 Hardy Street), and jewellery sales through Suter Gallery shop Property owner 10 Russell Street	No declared interests

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Externally Appointed Committee Members:

Governance Committee Members	Last notified by Member	Member Declared Business Interest and value	Spouse/Partner Declared Interest
John Murray	12 August 2014	<p>Personal interest in two properties in Nelson City through my family trust. One at 41 Marybank Rd and the other at 72 Trafalgar Street.</p> <p>Various commercial and residential interests in property in the Nelson City boundary. This arises because of various trusteeships held directly and indirectly on behalf of clients of Crowe Horwath.</p> <p>Principal of Crowe Horwath in Nelson. Various relationships with business and property owners which operate in the Nelson City.</p> <p>Trustee of the Saxton Velodrome Trust.</p> <p>Secretary and financial adviser to Te Atiawa O Te Waka a Maui Trust.</p> <p>Director of Te Atiawa Asset Holding Company Limited.</p> <p>Secretary and financial adviser to Ngati Raua Atiawa Iwi Trust.</p>	
John Peters	July 2014	Co-owner of property at 37 Tresillian Avenue Chairman of the Nelson Tasman Region Hospice Trust	

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

Members of Joint Committees administered by Nelson City Council:

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

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NRSBU Members	Last Update	Member Declared Business Interest and value	Spouse/Partner Declared Interest
Derek Shaw (NCC appointee)	29 August 2014	Nikau Press – sole trader Brook Waimarama Sanctuary Trust – Trustee Nelson Environment Centre – Board Chairperson Tasman Regional Sports Event Trust – Trustee Saxton Velodrome Trust – Trustee NZ Masters Athletics Association – Executive member District Licensing Committee – panel member	
Matthew Hippolite (Iwi representative)	16 June 2014	NCC Kotahitanga (Ngati Koata Rep) NCC Compliance and Monitoring Group (Waste Water Overflow RMA Consent compliance) Solid Waste Joint Working Party (NCC & TDC combined Management Strategy) Nelson Biodiversity Forum (Ngati Koata Rep) Waimea Plains Freshwater (Quality) and Land Management Group (Iwi Rep) Tiakina Te Taiaroa Ltd Board of Directors (Koata Alternate Director) Marlborough District Council Iwi Working Group (Ngati Koata Rep) Ngati Koata Trust – Projects Manager (Employer)	No declared interests
Philip Wilson (Industry Representative)	20 June 2014	No declared interests	No declared interests

Schedule of Documents Sealed: 20 November 2015 to 23 February 2016

DATE	LEGAL DESCRIPTION	DESCRIPTION	SITE ADDRESS
02/12/2015	Part Section 50, District of Suburban South and defined on DP 4585	Consent form to grant easement for Greenmeadows Stormwater in favour of Nelson City Council pursuant to Section 48 of the Reserves Act 1977	Greenmeadows Reserve
04/12/2015	Certificate of title NL11A/624	Deed of Covenant and Encumbrance Instrument between Brett Leonard Charlett and Nelson City Council	5 Laval Heights and adjacent Council road reserve
10/12/2015	N/A	Deed of Renewal of Lease between Nelson City Council and the Department of Inland Revenue relating to 5 th floor Civic House, 110 Trafalgar Street, Nelson	659m ² , 5 th floor Civic House, 110 Trafalgar Street, Nelson
21/12/2015		Heads of Agreement between Nelson City Council and the Nelson School of Music Trust for the redevelopment of the Nelson School of Music	158 Collingwood Street and 48 Nile Street, Nelson
22/12/2015	NL 53/155	Agreement between The Victory Primary School Board of Trustees and The Nelson College Board of Trustees and Nelson City Council for a meteorological station	The Broads playing fields (part of the land owned by Nelson College)
12/01/2016		Warrant of Appointment – Parking Warden/Enforcement Officer (EIL)	
27/01/2016	Relates to sale of Lot 17 Citrus Grove CT 147393	Land Transfer Tax Statement (pursuant to sections 156B & 156C Land Transfer act 1952)	Lot 17 Citrus Grove (Ridgeways Joint venture)
29/01/2016	N/A	Agreement for purchase of building at 55 Muritai Street between Nelson Pacific Island Afternoon Study Group and Nelson City Council	55 Muritai Street – building owned by Nelson Pacific Island

DATE	LEGAL DESCRIPTION	DESCRIPTION	SITE ADDRESS
		Deed of Surrender of lease of land at 55 Muritai Street between Nelson Pacific Island Afternoon Study Group and Nelson City Council	Afternoon Study Group
10/02/2016	N/A	Special resolution of the shareholders Port Nelson Ltd – adoption of new constitution	N/A
11/02/2016	N/A	Deed Recording Rent Review and Renewal of Lease between Nelson City Council and City Club Incorporated	1 Kinzett Terrace
15/02/2016		Warrants of Appointment - Group Manager Strategy & Environment and Manager Environmental Programmes	
18/02/2016	Computer Freehold Register NL64/217	Deed of Covenant between Roger Bert Cotton and Maureen Mary Cotton and Nelson City Council (relates to a small retaining wall and the front 600mm of part of the dwelling that is on Council road reserve)	24 Victoria Heights
22/02/2016	Part Section 239A City of Nelson CT NL107/60	Deed of Lease between Nelson City Council and Marist Rugby Football Club Nelson Incorporated	Trafalgar Park
22/02/2016		Authorisation to agent to sign consent of shareholder of proposed company – Nelson Regional Development Agency Limited	
23/02/2016		Warrant of Appointment – Enforcement Officer (First Security)	

Joint Committee of Tasman District and Nelson City

Chairperson: Alternating (see procedure)

Deputy Chairperson: None

- Mayor
- Deputy Mayor
- All Councillors (11)

Note: This committee also includes The Mayor, Deputy Mayor and 12 Councillors of Tasman District Council giving a total of 27 members for the Committee

Nelson City Council Tasman District Council Joint Shareholders Committee

Chairperson: Alternating (see procedure)

Deputy Chairperson: None

- Mayor
- Deputy Mayor
- Chairperson Community Services Committee
- Chairperson Governance Committee
- Chairperson Planning and Regulatory Committee
- Chairperson Works and Infrastructure Committee

Note: This Committee also includes The Mayor, Deputy Mayor and Committee Chairs (3 not including the Deputy Mayor) and Deputy Chair of the Corporate Services Committee of Tasman District Council giving a total of 12 members for the Committee

Nelson Regional Sewerage Business Unit

- Councillor Copeland
- Derek Shaw (external appointment)

Note: This Committee also includes two representatives from Tasman District Council, an independent member, a representative of the Nelson Regional Sewerage Scheme Customer Group, and an Iwi representative.

Regional Transport Committee

- Councillor ~~Davy~~ Copeland (Chairperson)
- Councillor ~~Copeland~~ McGurk (Deputy Chairperson)
- Councillor ~~McGurk~~ Rainey
- Mayor
- New Zealand Transport Agency Representative

Resource Management Act Procedures Committee

- Mayor
- Deputy Mayor
- Councillor Fulton

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MINUTES AND DECISION OF THE HEARINGS PANEL, NELSON CITY COUNCIL

Held in Nelson City Council Chamber, Floor 2A, Civic House, 110 Trafalgar Street, Nelson, on 1 April 2015 starting at 9.04am

Hearings Panel:

Chair: Commissioner Ian Barker

Panel: Commissioner Tim Skinner

In Attendance:

Reporting Officers: Marie Albertson, Pool Compliance Officer, Brent Edwards, Environmental Officer, and Kathy Mardon, Consents Administration Coordinator

Minutes Secretary: Shailey McLean

Applicants: Corey Daubney, Brenda Gregory, Simon Chapman

1.0 OBJECTION TO CLASSIFICATION OF A DOG AS DANGEROUS – DOG CONTROL ACT 1996 Section 31

1.1 Objector: Corey Daubney

Dog's name: Sin

Report Number: A1311949

John Wilms joined the hearing. In response to a question, he confirmed he did not enter the house at the time of the attack.

In response to a questions, Environmental Officer, Brent Edwards, advised that dog signage on a property had no legal basis. He confirmed that classification of a dog under the Dog Control Act 1996 was enforced nationwide.

Corey Daubney joined the hearing. He asked that the breed of 'Sin' be corrected to greyhound cross border collie. In response to a question, Mr Daubney advised that 'Sin' had not caused physical harm to a human before, but was known to be territorial at times.

Resolved

THAT in view of the evidence, by way of sworn statement from the person attacked by the dog, it is recommended that the objection be dismissed and the dangerous dog classification upheld.

Barker/Skinner

Carried

2.0 APPLICATIONS FOR EXEMPTION UNDER THE FENCING OF SWIMMING POOLS ACT 1987

2.1 Applicant: Ray and Brenda Gregory
Location: 8 Pinnacle Place, Wakatu, Nelson
Report Number: A1331883

Brenda Gregory joined the hearing. She confirmed that she and Mr Gregory were prepared to uphold the proposed conditions.

Resolved

THAT exemption for the sliding door that access the pool area at 8 Pinnacle Pl is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987, with the following conditions (report A1331883):

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by the applicant Ray & Belinda Gregory.***

AND THAT future compliance will be monitored by the targeted inspection programme operated by the Council.

Barker/Skinner

Carried

2.2 Applicant: Simon Chapman
Location: 669 Fifeshire Crescent, Nelson
Report Number: A1292954

It was agreed that this matter would be considered by the Hearings Panel, despite it not being on the agenda, as Mr Chapman had arrived at the hearing.

Resolved

THAT exemption for inward opening gate and door and the pool area to be a thoroughfare to the vegetable garden at 66 Fifeshire Cr is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987, subject to a compliant gate being located at the top of the ramp. Future compliance will be monitored by the targeted inspection programme operated by the Council

Barker/Skinner

Carried

2.3 Applicant: Claire Louise Nichols
 Location: 54 Scotia Street, Wakatu, Nelson
 Report Number: A1331803
 Resolved

THAT exemption for the inward opening door that accesses the pool area at 54 Scotia St is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987, with the following conditions (Report A1331803):

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by the applicant Claire Nichols.***

AND THAT future compliance will be monitored by the targeted inspection programme operated by the Council.

Barker/Skinner

Carried

2.4 Applicant: Paul and Judy Tregurtha
 Location: 37 Douglas Road
 Report Number: A1322776
 Resolved

THAT exemption for inward opening doors that acces the pool area at 37 Douglas Rd is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987, with the following conditions (Report A1322776):

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by the applicant Paul & Judy Tregurtha.***

AND THAT future compliance will be monitored by the targeted inspection programme operated by the Council.

Barker/Skinner

Carried

2.5 Applicant: Clifton Graeme Barrow
Location: 199A Annesbrook Drive
Report Number: A1323096
Resolved

THAT exemption for the sliding door that accesses the pool area at 199A Annesbrook Dr is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987, with the following conditions(Report A1323096):

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by the applicant Clifton Barrow.***

AND THAT future compliance will be monitored by the targeted inspection programme operated by the Council.

Barker/Skinner

Carried

2.6 Applicant: Gerhard Merschdorf
Location: 71 Golf Road
Report Number: A1323215

It was noted that since the officers report had been written, the applicant had installed self-closing devices.

Resolved

THAT exemption for inward opening doors that access the pool area at 74 Golf Rd is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987, with the following conditions (Report A1323215):

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by the applicant Gerhard Merschdorf.***

AND THAT future compliance will be monitored by the targeted inspection programme operated by the Council.

Barker/Skinner

Carried

2.7 Applicant: John Walter Lee
Location: 4 Harford Court
Report Number: A1328594
Resolved

THAT exemption for the above ground spa pool at 4 Harford Ct is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987, with the following conditions (Reprot A1328594):

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***

AND THAT future compliance will be monitored by the targeted inspection programme operated by the Council.

Barker/Skinner

Carried

2.8 Applicant: Heinz Schwarze
Location: 64 Fifeshire Crescent
Report Number: A1328944
Resolved

THAT exemption for the sliding door that access the pool area at 64 Fifeshire Cr is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987, with the following conditions (Report A1328944):

- ***That both of the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by the applicant Heinz Schwarze.***

AND THAT future compliance will be monitored by the targeted inspection programme operated by the Council.

Barker/Skinner

Carried

2.9 Applicant: Mark Saunders
Location: 31 Roto Street, Nelson
Report Number: A1329487

There was discussion on the proposed condition regarding the relocation of the vegetable garden. It was agreed to allow the vegetable garden to remain under the condition it did not increase danger to children.

Resolved

THAT exemption for the sliding door that accesses the pool area and the 1 metre by 1 metre vegetable garden at 31 Roto St is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987, with the following conditions (report A1329487):

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That children 6 years and under are not to be tending the vegetable garden in the pool area unless they are supervised by a responsible adult.***
- ***That the exemption is only valid while the property is owned by the applicant Mark Saunders.***

AND THAT future compliance will be monitored by the targeted inspection programme operated by the Council.

Barker/Skinner

Carried

3.0 STREET NAME APPLICATION

3.1 Applicant: Springlea Heights
Report number: A1330441

Resolved

THAT the Hearings Panel approve the name of "Bristol Lane" for the public road (Lane "C") in Stage 6 of the Springlea Heights Subdivision, RM095035V2.

Barker/Skinner

Carried

There being no further business, the hearing ended at 10.18am.

**Chair, Hearings Panel
Councillor Ian Barker**

MINUTES AND DECISION OF THE HEARINGS PANEL, NELSON CITY COUNCIL

Held in Nelson City Council Chamber, Floor 2A, Civic House, 110 Trafalgar Street, Nelson, on 28 May 2015 started 1:30 pm – closed 2:18 pm

Hearings Panel:

Chair: Commissioner Ian Barker

Panel: Commissioner Brian McGurk

In Attendance:

Reporting Officers: Marie Albertson, Pool Compliance Officer

Minutes Secretary: Kathryn Lewis, Lynda Greer

Applicant: Steven Baigent

1.0 APPLICATIONS FOR EXEMPTION UNDER THE FENCING OF SWIMMING POOLS ACT 1987

- 1.1 Applicant: Diane Baigent for S & D Baigent 1-8
Location: 63 Newman Drive, Nelson
Report Number: A1342335
Resolved

THAT exemption for the sliding/stacking doors is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant D & S Baigent.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.2 Applicant: Bruce & Anne Dobbie 9-16
 Location: 9 Taunton Place, Stoke, Nelson
 Report Number: A1350837
 Resolved

THAT exemption for sliding doors that do not self close and latch but do have tower bolts is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Bruce and Anne Dobbie.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.3 Applicant: Alice Fryer 17-24
 Location: 411 Waimea Road, Enner Glynn, Nelson
 Report Number: A1341793
 Resolved

THAT exemption the sliding door is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- That the current locking device remains locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND that the exemption is only valid while the property is owned by the applicant Alice Fryer.
- AND that future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

A1363785

1.4 Applicant: Rodney & Helen Bowater 25-32
 Location: 78 Newman Drive, Nelson
 Report Number: A1342005
 Resolved

THAT exemption non self closing and latching bi fold doors is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Rodney & Helen Bowater.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.5 Applicant: Colin Davis & Fraidah Tup 33-40
 Location: 5 Francois Way, Nelson
 Report Number: A1342406
 Resolved

THAT exemption for 3 x inward opening swing doors and 1 x non self closing sliding door is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- THAT the current latching devices remain latched at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Colin Davis & Faridah Tup.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

A1363785

1.6 Applicant: Eric & Sheryl Harding 41-48
 Location: 13 View Mount, Stoke, Nelson
 Report Number: A1343508
 Resolved

THAT exemption for the sliding door is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Eric Walker & Sheryl Harding.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.7 Applicant: Louise Devine for The Quay Apartments
 Limited 49-58
 Location: 207/283 Wakefield Quay, Nelson
 Report Number: A1343763
 Resolved

THAT exemption for an above ground spa pool is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT and inspection is conducted by the Pool Compliance Officer when the pool is installed to ensure it has been installed as described in accordance with this application.
- AND that future compliance will be monitored by the targeted inspection programme operated by council.
- AND that the entire floor remains a single dwelling unit.

Barker/McGurk

Carried

A1363785

1.8 Applicant: Mark & Wendy Lindbom 59-68
 Location: 3 Citrus Lane, Nelson
 Report Number: A1345615
 Resolved

THAT exemption for non self closing bi folding doors is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Mark & Wendy Lindbom.
- AND that future compliance will be monitored by the targeted inspection programme operated by council.
- AND that the existing gate has a latch installed at 1.5 metres.

Barker/McGurk

Carried

1.9 Applicant: Stephen Clements 69-76
 Location: 21 Cherry Avenue, Stoke, Nelson
 Report Number: A1347530
 Resolved

THAT exemption for the bi fold and the sliding door is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Stephen Clements.
- AND that future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

A1363785

1.10 Applicant: Paul Donaldson 77-84
 Location: 3Taunton Place, Stoke, Nelson
 Report Number: A1358020
 Resolved

THAT exemption for the above ground spa pool is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.11 Applicant: Hamish Neil 85-99
 Location: 164 Quebec Road, Nelson
 Report Number: A11234151

Reconsideration of the conditions placed on an exemption application previously granted 27 August 2014, due to professional opinion.

Resolved

THAT exemption for the french doors off the bedroom is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. Future compliance will be monitored by the targeted inspection programme operated by the Council.

The granting of your application has been made subject to the following amended conditions:

- THAT the primary leaves of the french doors have lockable tower bolts, that remain locked when children 6 years and under are on the property, unless the spa pool is in use and children are supervised by a responsible adult.
- AND THAT the cover is locked at all times when the spa pool is not in use

Barker/McGurk

Carried

A1363785

MINUTES AND DECISION OF THE HEARINGS PANEL, NELSON CITY COUNCIL

Held in Nelson City Council Chamber, Floor 2A, Civic House, 110
Trafalgar Street, Nelson, on 29 July 2015 starting at 9.00am – closed
10:35 am

Hearings Panel:

Chair: Commissioner Ian Barker

Panel: Commissioner Brian McGurk

In Attendance:

Reporting Officers: Marie Albertson, Pool Compliance Officer
Brent Edwards, Environmental Officer

Minutes Secretary: Lynda Greer, Kathryn Lewis

Objector/Applicants: Paul Hufflett, Mr Sullivan (Dog Classification), Andrew Divett,
John and Cheryl Erikson (Fencing of Swimming Pools)

Page No.

1.0 OBJECTION TO CLASSIFICATION OF A DOG AS MENACING

1-18

1.1 Objector: Paul Hufflett - dog named "Luscha"

Location: 53 Martin Road, Monaco, Nelson

Report Number: A1385010

After hearing the Environmental Officer and the Objector the panel adjourned
the hearing to continue research and before making their decision.

Resolved:

***THAT there could only be one of two outcomes and
after considering the evidence presented, the
objection has been dismissed and the Menacing Dog
Classification upheld.***

Advice note:

The owner is advised that while the Dog Control Act 1996 is silent on the power
of a territorial authority to amend or revoke any notice given for a Menacing Dog
Classification, Section 15 of the Interpretation Act 1999 does provide for
amendment and revocation. On this basis, if in the future the Territorial
Authority considers that the Menacing Dog Classification is no longer necessary,
the Territorial Authority may revoke the classification at this time.

A1395146

13. Hearings Panel - Other Minutes 29 July 2015 - A1395146

2.0 APPLICATIONS FOR EXEMPTION UNDER THE FENCING OF SWIMMING POOLS ACT 1987

2.1 Applicant: Andrew Divett 19-27

Location: 23 Taunton Place, Nelson

Report Number: A1371783

Resolved

THAT exemption for sliding doors that access the pool area is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the electric safety cover remains in good repair (monitored during councils inspection programme).
- AND THAT the exemption is only valid while the property is owned by the applicant Andrew and Helen Divett.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

2.2 Applicant: Cliff Warne 28-37

Location: 18 Stansell Avenue, Nelson.

Report Number: A1371531

Resolved

THAT exemption for an above ground spa pool is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Cliff Warne.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

A1395146

2.3 Applicant: David Plum 39-48

Location: 174 The Ridgeway, Nelson

Report Number: A1377484

Resolved

THAT exemption for one bi fold and two self closing French doors is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant David & Kim Plum.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

2.4 Applicant: John & Cheryl Erickson 49-60

Location: 516a Waimea Road, Nelson

Report Number: A1377679

Resolved

THAT exemption for two bi fold and one set of French doors is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant JS & CJ Erickson.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

A1395146

- 2.5 Applicant: Stuart Hanchet 61-68
 Location: 78 Chamberlain Street, Nelson.
 Report Number: A1382353
 Resolved

THAT exemption for down stairs sliding door is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current bolt remains closed at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant S & K Hanchet.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

3.0 STREET NAMING APPLICATIONS

- 3.1 Applicant: Saxton Fruit Ltd 69-72
 Resource Consent: RM135025
 Location: Off 33 Saxton Road West
 Type of road: Public
 Report No: A1387841
 Resolved

THAT the Hearing Panel approve the name of "Findlay Place" for the public road in the Saxton Fruit Ltd Subdivision, RM135025.

Barker/McGurk

Carried

- 3.2 Applicant: Wahanga Ltd 73-76
 Resource Consent: RM125264 – Waimeha Stage 3A
 Location: Off 145 Champion Road
 Type of road: Public
 Report No: A1387846

A1395146

Resolved

THAT the Hearing Panel approve the name of "Ngāti Rārua Street" for the public road (Road 1) in Stage 3A of the Waimeha Subdivision, RM125264

Barker/McGurk

Carried

A1395146

MINUTES AND DECISION OF THE HEARINGS PANEL, NELSON CITY COUNCIL

**Held in Nelson City Council Chamber, Floor 2A, Civic House,
110 Trafalgar Street, Nelson, on 21st September 2015 started
at 9:00 am – closed at 10:35 am**

Hearings Panel:

Chair: Commissioner Ian Barker

Panel: Commissioner Brian McGurk

In Attendance:

Reporting Officers: Marie Albertson, Pool Compliance Officer

Minutes Secretary: Janice Benson, Kathryn Lewis

Objector/Applicants: Mr and Mrs Mayes

1.0 APPLICATIONS FOR EXEMPTION UNDER THE FENCING OF SWIMMING POOLS ACT 1987

- 1.1 Applicant: Gerard Mayes
Location: 11 Fergusson Street, Stoke, Nelson
Report Number: A1415889

The Hearing Panel indicated that supervision of children not only in the pool area but also if playing in the provided alternative play space at the front of the dwelling is paramount due to the proximity of moving vehicles at the front of the dwelling.

The Hearing Panel asked Mr Mayes to confirm that he would undertake to adhere strictly to the conditions imposed which he agreed to do.

Resolved:

THAT exemption for sliding doors with bolts is granted with conditions, in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Gerard Mayes.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

A1424772

1.2 Applicant: Matt Heale and Megan Courtney
 Location: 27 Bay View Road, Atawhai, Nelson
 Report Number: A1395693
 Resolved:

THAT exemption for above ground spa pool with hard lockable lid is granted with conditions, in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Matt Heale and Megan Courtney.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.3 Applicant: Robert James Brown
 Location: 12 Boyes Place, Enner Glynn, Nelson
 Report Number: A1407384
 Resolved:

THAT exemption for sliding door with tower bolts is granted with conditions, in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Robert Brown.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.4 Applicant: Grant William Sidwell
 Location: 158 Nayland Road, Stoke, Nelson
 Report Number: A1407425

A1424772

Resolved:

THAT exemption for a French door with tower bolt is granted with conditions, in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Grant Sidwell.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.5 Applicant: Darryl Bridge
Location: 7 Panorama Drive, Enner Glynn, Nelson
Report Number: A1423688
Resolved:

THAT exemption for sliding door with tower bolt is granted with conditions, in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.
- Condition added by Hearing Panel – 'AND THAT the exemption only applies while the property is owned by the applicant'.

Barker/McGurk

Carried

1.6 Applicant: Raye Julia Wilkes
Location: 36 Exeter Street, Stoke, Nelson
Report Number: A1407944
Resolved:

THAT exemption for inward opening gate is granted with conditions in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

A1424772

Conditions

- THAT the exemption is only valid while the property is owned by the applicant Raye Wilkes.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.7 Applicant: David John Watson
Location: 42 Kaka Street, Stoke, Nelson
Report Number: A1407996
Resolved:

THAT exemption for sliding doors with tower bolts is granted, with conditions in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant David Watson.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.8 Applicant: Aimee Hayes
Location: 160 Nayland Road, Stoke, Nelson
Report Number: A1422933
Resolved:

THAT exemption for a sliding door with tower bolt is granted, with conditions in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the current owner L Goldsworthy & S Munster.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

A1424772

1.9 Applicant: Stephen Noel Ross Foote
 Location: 319 Annesbrook, Annesbrook, Nelson
 Report Number: A1422977
 Resolved:

THAT exemption for a sliding door with tower bolt is granted, with conditions in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Stephen Foote.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.10 Applicant: Olivia Yule (agent for S J & T Garard-Goring)
 Location: 424 Brook Street, The Brook, Nelson
 Report Number: A1423628
 Resolved:

THAT exemption for an above ground spa pool with a hard lockable lid is granted, with conditions in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the current owners Sarah Jane & Troy Garard-Goring.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.
- AND THAT an inspection confirms that the spa pool has been installed in accordance with this application.

Barker/McGurk

Carried

A1424772

1.11 Applicant: Harold John Pearson
Location: 104a Songer Street, Nelson
Report Number: A1427465
Resolved:

THAT exemption for sliding doors with tower bolts is granted with conditions in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Harold Pearson.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.12 Applicant: Paul McLennan
Location: 13 Hereford Street, Stoke, Nelson
Report Number: A1427606
Resolved:

THAT exemption for non pool related activity (green house) in the pool area is granted, with conditions in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the exemption is only valid while the property is owned by the present owner; Paul and Vicky McLennan.
- AND that future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

A1424772

MINUTES AND DECISION OF THE HEARINGS PANEL, NELSON CITY COUNCIL

Held in Nelson City Council Chamber, Floor 2A, Civic House, 110 Trafalgar Street, Nelson, on 20th November 2015 started at 9.00am finished at 11.15am

Hearings Panel:

Chair: Commissioner Ian Barker

Panel: Commissioner Brian McGurk

In Attendance:

Reporting Officers: Marie Albertson, Pool Compliance Officer

Minutes Secretary: Janice Benson

Objector/Applicants: Christine Ramsay

1.0 APPLICATIONS FOR EXEMPTION UNDER THE FENCING OF SWIMMING POOLS ACT 1987

1.1 Applicant: Christine Ramsay & Dean Vinicombe

Location: 6 Balmoral Place, Stoke, Nelson

Report Number: A1456221

Resolved:

THAT exemption for 2 French and 2 single leaf doors is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by Christine Ramsay and Dean Vinicombe
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Additional condition

- AND THAT a final inspection is carried out to ensure all other items comply with the Fencing of Swimming Pools Act 1987.

Barker/McGurk

Carried

A1424772

1.2 Applicant: Judith Anne Davies
 Location: 2/38 Point Road, Monaco, Nelson
 Report Number: A1456259
 Resolved:

THAT exemption for 2 sliding doors that do not self close and latch is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by Judith Anne Davies
- AND that future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.3 Applicant: David Errol Watson
 Location: 40 Leicester Street, Stoke, Nelson
 Report Number: A1437325
 Resolved:

THAT exemption for a sliding door that does not self close and latch is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT evidence of new locks is provided and once installed locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the current owners David & Elizabeth Watson.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.
- AND THAT a final inspection is carried out to ensure all other items comply with the Fencing of Swimming Pools Act 1987.

Barker/McGurk

Carried

1.4 Applicant: Christopher and Rosemary O'Connor
 Location: 350 Princes Drive, Nelson
 Report Number: A1443993

A1463859

Resolved:

THAT exemption for an above ground spa pool with a hard lockable lid is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Christopher & Rosemary O'Connor
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.
- AND THAT a final inspection is carried out to ensure the spa pool is installed as proposed.

Barker/McGurk

Carried

1.5 Applicant: Bryan Keane
 Location: 67 Martin Street, Monaco, Nelson
 Report Number: A1451677
 Resolved:

THAT exemption for a non self closing sliding door is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Bryan Keane.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.6 Applicant: Phillip and Elizabeth Cooper
 Location: 23 Norwich Street, Stoke, Nelson
 Report Number: A1454003

A1463859

Resolved:

THAT exemption for an aluminium sliding door that does not self close and latch is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Phillip & Elizabeth Cooper.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.7 Applicant: Gordon Bruce Spittal
Location: 2/53 Fergusson Street, Stoke, Nelson
Report Number: A1451458
Resolved:

THAT exemption for an aluminium sliding door that does not self close and latch is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by Gordon & Maureen Spittal.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.8 Applicant: Brian Sinclair
Location: 4 Elsa Kidson Court, Stoke, Nelson
Report Number: A1454956

A1463859

Resolved:

THAT exemption for an aluminium sliding door that does not self close and latch is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by Brian & Pauline Sinclair.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.9 Applicant: John W McClatchy
Location: 48 Neale Avenue, Stoke, Nelson
Report Number: A1455031

Resolved:

THAT exemption for 3 times French doors and a single leaf door is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- The self closing devices are installed to the principal opening leaf of the doors.
- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant John & Sheryn McClatchy.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.10 Applicant: Andrew Potts
Location: 8 Balmoral Place, Stoke, Nelson
Report Number: A1455213

A1463859

Resolved:

THAT exemption for aluminium sliding door that does not self close and latch is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Andrew & Virginia Potts
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.11 Applicant: David John Little
Location: 115 Songer Street, Stoke, Nelson
Report Number: A1455699
Resolved:

THAT exemption for 1 French and 2 single leaf doors that do not self close and latch is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant John and Wendy Little.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.12 Applicant: Christopher Patrick
Location: 17 Seawatch Way, Wtawhai, Nelson
Report Number: A1455990

A1463859

Resolved:

THAT exemption for an above ground spa pool with hard lockable lid is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is occupied by the applicant Christopher Patrick.
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.13 Applicant: Allan & Sunny Panting

Location: 6 Leach Place, Nelson

Report Number: A1456126

Resolved:

THAT exemption for a French and 2 sliding doors is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Allan & Sunny Panting
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.
- AND THAT a final inspection is carried out to ensure all other aspects comply with the Fencing of Swimming Pools Act 1987.

Barker/McGurk

Carried

1.14 Applicant: Aaron Nicoll

Location: 23 Exeter Street, Stoke, Nelson

Report Number: A1456161

Resolved

THAT exemption for 2 sliding doors is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

A1463859

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the owner Aaron and Monique Nicoll
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.15 Applicant: Murray & Sylvia Hutchings
Location: 137 Aldinga Avenue, Stoke, Nelson
Report Number: A1456291
Resolved:

THAT exemption for 2 Bi fold doors is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by Murray & Sylvia Hutchings
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.16 Applicant: Lisa Turner
Location: 4 Newall Avenue, Stoke, Nelson
Report Number: A1456366
Resolved:

THAT exemption for above ground spa pool with a hard lockable lid is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

AND THAT exemption for 2 sliding doors that do not self close and latch is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

A1463859

Conditions

- THAT the current door and spa pool locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant Lisa Turner
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

1.17 Applicant: John Grant
 Location: 23 Stead Crescent, Stoke, Nelson
 Report Number: A1456500
 Resolved:

THAT exemption for 2 sliding doors and 1 French door that do not self close and latch is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987.

Conditions

- THAT the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.
- AND THAT the exemption is only valid while the property is owned by the applicant John and Sheryle Grant
- AND THAT future compliance will be monitored by the targeted inspection programme operated by council.

Barker/McGurk

Carried

A1463859

Minutes of a meeting of the Hearings Panel - Other

Held in Ruma Marama, Level 2a, Civic House, 110 Trafalgar Street, Nelson

On Thursday 17 December 2015, commencing at 8.15am

Present: Councillors P Matheson (Chairperson), and B McGurk

In Attendance: Investigator/Contracts Supervisor (M Hollows), Roading Network Coordinator (T Chapman), and Administration Adviser (S McLean)

1. Temporary Road Closures (Drumming Festival, Collingwood Street Trolley Derby)

Investigator/Contracts Supervisor, Mark Hollows, presented the report.

Resolved

THAT the report Temporary Road Closures (Drumming Festival, Collingwood Street Trolley Derby) (A1470940) and its attachment (A1473123) be received;

AND THAT the Hearings Panel - Other approve the application for the temporary road closure for a drumming festival on Saturday 5 March 2016;

AND THAT the Hearings Panel - Other approve the application for the temporary road closure for the Collingwood Street trolley derby on Saturday 12 March 2016.

McGurk/Matheson

Carried

There being no further business the meeting ended at 8.16am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

A1477292

Hearings Panel - Other Minutes
17 December 2015

16. Hearings Panel - Other Minutes 17 December 2015 - A1477292 -

Minutes of a meeting of the Hearings Panel - Other

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

On Thursday 4 February 2016, commencing at 10.26am

Present: Councillor Barker (Chairperson) and Councillor Skinner

In Attendance: Investigator/Contracts Supervisor (M Hollows) 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. Temporary Road Closures (Rugby League Game, Charter
Parade, Nelson Women's Triathlon)**

Document number A1487661, agenda pages 3-23 refer.

Investigator/Contracts Supervisor, Mark Hollows, presented the report.

In response to a question, Mr Hollows confirmed the temporary road
closure for the Warriors vs Illawarra game was due to safety reasons.

Resolved

***THAT the report Temporary Road Closures
(Rugby League Game, Charter Parade, Nelson
Women's Triathlon) (A1487661) and its
attachments (A1490326 and A1490843) be
received;***

***AND THAT the Hearings Panel – Other approve
the application for the temporary road closures
for the Warriors vs Illawarras rugby league
game on Saturday 20 February 2016;***

Barker/Skinner

Carried

Hearings Panel – Other Minutes
4 February 2016

Mr Hollows provided further detail on car parking along Trafalgar Street before and during the Charter Parade. It was noted that the Charter Parade advertisement showed several times as 12.15am, and these were meant to be 12.15pm.

In response to a question, Mr Hollows confirmed he had notified affected hotels of the new recommended route for the Charter Parade. He added that marshals would be on site to let people through to hotels during the closure. Mr Hollows also advised that Council would be meeting the cost of the road closure and traffic management for the Charter Parade.

Resolved

AND THAT the Hearings Panel - Other approve the application for the temporary road closures for the NZ Army Charter Parade on Saturday 2 April 2016, as specified in Figure 6 and 7 of attachment 1 (A1490326);

AND THAT the Hearings Panel - Other approve the application for the temporary road closures for the Nelson Women's Triathlon on Sunday 3 April 2016.

Skinner/Barker

Carried

There being no further business the meeting ended at 10.41am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Hearings Panel - Other Minutes
4 February 2016

A1498284

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17. Hearings Panel - Other Minutes 4 February 2016 A1498284

MINUTES AND DECISION OF THE HEARINGS PANEL, NELSON CITY COUNCIL

Held in Nelson City Council Chamber, Floor 2A, Civic House, 110
Trafalgar Street, Nelson, on 4th February 2016 commencing at 9.00am

Hearings Panel:

Chair: Commissioner Ian Barker

Panel: Commissioner Tim Skinner

In Attendance:

Reporting Officers: Marie Albertson, Pool Compliance Officer

Minutes Secretary: Lynda Greer

1.0 APPLICATIONS FOR EXEMPTION UNDER THE FENCING OF SWIMMING POOLS ACT 1987

- 1.1 Applicant: Kendal and Melva Allcott
Location: 52 Aldinga Avenue, Nelson
Report Number: A1475693
Resolved:

THAT exemption for the bedroom sliding door that does not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- That the exemption is only valid while the property is owned by Kendal and Melva Allcott***
- That future compliance will be monitored by the targeted inspection programme operated by council.***

Barker/Skinner

Carried

- 1.2 Applicant: David Bell
Location: 71 Marlowe Street, Nelson
Report Number: A1475729

A1424772

Discussion:

Tim Skinner commented on a greater risk when owners have to remember to check multiple doors. Ian Barker pointed to the first standard condition and allowing owners take responsibility.

Resolved:

THAT exemption for three external doors that do not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by David and Elaine Bell***
- ***That future compliance will be monitored by the targeted inspection programme operated by council.***

Skinner/Barker

Carried

1.3 Applicant: Murray Charles Turner
Location: 410 Nayland Road, Nelson
Report Number: A1481088

Resolved:

THAT exemption for a french door that does not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by Murray and Joanne Turner***
- ***That future compliance will be monitored by the targeted inspection programme operated by council.***

Barker/Skinner

Carried

1.4 Applicant: N & S Hunter
Location: 1/38 Point Road, Nelson
Report Number: A1490709

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17. Hearings Panel - Other Minutes 4 February 2016 - A1498908

Discussion:

Tim Skinner again mentioned the vigilance of the owner to ensure two doors in different parts of the dwelling are locked as per the first standard condition.

Resolved:

THAT exemption for two french doors that do not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by N & S Hunter***
- ***That future compliance will be monitored by the targeted inspection programme operated by council.***
- ***AND THAT the pool area will be monitored by the pool compliance officer as renovations progress until the area is compliant.***

Skinner/Barker

Carried

1.5 Applicant: Penelope Jane Adlington
Location: 12 Roto Street, Nelson
Report Number: A1490738

Resolved:

THAT exemption for one existing sliding door that does not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the current locking device remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by Penelope and Simon Aldington***
- ***That future compliance will be monitored by the targeted inspection programme operated by council.***

Barker/Skinner

Carried

1.6 Applicant: Brian Gordon Flintoff
 Location: 89 Point Road, Nelson
 Report Number: A1490851

Discussion:

Chains have been installed by owner onto the doors so they can only open to 100mm, these can be removed at the top by an adult to allow the doors to open fully. All windows have restrictor stays. Tim Skinner was concerned about the small area around the pool and that a child could easily fall in if unsupervised. He was keen for all visitors to the house to be advised that the pool was there.

Resolved:

THAT exemption for three sliding doors that do not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by Brian and Julia Flintoff***
- ***That future compliance will be monitored by the targeted inspection programme operated by council.***
- ***AND that the owner ensures that all visitors to the property with children 6 years or under are informed of the pools location.***

Skinner/Barker

Carried

1.7 Applicant: Kathryn McKie
 Location: 69 Aldinga Avenue, Nelson.
 Report Number: A1490921

Resolved:

THAT exemption for two sliding doors that do not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by Kathryn McKie and Mathew Krahagen***

- ***That future compliance will be monitored by the targeted inspection programme operated by council.***

Barker/Skinner

Carried

1.8 Applicant: Craig Jones
 Location: 78 Songer Street, Nelson
 Report Number: A1491044
 Discussion:

The panel both considered the current locking device on the french door inadequate and agreed it should be replaced with a lockable tower bolt.

Resolved:

THAT exemption for the kitchen windows that open greater than 100mm and the french door that does not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by Craig and Tara Jones***
- ***That future compliance will be monitored by the targeted inspection programme operated by council.***
- ***AND That the lock on the French door is replaced with a lockable tower bolt.***

Barker/Skinner

Carried

1.9 Applicant: Julie and James McGrath
 Location: 25 Monaco View, Nelson
 Report Number: A1492986
 Resolved:

THAT exemption for 3 sliding doors that do not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned Julie and James McGrath.***

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- ***That future compliance will be monitored by the targeted inspection programme operated by council.***

Skinner/Barker

Carried

1.10 Applicant: James Robert Castle
 Location: 6 Galway Street, Nelson
 Report Number: A1493168
 Discussion:

The panel were happy to grant exemption for the swing doors included in the application but discussion was had in relation to the sliding door from the driveway to the pool area not being closed at all times. If the door was not locked children could access the pool area without the knowledge of the residents. The panel require a compliant barrier where the existing sliding doors are located.

Resolved:

THAT exemption for the swing doors only that open into the pool area is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the current latching devices remain latched at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by James Castle.***
- ***That future compliance will be monitored by the targeted inspection programme operated by council.***
- ***AND That the sliding door is replaced by a compliant pool barrier.***

Barker/Skinner

Carried

1.11 Applicant: Richard Bacon and Danuszka Janowska
 Location: 87 Martin Street, Nelson
 Report Number: A1493419
 Resolved:

THAT exemption for three floor to ceiling very heavy sliding doors that do not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

Page 6 of 7

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by Richard Bacon and Danuszka Janowska***
- ***That future compliance will be monitored by the targeted inspection programme operated by council.***

Barker/Skinner

Carried

1.12 Applicant: Stephanie Lay
 Location: 12 Ngaio Street, Nelson
 Report Number: A1493610
 Discussion:

Tim Skinner asked the Pool Compliance Officer if the bolts in place at the top and bottom of both doors were lockable. She confirmed the bolts are not lockable but are in good working condition.

Resolved:

THAT exemption for one french door that does not self close and latch, is granted in accordance with section 6(1) of the Fencing of Swimming Pools Act 1987. The panel have considered the criteria from New Zealand 8500:2006. The following conditions apply:

- ***That the current locking devices remain locked at all times when children 6 years and under are on the property, unless the young children are supervised by a responsible person when the pool is in use.***
- ***That the exemption is only valid while the property is owned by Stephanie Lay***
- ***That future compliance will be monitored by the targeted inspection programme operated by council.***

Skinner/Barker

Carried

There being no further business, the hearing ended at 10.18 am.

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 18 September 2015, commencing at 1.01pm

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

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

Apology: Councillor D Dowler (Tasman District Council)

1. Appointment of Chairperson

There was a discussion regarding appointing a Deputy Chairperson and having alternate councillors appointed by Tasman District Council and Nelson City Council should a councillor be unable to attend.

It was agreed that this would be considered at the start of the new triennium 2016-2019.

Resolved NRSBU/2015/008

THAT Councillor Higgins be appointed Chairperson of the Nelson Regional Sewerage Business Unit for the 2013-2016 triennium.

Copeland/Shaw

Carried

2. Apology

Resolved NRSBU/2015/009

THAT an apology be received and accepted from

Councillor Dowler.Copeland/ShawCarried**3. Confirmation of Order of Business**

There was no change to the order of business.

4. Interests

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

It was requested that the Nelson Regional Sewerage Business Unit (NRSBU) Interests Register be sent out to members for review.

5. Memorandum of Understanding

In response to a question, NRSBU General Manager, Richard Kirby, advised that the majority of the changes to the Memorandum of Understanding were minor. He highlighted that the main change was quorum was now two which consisted of one representative from each Council.

6. Confirmation of Minutes**6.1 19 June 2015**

Document number M1293, agenda pages 11 - 15 refer.

The following changes were requested to the minutes:

- Page 12, change 'trail and peals' to 'trials and peaks'
- Page 14, change 'Instrument' to 'Instrumentation'.

Resolved NRSBU/2015/010

THAT the amended minutes of the meeting of the Nelson Regional Sewerage Business Unit, held on 19 June 2015, be confirmed as a true and correct record.

Shaw/CopelandCarried**7. General Manager's Report**

Document number R4817, agenda pages 16 - 56 refer.

NRSBU General Manager, Richard Kirby, presented the report.

Mr Kirby advised that Alliance and Nelson Pine Industries (NPI) had queried readings which the trade waste charges were based on. He

added that Mr Wilson had also raised questions relating to the difference between the final wash up calculation and the estimate provided earlier in the year.

It was discussed that the current charging formula transferred risk for the variable charges to the other main customers if any customer changed their operations. It was suggested that a commercial charging structure going forward could be considered. If this was considered then a review was required as to how this would affect the business unit.

There was a discussion that if any of the three industries pulled out, the cost of operating the sewerage plant would be significantly less as there may not be the need for the ATADs as urban waste would be handled differently and was a lower cost operation.

It was highlighted the NPI wash up invoice was \$40,000 more than previously estimated even though NPI had invested in pre-treatment works.

Invoice calculations were discussed and it was advised that there were no major errors, only a minor error in relation to the allocation of costs. The main reason for the difference was the BOD and Suspended Solids treated for NPI in the last three months were higher than estimated and increased treatment costs as a percentage of total operating and maintenance expenditure.

Mr Kirby advised he was meeting with industry next week and would discuss a costing formula with them. In response to a question, Mr Kirby said that a charging formula review could be conducted but that the formula was quite logical. He added that risks needed to be identified and then the formula modified.

It was discussed that changes would need to be conducted with industry agreement as it was a legal contract and industry could withdraw with six months' notice.

In response to a question about whether processes were robust enough, Mr McIntyre commented on the variation in sampling results and that the sampling largely reflected his firm's sampling. Mr Kirby advised that there was the opportunity to contract an independent person to audit Nelmac's sampling to confirm processes were being followed.

It was suggested that a digital photograph of each sample would be beneficial.

In response to a question, Senior Asset Engineer – Solid Waste, Johan Thiart, advised that with regards to the odour concerns at Best Island it seemed to be an operational issue with fluid found in the basin and too much acid being added.

In response to a further question, Mr Thiart said geobags would still be used for dewatering but he was reluctant to use them for biosolids but

this was still under review. It was suggested that odour could be discharged underground using a treating bag with a canopy.

Mr Kirby highlighted that at the top of page 20 of the agenda the words 'with be considered' needed to be removed.

Mr Kirby also pointed out that the 'Review of security required at all facilities' should have a target date of March 2016.

The following changes were requested to the Annual Report 2014/2015:

- Page 27, the Pump Station Overflows graph is missing one overflow from the 2014/15 statistics
- Suggestion to add that there were no extreme weather events
- Page 29, Bell Island 2014/15 not 2013/14
- Page 30, 5.3 right hand column, change 'will be' to 'were' and 'considerde' to 'considered'
- Page 31, 5.6 note all communication with residents
- Page 33, check 'Biological Oxygen Demand kg/day' graph statistics
- Page 36, remove comment

Resolved NRSBU/2015/011

THAT the report General Manager's Report (R4817) and its attachments (A1422904, A1423020) be received;

AND THAT the amended Annual Report 2015/16 be adopted subject to any audit amendments.

Copeland/Higgins

Carried

Attendance: Councillor Copeland left the meeting at 2.36pm.

Mr Kirby discussed the status report items.

There being no further business the meeting ended at 2.41pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Nelson Regional Sewerage Business Unit

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

On Friday 11 December 2015, commencing at 1.00pm

- Present: Councillors M Higgins (Chairperson) and B Dowler (Tasman District Council), and Mr D Shaw (Nelson City Council representative)
- In Attendance: P Wilson (Industry Customers' Representative), Nelson Regional Sewerage Business Unit Manager (R Kirby), Senior Asset Engineer – Solid Waste (J Thiart), Management Accountant (A Bishop), and Administration Adviser (S McLean)
- Apologies: Councillor R Copeland (Nelson City Council) and M Hippolite (Iwi Representative)

Apologies

Resolved NRSBU/2015/012

THAT apologies be received and accepted from Councillor R Copeland and Mr M Hippolite.

Dowler/Shaw

Carried

1. Confirmation of Order of Business

There was no change to the order of business

2. Interests

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

3. Confirmation of Minutes

3.1 18 September 2015

Document number M1481, agenda pages 5 - 8 refer.

Resolved NRSBU/2015/013

THAT the minutes of the meeting of the Nelson Regional Sewerage Business Unit, held on 18 September 2015, be confirmed as a true and correct record.

Shaw/Dowler

Carried

4. General Manager's Report

Document number R5189, agenda pages 9 - 35 refer.

Nelson Regional Sewerage Business Unit Manager, Richard Kirby, presented the report.

4.1 Bokashi Logic Proposal

There was discussion on the proposal from Bokashi Logic and the method proposed. It was highlighted that if this option was investigated then other potential providers would need to be investigated as well.

Senior Asset Engineer – Solid Waste, Johan Thiart, provided an update on the Bokashi Logic proposal, advising there was potential for an additional trial on a limited scale. He advised further information on this could be presented to the next Board meeting.

During discussion, concerns were raised about a full scale trial. It was pointed out the bacteria mix in a healthy pond should be stable once it was properly established, and would not require further feed stock. There was concern about the potential risk of bringing in a toxic substance to the ponds, so the source of the microorganisms would need to be carefully considered.

There was some support for further investigation on the matter and more detail on a small scale trial. It was agreed a workshop for officers would be held in the new year to fully discuss the proposal, potentially with a representative from Bokashi Logic available to take questions. It was suggested that Board members attend if they were interested, along with an MWH representative and someone in a peer review capacity.

During discussion it was noted that the NRSBU Business Plan 2016/17 included reference to new technology choices, and full analysis of these. It was further noted that the proposal could mean not having to desludge the ponds every 20 years, and also the postponement of upcoming desludging.

A further suggestion was made that a microbiologists view on the matter would be worth having.

Following discussion, it was agreed that the words 'at this stage' would be added to the end of the second clause of the officer recommendation.

4.2 Reticulated Wastewater

Mr Thiart advised that Nelson City Council was reviewing the possibility of reticulating treated wastewater from Bell Island to other users.

4.2 Business Plan 2016/17

It was noted that the date for the Business Plan Action item number 7 should show as Dec 2015. It was advised the review of contractor performance would be reported to the Board meeting in March 2016.

Mr Kirby advised that information on the improvement of power supply by Network Tasman would be presented to the Board meeting in March 2016. There was further discussion on this topic.

Mr Thiart advise the ATAD B-train was being prepared for new lining.

In response to a question, Mr Thiart said he would look into the proposed timeframe for the independent audit of the operation and maintenance manuals. He said he would look into the format and content of the Objectives and KPIs table in the Business Plan as there was currently a blank box.

Mr Kirby tabled amendments to the Business Plan tables on pages 8, 9, 18 and 19.

It was suggested that the table under section 8 of the Business Plan could be more clearly labelled as renewals, and the table under section 9 as upgrades.

4.3 Other Matters

Mr Kirby provided detail on an anonymous letter which had expressed health and safety concerns with Rabbit Island operations. He advised the concerns raised had been assessed and there were no issues to address.

There was a brief discussion on the state of roads at Bell Island. Mr Thiart advised the roads were in good condition and there was an annual \$15,000 road maintenance budget.

Mr Thiart spoke further about sludge, biobags and an upcoming trial for desludging the ponds which would have minimal impact on the ATADs.

There was discussion on whether desludging the ponds was considered a capital upgrade. Management Accountant, Andrew Bishop, advised that the Tasman District Council accounting treatment for this was followed.

Resolved NRSBU/2015/014

THAT the report General Manager's Report (R5189) and its attachments Draft Business Plan 2016/17 (A1468715) and Status Report (A452094) be received;

AND THAT the Nelson Regional Sewerage Business Unit not implement the trial proposed by Bokashi Logic at this stage.

Shaw/Dowler

Carried

Resolved NRSBU/2015/015

THAT the Nelson Regional Sewerage Business Unit Draft Business Plan 2016-17 be adopted as amended.

Shaw/Dowler

Carried

Attachments

- 1 A1477188 - Correction to pages in NRSBU Business Plan 2016/17

5. NRSBU Review of Alternative Biosolids Disposal Options

Document number R5197, agenda pages 36 - 39 refer.

NRSBU General Manager, Richard Kirby, presented the report.

There was discussion on the possibility of an additional pond at Bell Island, funding for which could be included in the next Long Term Plan.

There was discussion on using ATADS or biobags for sludge and the potential for odour issues and Mr Thiart outlined the holding pond process followed by several other councils. He spoke about the possibility of methane gas being emitted from the ponds during this process.

There was the discussion about what would occur if biosolids spraying on Rabbit Island could not proceed. It was suggested that Rabbit Island changes would be incremental, so biosolids spraying was likely to continue into the foreseeable future.

There was discussion on cost effective ways to treat solids, and whether there were other ways to increase the capacity of the area at Rabbit Island, such as using different tree crops or increasing the spraying amount. Mr Thiart said SCION could advise the NRSBU on the ability of different tree crops to use the nutrient applied through biosolids spraying.

He pointed out that recreation and spraying of biosolids activities at Rabbit Island were not all mutually exclusive.

There followed a discussion regarding the Reserve Management Plan for Rabbit Island and the proposed consultation rounds.

The Board agreed that a submission should be made to the Rabbit Island Reserve Management Plan on behalf of the NRSBU. The Chairperson suggested consideration be given to including a proposal for biosolids spraying at Rough Island.

There was discussion on the concept of keeping the trees growing to 35 years to see if that would solve the problem of having softer logs.

Resolved NRSBU/2015/016

THAT the report NRSBU Review of Alternative Biosolids Disposal Options (R5197) and its attachment (A1468738) be received;

AND THAT the NRSBU note that the current biosolids disposal practice at Bell Island is the most cost effective option;

AND THAT the NRSBU General Manager make a submission on the consultation document on the Rabbit Island Management Plan.

Shaw/Dowler

Carried

6. NRSBU Risk Profile - Impacts of Contributor Exit

Document number R5204, agenda pages 40 - 42 refer.

There was discussion on the impact of a contributor exiting the NRSBU scheme. It was noted there would be both risks and opportunities in this event.

It was pointed out that the Business Risk Schedule table on page 40 of the agenda was missing several words, and Mr Kirby read out the full wording from the Asset Management Plan.

Resolved NRSBU/2015/017

THAT the report NRSBU Risk Profile - Impacts of Contributor Exit (R5204) be received.

Higgins/Shaw

Carried

7. NRSBU Bell Island Wastewater Treatment Plant; Review of Automated Process Control and Influent Load Monitoring

Document number R5208, agenda pages 43 - 46 refer.

Richard Kirby and Johan Thiar presented the report.

There was agreement that the purchase should proceed, although it was emphasised that significant training and understanding was required to make the most of the output data. It was also highlighted there may be ongoing cost in maintaining and calibrating the unit.

Resolved NRSBU/2015/018

THAT the report NRSBU Bell Island Wastewater Treatment Plant; Review of Automated Process Control and Influent Load Monitoring (R5208) be received;

AND THAT an S::can unit be procured from DCM Process Control and installed at a cost not exceeding \$95,000.

Dowler/Shaw

Carried

8. Audited Financial Statements

Document number R5237, agenda pages 47 - 65 refer.

Management Accountant, Andrew Bishop, tabled and presented the financial statements.

Resolved NRSBU/2015/019

THAT the Nelson Regional Sewerage Business Unit Financial Report (A1432009) be received.

Higgins/Dowler

Carried

Attachments

- 1 A1432009 - NRSBU Financial Report to 31Oct2015

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

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of an extraordinary meeting of the Governance Committee

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

On Thursday 24 December 2015, commencing at 9.38am

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

1. Apologies

Resolved GOV/2015/087

THAT apologies be received and accepted from Councillors Acland and Rainey, and Mr Peters.

Murray/McGurk

Carried

2. Confirmation of Order of Business

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 item to be considered:

- 2.1 Tenancy Options for CBD Building
Late item memo M1672 refers.

Resolved GOV/2015/088

THAT the public excluded item Tenancy Options for CBD Building 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/Noonan

Carried

3. Interests

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

4. Public Forum

There was no public forum.

5. Exclusion of the Public

Resolved GOV/2015/089

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	Tenancy options for CBD building	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 9.40am and resumed in public session at 9.42am.

6. Re-admittance of the Public

Resolved GOV/2015/090

THAT the public be re-admitted to the meeting.

Davy/McGurk

Carried

There being no further business the meeting ended at 9.42am.

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 18 February 2016, commencing at 9.35am

Present: Councillor B McGurk (Chairperson), Her Worship the Mayor R Reese, Councillors I Barker, R Copeland, K Fulton (Deputy Chairperson), M Lawrey and Ms G Paine

In Attendance: Councillors L Acland, P Matheson, G Noonan and T Skinner, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Administration (P Langley), Manager Consents and Compliance (M Bishop), Manager Environmental Inspections Limited (S Lawrence), Manager Planning (M Heale), Manager Environmental Programmes (D Evans), Team Leader Roading and Solid Waste (M Parfitt), Community Partnerships Adviser (G Thorpe), Administration Adviser (E-J Ruthven), and Youth Councillors (J Alison and K Phipps)

Apologies: Councillors E Davy and M Ward

1. Apologies

Resolved PR/2016/001

***THAT apologies be received and accepted from
Councillors Davy and Ward.***

McGurk/Barker

Carried

2. Confirmation of Order of Business

The Chairperson advised that there were two additional public forums.

3. Interests

Ms Paine noted that she had been appointed as an independent commissioner to the EPlan hearing.

4. Public Forum

4.1 Carolyn Hughes - Nelson Environment Centre

Carolyn Hughes, of the Nelson Environment Centre, gave a Power Point presentation (A1504411), and spoke about water conservation, and mechanisms to incentivise behaviour change to reduce the use of water.

She suggested that Council fund the Nelson Environment Centre (NEC) to support and deliver a pilot programme to encourage behaviour change. She added that, in the future, the NEC would charge for this programme, thereby making the programme self-funding.

In response to a question, Ms Hughes explained that rainwater collection was viewed as supplementary to, rather than replacing, piped water, and was intended to be used for non-potable uses, such as flushing toilets.

Attachments

- 1 A1504411 - Nelson Environment Centre - Power Point Presentation

4.2 Cynthia McConville

Cynthia McConville spoke to the Committee about freedom camping. She explained her concerns regarding freedom campers staying in carparks while not in self-contained campers, leaving rubbish at camp sites, and using Council facilities, such as the Riverside Pool changing rooms, in a manner inconsiderate to other users.

She asked the Council to consider following the practice in Queenstown, whereby contractors monitored freedom camping activities, clamped vehicles and imposed fines on campers breaching the freedom camping bylaw in force in the area. She suggested that Nelson City Council work together with Tasman District Council to enact a freedom camping bylaw.

In response to questions, Ms McConville explained her opinion that freedom campers were often not travelling on a limited budget, and that the cost of freedom camping was similar to hiring a car and staying at backpacker hostels.

4.3 Hilary Mitchell and Mary-Ellen O'Connor

Hilary Mitchell and Mary-Ellen O'Connor tabled documents (A1505146, A1505314, A1505317 and A1505323) and spoke to the Committee about warrants of fitness for rental housing. They explained that a group, named Voice Nelson, had been formed, and one issue that the group was concerned about was the condition of rental housing in Nelson, in

particular, mould, dampness and condensation, inadequate heating and insecurity of tenure.

They explained that the University of Otago Public Health Research Unit was undertaking a rental housing warrant of fitness trial in Dunedin and Wellington, using Invercargill and Lower Hutt as control cities. They suggested that Nelson also take part in the trial, and noted that the Public Health Research Unit would welcome any further cities to take part.

In response to questions, Ms Mitchell and Ms O'Connor explained that the proposed inspection cost for landlords was \$250, to cover a five year period. She said the scheme was cost-neutral to councils, and the Public Health Research Unit had a budget to assist with establishing the scheme, with on-going costs resting with landlords.

In response to further questions, they said the proposed alterations to the Residential Tenancy Act only required landlords to install insulation and smoke alarms by 2019 and that the onus remained on tenants to take action if landlords had not complied. They said that, given the under-supply of rental housing, tenants were unlikely to take action, and explained their opinion that the onus should be on landlords to provide safe and warm rental houses.

In response to further questions, they explained that the results of the pre-test suggested that a small percentage of landlords might consider increasing rent as a result of a warrant of fitness scheme.

Attachments

- 1 A1505146 - Voice Nelson Tabled Document - Warrant of Fitness Proposal
- 2 A1505314 - Voice Nelson Tabled Document - Background Paper
- 3 A1505317 - Voice Nelson Tabled Document - Pre-Test Results
- 4 A1505323 - Voice Nelson Tabled Document - Assessment Manual

Attendance: Councillor Copeland left the meeting at 10.22am.

5. Confirmation of Minutes

5.1 26 November 2015

Document number M1624, agenda pages 8 - 12 refer.

Resolved PR/2016/002

THAT the minutes of the meeting of the Planning and Regulatory Committee, held on 26 November 2015, be confirmed as a true and correct record.

McGurk/Lawrey

Carried

6. Status Report - Planning and Regulatory Committee - 18 February 2016

Document number R5469, agenda pages 13 - 14 refer.

Resolved PR/2016/003

THAT the Status Report Planning and Regulatory Committee 18 February 2016 (R5469) and its attachment (A1155974) be received.

McGurk/Lawrey

Carried

7. Chairperson's Report

Document number R5506, agenda pages 15 - 16 refer.

The Chairperson noted that Council provided a 50% subsidy towards landowners fencing waterways, and encouraged landowners to take this up.

Attendance: Councillor Copeland returned to the meeting at 10.26am.

There was a discussion regarding the update provided in relation to the Nelson Southern Link investigation. During discussion, it was clarified that invitations to this meeting had been issued through the Office of the Mayor, and were to specific elected members, rather than members of the Planning and Regulatory Committee.

There was a further discussion regarding the Resource Legislation Amendment Bill, during which it was noted there was a proposal for a national planning template, the potential fast-tracked plan change processes, and quicker consent processing times.

Resolved PR/2016/004

THAT the Chairperson's Report (R5506) be received and the contents noted.

McGurk/Copeland

Carried

Attendance: The meeting adjourned for morning tea from 10.31am to 10.41am, during which time Councillor Fulton left the meeting.

REGULATORY

8. Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules

Document number R5273, agenda pages 17 - 24 refer.

Team Leader Roading and Solid Waste, Marg Parfitt, presented the report.

In response to a question, Ms Parfitt explained the location of the two proposed P120 car parks on Main Road Stoke.

Resolved PR/2016/005

THAT the report Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R5273) and its attachments (A1475675, A1475680, A1475663 and A1477768) be received;

AND THAT the amendments detailed in report R5273 to the following Schedules of Bylaw No 207, Parking and Vehicle Control (2011), be approved:

- ***Schedule 4: Special Parking Areas;***
- ***Schedule 9: No Stopping.***
- ***Schedule 14: Give Way Signs.***

McGurk/Paine

Carried

9. Fees and Charges: Resource Consents, Resource Management Act Planning Documents and Applications under Housing Accord and Special Housing Areas Act

Document number R5303, agenda pages 25 - 51 refer.

Manager Consents and Compliance, Mandy Bishop, presented the report.

Ms Bishop outlined the proposed dates for the Special Consultative Process that was required for to be followed:

- Consultation period – 29 March – 29 April 2016;
- Hearing – 19 May 2016;
- Deliberations – 2 June 2016;
- Adoption by Council – 16 June 2016

In response to a question, Ms Bishop explained that consultation was required for fees and charges that had not previously been set. She added that previously, fees and charges had been consulted on every year, but that from this year onwards, consultation would only take place where alterations to fees and charges were proposed.

Resolved PR/2016/006

THAT the report Fees and Charges: Resource Consents, Resource Management Act Planning Documents and Applications under Housing Accord and Special Housing Areas Act (R5303) and its attachments (A1483163 and A1483172) be received.

McGurk/Copeland

Carried

Recommendation to Council PR/2016/007

THAT the draft Fees and Charges Resource Consents and Resource Management Act Planning Documents (A1483163 and A1483172) be approved for public consultation and notification using the Special Consultative Procedure as set out in the Local Government Act 2002.

McGurk/Copeland

Carried

10. Fees and Charges Consents and Compliance (non RMA) commencing 1 July 2016

Document number R5319, agenda pages 52 - 90 refer.

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

Ms Bishop outlined the proposed dates for the Special Consultative Process that was required for to be followed:

- Consultation period – 29 March – 29 April 2016;
- Hearing – 19 May 2016;
- Deliberations – 2 June 2016;
- Adoption by Council – 16 June 2016

There was a discussion regarding alcohol licensing fees. In response to a question, Ms Bishop explained that officers could use their discretion to lower fees by one category. She added the reduction in fees would provide an incentive for businesses that did not take up much inspection time, to consider closing earlier.

There was a discussion regarding the charges set under the Food Act. In response to a question, Ms Bishop explained that officers anticipated initial inspections to take approximately one and a half hours. She said the fee reflected this time, and that inspections taking longer than this would be charged by the hour.

In response to a question regarding fees in relation to the fencing of swimming pools, Ms Bishop clarified that the monitoring charge was reduced to \$100, with any additional time required charged at an hourly rate of \$125, up to maximum of \$500.

Resolved PR/2016/008

THAT the report Fees and Charges Consents and Compliance (non RMA) commencing 1 July 2016 (R5319) and its attachments (A1483521, A1483604, A1488034, A1488085, A1483610 and A1498999) be received.

McGurk/Barker

Carried

Recommendation to Council PR/2016/009

THAT the Dog Control fees and charges as detailed in Attachment 1 (A1483521) to Report R5319 be adopted;

AND THAT the Environmental Health and other activities fees and charges as detailed in Attachment 2 (A1483604) to Report R5319 be adopted;

AND THAT the Draft Food Act 2014 fees and charges as detailed in Attachment 3 (A1488034) to Report R5319 be approved for public consultation and notification using the Special Consultative Procedure as set out in the Local Government Act 2002;

AND THAT the circumstances to reduce alcohol licensing fees as detailed in Attachment 4 (A1488085) to Report R5319 be adopted to apply from the date of Council resolution;

AND THAT Provision of Property Information fees and charges as detailed in Attachment 5 to Report R5319 (A1483610) be adopted;

AND THAT the Draft Fencing of Swimming Pools Act 1987 fees and charges as detailed in Attachment 6 (A1498999) to Report R5319 be approved for public consultation and notification

using the Special Consultative Procedure as set out in the Local Government Act 2002;

AND THAT the charges for Dog Control Environmental Health and Provision of Property Information activities apply from 1 July 2016 until such time as they are varied or amended by Council;

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

Copeland/Barker

Carried

POLICY AND PLANNING

11. Strategy and Environment Report for 1 October to 31 December 2015

Document number R5248, agenda pages 91 - 116 refer.

Manager Consents and Compliance, Mandy Bishop, Manager Planning, Matt Heale, and Manager Environmental Programmes, Dean Evans, presented the report.

In response to questions regarding environmental programmes, Group Manager Strategy and Environment, Clare Barton, explained that Council had received advice that the physical location parameters around water flow and quality monitoring should change. She said this would improve the information gathered about water flow and quality, and that this would inform the development of the Nelson Plan, and improve information gathered nationally through the Land Air Water Aotearoa website.

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

In response to a further question, Mr Evans said the meteorological station was being moved, as infrastructure at the previous site meant that it was no longer suitable. He added that the station would add to the network of information gathered through the region, and would support the air quality programme.

In response to questions regarding the Building Unit, Ms Barton explained the agreement to process Building Consents for New Plymouth District Council was carefully managed, and both parties were clear that Nelson could only undertake this work where there was capacity to do so.

In response to questions regarding consents and compliance, Ms Bishop explained the rules regarding vessels occupying coastal areas. She said

the harbourmaster monitored vessel activity on behalf of the Council, but that generally, vessels were moved often enough to not be considered occupying the coast.

Attendance: Councillor Lawrey left the meeting at 11.18am and returned to the meeting at 11.20am

In response to questions regarding Planning, Mr Heale explained that vacancies in the planning area had led to increased use of consultants. He added that Nelson Plan workshops had also been moved from March to April as a result.

In response to questions regarding resource consents, Ms Bishop explained that a 25% increase in resource consent applications was expected, and that approximately 430 applications were likely to be processed throughout the year.

Attendance: Her Worship the Mayor left the meeting at 11.30am, and returned to the meeting at 11.31am.

In response to a further question, Ms Barton said the cultural impact assessments were intended to encompass the views of all iwi, but that there was further opportunity for iwi to provide input through the notification process.

Resolved PR/2016/010

THAT the report Strategy and Environment Report for 1 October to 31 December 2015 (R5248) and its attachments (A1474011, A1477377 and A1485599) be received.

Paine/McGurk

Carried

Recommendation to Council PR/2016/011

THAT Council note the notification of the Whakamahere Whakatu Nelson Plan is planned for early 2017 subject to confirming the timing of the consultation period for the annual plan.

Paine/McGurk

Carried

12. Gambling Policy Review 2016

Document number R5173, agenda pages 117 - 132 refer.

Senior Strategic Adviser, Nicky McDonald, and Community Partnerships Adviser, Gabrielle Thorpe, presented the report. Ms McDonald advised that attachment 4 should be updated to reflect the cap under the current policy was 273. She added that, since the agenda was issued, Council

had received an application from the TAB to establish premises in Nelson, but that they were having difficulties finding a location that did not violate the rule that no machines be placed within 100 metres of an ATM machine.

In response to a question, Ms Thorpe confirmed that the number of machines currently operating was 189, with a further 9 machines on suspended licence.

In response to a further question, she explained that, nationally, there was a decrease in the number of venues hosting gaming machines, and the number of gaming machines themselves, but that the amount spent in gaming machines was relatively static. She added that, nationally, there was a general increase in amounts spent in other forms of gambling, for example, through casinos.

There was a discussion regarding consultation with previous submitters and key stakeholders. In response to a question, Ms McDonald explained that a spectrum of views in relation to gaming machines remained, but the general response was the existing policy was working well, and a full review was not required.

During discussion, committee members expressed general support for a reduction in the number of gaming machines in Nelson, but noted that the rule excluding gaming machines from within 100 metres of an ATM machine appeared to be achieving this outcome, without the need for a Special Consultative Procedure considering other reduction methods, such as a sinking lid. It was suggested that, if there were an increase in the number of machines in the future, the policy could be reviewed and further reduction methods considered then.

Resolved PR/2016/012

THAT the report Gambling Policy Review 2016 (R5173) and its Attachments (A363308, A1490371 and A1490344) be received.

Fulton/Copeland

Carried

Recommendation to Council PR/2016/013

THAT Council, acknowledging community feedback that the current Gambling Policy is functioning as intended and noting the resource cost a Local Government Act 2002 Special Consultative Procedure to review the Gambling Policy imposes on all involved, agrees to retain the current Policy without change.

Fulton/Copeland

Carried

There being no further business the meeting ended at 12.00.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Unconfirmed

Minutes of a meeting of the Chief Executive Employment Committee

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

On Monday 22 February 2016, commencing at 1.01pm

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

In Attendance: External Adviser (P Bell), Chief Executive (C Hadley), and Administration Adviser (E-J Ruthven)

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 10 November 2015

Document number M1586, agenda pages 6 - 10 refer.

Resolved CEE/2016/001

THAT the minutes of the meeting of the Chief Executive Employment Committee, held on 10 November 2015, be confirmed as a true and correct record.

Her Worship the Mayor/Matheson

Carried

6. Exclusion of the Public

Her Worship the Mayor explained that Paul Bell, of Intepeople, would be in attendance for Items 2 and 3 of the Public Excluded agenda to answer questions and, accordingly, a procedural resolution was required to be passed.

Resolved CEE/2016/002

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, External Adviser, Paul Bell remain after the public has been excluded, for Items 2 and 3 of the Public Excluded agenda (Chief Executive's Performance Report – Half year Update and the Chief Executive Performance/Remuneration Review Process and Timeline 2015-2016), as he has knowledge that will assist the Council;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that External Adviser, Paul Bell possesses relates to the Chief Executive's Performance and Remuneration.

Her Worship the Mayor/Acland

Carried

Resolved CEE/2016/003

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

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

passing of this resolution are as follows:

Her Worship the Mayor/Acland

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Chief Executive Employment Committee Meeting - Public Excluded - 10 November 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)(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	Chief Executive's Performance Report - half year update	<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
3	Chief Executive Performance / Remuneration Review Process and Timeline 2015-2016	<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</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)
		under section 7	

The meeting went into public excluded session at 1.03pm and resumed in public session at 2.03pm.

7. Re-admittance of the Public

Resolved CEE/2016/004

THAT the public be re-admitted to the meeting.

Her Worship the Mayor/Matheson

Carried

There being no further business the meeting ended at 2.03pm.

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 25 February 2016, commencing at 9.00am

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

In Attendance: Councillor B McGurk, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Manager Communications (P Shattock), Manager Capital Projects (S Davies), Team Leader Engineer (D Light), Administration Adviser (S Burgess), and Nelson Youth Councillors (D Leaper and S McIlroy)

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

4.1 Day's Track Group

Kelly Atkinson of Day's Track Group gave a PowerPoint presentation (A1512126). Ms Atkinson spoke about the background of the Day's Track slip, the current temporary infrastructure, the health and safety risk of the slip, and the frustrations that residents had faced. She advised the Group sought Council's attention and support for the remediation and restoration of Day's Track and associated infrastructure.

Shona Nelson spoke about the options in the related officer's report on the agenda for the meeting. She raised concerns that the proposed gravel track would be unsafe, could require a higher level of maintenance and did not match the rest of Day's Track. Ms Nelson advised that Day's Track Group was in support of Option 3 in the report, a concrete track, and highlighted the relatively minor difference in cost between the gravel and concrete options.

In response to a question, Ms Atkinson advised the Group was aware of the Tahunanui slump zone, but still felt a concrete walkway would be safer for the diverse range of users of Day's Track.

Attachments

- 1 A1512126 - Presentation from Days Track Group

4.2 Colin Ratcliffe

Mr Ratcliffe raised concerns about the proposed recycling wheelie bins. He suggested there would be residents who would have difficulty using these due to limited space, steep driveways, or living in upstairs apartments. Mr Ratcliffe also suggested the collection of wheelie bins would take much longer than the current collection system and therefore cost more to operate. He added that people may abuse the intent of the bins by putting non-recyclable material in them.

5. Confirmation of Minutes

5.1 26 November 2015

Document number M1622, agenda pages 9 - 17 refer.

Resolved WI/2016/001

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

Skinner/Noonan

Carried

6. Status Report - Works and Infrastructure Committee - 25 February 2016

Document number R5517, agenda pages 18 - 21 refer.

In response to questions, Group Manager Infrastructure, Alec Louverdis, provided further detail about Fiddle Lane and the Policy of Licenses for Footpath and Outdoor Dining.

Resolved WI/2016/003

THAT the Status Report Works and Infrastructure Committee 25 February 2016 (R5517) and its attachment (A1150321) be received.

Davy/Lawrey

Carried

7. Chairperson's Report

There was no Chairperson's Report.

8. Terms of Reference - Main Road Stoke Speed Limit Change - Public feedback

Document number R5201, agenda pages 22 - 25 refer.

Asset Engineer - Transport, Chris Pawson, presented the report

Resolved WI/2016/004

THAT the report Terms of Reference - Main Road Stoke Speed Limit Change - Public feedback (R5201) and its attachment (A1472228) be received;

AND THAT the Terms of Reference in attachment 1 (A1472228) be adopted.

Lawrey/Skinner

Carried

9. Days Track Resolution

Document number R4701, agenda pages 26 - 32 refer.

Team Leader Engineer, David Light, and Manager Capital Projects, Shane Davies, presented the report.

In response to questions, Mr Light advised officers were not concerned that minor flooding would wash away the gravel track, as the design would incorporate features for stormwater and drainage. He advised the gravel track was the most appropriate option given the section of Day's Track was in the Tahunanui Slump zone, which meant that a concrete structure would be likely to crack.

In response to a question, Mr Davies assured councillors that the Day's Track project had been prioritised appropriately in terms of health and safety risks.

During discussion, it was noted that whichever method of reinstatement was used for Day's Track, Council would not be able to construct a track

that would necessarily withstand extreme rainfall/slip events in future. Group Manager Infrastructure, Alec Louverdis, reiterated that the same risks would apply to both types of track construction in a significant weather event.

In response to questions, Mr Louverdis advised that the movement of the Tahunanui slump was a known issue. He also advised it was possible, with no adverse weather or other complications, that the Day's Track project could be completed by December 2016.

Resolved WI/2016/005

THAT the report Days Track Resolution (R4701) and its attachments (A1431387 and A1432782) be received.

Lawrey/Barker

Carried

Councillor Lawrey, seconded by Councillor Noonan, moved the recommendation to Council in the officer report.

THAT remediation of Days Track with a gravel track at an estimated cost of \$430,000 be approved, noting this will require additional funding of \$265,000 to be included in the Annual Plan 2016/17.

Councillors Skinner, seconded by Councillor Copeland, moved an amendment:

THAT remediation of Days Track with a concrete track at an estimated cost of \$500,000 be approved, noting this will require additional funding of \$335,000 to be included in the Annual Plan 2016/17.

Those in support of the amendment believed that a concrete path would be safer for the wide range of users of Day's Track, and was not significantly more expensive than the gravel track option.

The amendment was put and lost; the meeting returned to the motion.

Recommendation to Council WI/2016/006

THAT remediation of Days Track with a gravel track at an estimated cost of \$430,000 be approved, noting this will require additional funding of \$265,000 to be included in the Annual Plan 2016/17.

Lawrey/Noonan

Carried

10. Asset Management Planning Updates for Utilities Asset Management Plans 2018-2028

Document number R5301, agenda pages 33 - 40 refer.

Senior Asset Engineer – Utilities, Phil Ruffell, presented the report.

In response to a question, Mr Ruffell advised that Treasury would consider assessing impacts of flooding hazards on Council's infrastructure network this financial year.

It was pointed out that some councils worldwide had started to categorise waterways as assets in order to recognise their value.

Resolved WI/2016/007

THAT the report Asset Management Planning Updates for Utilities Asset Management Plans 2018-2028 (R5301) and its attachment (A1484408) be received and updates noted.

Davy/Skinner

Carried

11. Asset Management Planning Updates for Solid Waste Asset Management Plan 2018-2028

Document number R5276, agenda pages 41 - 45 refer.

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

Resolved WI/2016/008

THAT the report Asset Management Planning Updates for Solid Waste Asset Management Plan 2018-2028 (R5276) and its attachment (A1485311) be received and updates noted.

Davy/Lawrey

Carried

Attendance: The meeting adjourned for morning tea from 10.24am to 10.37am.

12. Recycling bin feedback

Document number R5300, agenda pages 46 - 49 refer.

Group Manager Infrastructure, Alec Louverdis, presented the report.

A suggestion was made that a scheme could be established for residents who wished to swap bins with others wanting to downgrade/upsized. Mr Louverdis said this would be given further thought to assess its viability.

In response to questions, Mr Louverdis advised there would not be a large increase in operating costs for the new bin collection system. He

said the default bin for those who had not indicated a preference for bin size would be 240L.

Resolved WI/2016/009

THAT the report Recycling bin feedback (R5300) be received;

AND THAT prior to implementation of the new collection methodology, that a choice between a 240 litre and 120 litre bin be offered to Nelson residents and that this be ascertained as part of the pre roll-out communications;

AND THAT once issued with a bin, should any change be sought to the bin issued, a \$80.50 fee (incl GST) to cover administration and transport cost be charged.

Davy/Noonan

Carried

13. Earthquake Update Report #7

Document number R5218, agenda pages 50 - 57 refer.

Group Manager Infrastructure, Alec Louverdis, presented the report.

In response to questions, Mr Louverdis advised the high cost to replace chimneys at Isel House was because of their heritage status.

In response to a question, Mr Louverdis advised that it could be possible to work with the Refinery tenant to strengthen the building prior to December 2017 if this was an option.

Resolved WI/2016/010

THAT the report Earthquake Update Report #7 (R5218) and its attachments (A1498625, A1498652, A1498808) be received;

AND THAT approval is given to proceed with the earthquake strengthening of Isel House Chimneys to above 34%NBS, funded from the 2015/16 earthquake remediation budget;

AND THAT approval is given to proceed with the earthquake strengthening of the Refinery Building to above 34%NBS, funded from the earthquake remediation budget in 2016/17 once the existing lease expires in December 2017.

Davy/Lawrey

Carried

14. Exclusion of the Public

Resolved WI/2016/011

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/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	Works and Infrastructure Committee Meeting Minutes - Public Excluded - 26 November 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)(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.
2	Status Report - Works and Infrastructure Committee - 25 February 2016	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(b)(i) To protect information where the making available of the information would disclose a trade secret Section 7(2)(b)(ii) To protect information

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			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
3	Moana Landowner Negotiations	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 11.04am and resumed in public session at 11.26am.

15. Re-admittance of the Public

Resolved WI/2016/012

THAT the public be re-admitted to the meeting.

Davy/Skinner

Carried

There being no further business the meeting ended at 11.26am.

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 Tuesday 1 March 2016, commencing at 9.03am

Present: Councillor P Rainey (Chairperson), Her Worship the Mayor R Reese, Councillors R Copeland, M Lawrey, P Matheson, G Noonan (Deputy Chairperson), T Skinner and M Ward

In Attendance: Councillor I Barker, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Policy Coordinator (S Holman), Parks and Facilities Asset Planner (Andrew Petheram), Administration Adviser (L Canton) and Youth Councillors J Stallard and T Shuker.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

The Chairperson explained that since the agenda was issued, an additional public forum had been confirmed, from George Truman who would speak about the Stoke Community Centre.

The Chairperson also explained that minutes of the last Youth Council meeting would be received at the next Community Services Committee. He added that Youth Councillors Jenna Stallard and Taylah Shuker would provide an update to this meeting.

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 Hugh Briggs - Melrose House Society

Hugh Briggs, Chair of Melrose House Society and Doug Hattersley, Melrose House Society committee member spoke to the meeting.

Mr Briggs spoke to the document distributed with the agenda.

Mr Hattersley tabled a draft business case for expenditure at Melrose House (A1515407) which he spoke to. He noted that Melrose House could potentially become self-funding if its usage as a venue for events increased, but this would not be possible without the proposed upgrades.

In response to a question, Mr Briggs said that competition for external funding was increasing and funding organisations were tightening up their requirements.

In response to a further question about how the venue was marketed, he said that as well as being a member of Nelson Venues, the Society had in-house marketing expertise and had also used marketing consultants.

4.2 George Truman, Nelson Grey Power – Stoke Community Centre

George Truman said he was speaking on behalf of Nelson Grey Power about the proposed Stoke Community Centre.

Group Manager Community Services, Chris Ward reminded the meeting that the Stoke Community Centre was subject to a statutory hearing process currently before Independent Commissioners. He advised that, according to Council's Standing Orders, it was therefore inappropriate for the Committee to consider a public forum on this matter.

5. Confirmation of Minutes

5.1 3 November 2015

Document number M1568, agenda pages 14 - 20 refer.

Resolved CS/2016/001

THAT the minutes of the meeting of the Community Services Committee, held on 3 November 2015, be confirmed as a true and correct record.

Copeland/Skinner

Carried

6. Status Report - Community Services Committee - 1 March 2016

Document number R5533, agenda pages 21 - 23 refer.

In response to a question about the Arts Fund – Approval of Concepts item, Mr Ward advised that a project manager was currently being appointed and the intention was to complete installation by the end of the 2015/16 financial year.

Resolved CS/2016/003

THAT the Status Report Community Services Committee 1 March 2016 (R5533) and its attachment (A1157454) be received.

Ward/Lawrey

Carried

7. Chairperson's Report

There was no Chairperson's Report.

RECREATION AND LEISURE

8. Asset Management Planning Updates for Property and Facilities Asset Management Plan 2018-2028

Document number R4709, agenda pages 24 - 31 refer.

Group Manager Infrastructure, Alec Louverdis presented the report.

In response to questions about the relevance to this Committee of some of the items included in the Asset Management Plan (AMP), Mr Louverdis advised that the majority of the items pertained to the Community Services Committee delegations, but that some items came under the delegations of other committees.

Concern was expressed that items would not receive adequate governance oversight if they were not considered by the relevant committees. Mr Louverdis advised that if such items from this AMP needed further consideration, they would be reported to the relevant committee. It was requested that officers consider how to draw the AMP item updates to the attention of the relevant committees.

In response to a question about Melrose House, Mr Ward advised that the purpose of the AMP update was to reflect any significant changes officers have been made aware of since the AMPs were compiled in 2015. He advised that there were no major changes in Melrose House operations that needed inclusion in this report.

Resolved CS/2016/004

THAT the report Asset Management Planning Updates for Property and Facilities Asset Management Plan 2018-2028 (R4709) and its attachment (A1489927) be received and updates noted.

Ward/Matheson

Carried

CEMETERIES AND CREMATORIA

9. Marsden Valley Cemetery - Request for Dedicated Burial Plots

Document number R5521, agenda pages 32 - 37 refer.

Parks and Facilities Asset Planner, Andrew Petheram presented the report.

In response to questions, Mr Petheram explained that the proposed number of dedicated burial plots to be allocated was based on the estimated number of deaths per annum. He confirmed that the Muslim community had advised that the proposed number for Muslim plots was appropriate.

In response to a further question, Mr Petheram advised that there remained sufficient provision for the next extension to the Returned and Services' Association section and this would come to Council as part of the next Long Term Plan.

Resolved CS/2016/005

THAT the report Marsden Valley Cemetery - Request for Dedicated Burial Plots (R5521) and its attachments (A1485598 and A1485622) be received.

Copeland/Lawrey

Carried

Recommendation to Council CS/2016/006

THAT within the Marsden Valley cemetery, 100 plots be allocated as Catholic burial plots and 30 plots be allocated as Muslim burial plots, as shown on the indicative map attached as Appendix 2 (A1485622).

Copeland/Reese

Carried

Attendance: The meeting adjourned for morning tea from 9.56am to 10.18am during which time Councillor Copeland left the meeting.

MARINA

10. Nelson Marina Strategy

Document number R5566, agenda pages 38 - 103 refer.

Parks and Facilities Asset Planner, Andrew Petheram presented the report.

Attendance: Councillor Copeland returned to the meeting at 10.19am.

In response to questions, Mr Petheram said it was hoped that interested parties would participate in the consultation process. He added that as this was a long term strategy to be implemented in stages, there would like be ongoing opportunities for public engagement.

Resolved CS/2016/007

THAT the report Nelson Marina Strategy (R5566) and its attachment (A1498122) be received.

Ward/Copeland

Carried

Recommendation to Council CS/2016/008

THAT the draft Nelson Marina Strategy (A1498122) be received;

AND THAT fees and charges at the Marina be increased as from 1 July 2016 as per the Consumer Price Index;

AND THAT the Marina Development Levy be discontinued as from 1 July 2016;

AND THAT an unbudgeted amount of \$30,000 be provided in the Marina Opex Account in 2015/16 to remedy existing health and safety risks;

AND THAT the draft Nelson Marina Strategy (A1498122) be work shopped with the Marina users, other key stakeholders, and interested parties and reported back to a future Community Services Committee prior to adoption.

Noonan/Copeland

Carried

11. Community Investment Funding Panel Minutes

Document number R5535, agenda pages 104 - 113 refer.

Group Manager Community Services, Chris Ward presented the report.

A correction to the Interests section was noted, that the second reference to 'Mr Ward' in the last sentence should be replaced with 'Mr Thomas'.

In response to a question, Mr Ward advised that overall the feedback from the community about the new Community Investment Funding Panel process had been positive.

Resolved CS/2016/009

THAT the unconfirmed minutes of the Community Investment Funding Panel, held on 23 October 2015, be received.

Rainey/Copeland

Carried

12. Youth Council Update

Youth Councillor, Jenna Stallard advised that the Youth Council's Youth Employment Subgroup had met last week and was planning to write to the Ministry of Education about improving the careers curriculum in schools.

Youth Councillor, Taylah Shuker said that Youth Councillors had also had a Heritage Week meeting to discuss the opening of the Refinery Art Gallery, an event that would include photos taken by youth as part of last year's Heritage Week photo competition. She added that two Youth Council members were attending the District Health Board meetings to provide a youth perspective. She added that the Youth Council had also approved the Youth Council Performance Indicators, which would help measure its performance and provide a year on year comparison into the future.

13. Exclusion of the Public

It was queried whether item 4 on the public excluded agenda would be more appropriately considered in public.

Attendance: The meeting adjourned from 10.36am to 10.39am

The Chairperson advised that it was necessary to consider item 4 in the public excluded meeting and councillors could consider at that time whether any parts of the item could be released to the public.

Resolved CS/2016/010

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

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

Rainey/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	Community Services Committee Meeting - Public Excluded Minutes - 3 November 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	Public Excluded Status Report - Community Services Committee- 1 March 2016	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Crematorium Delivery Review	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	Hardstand Akersten Street - Management Options	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	Community Leases - Omnibus Report	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of	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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		information for which good reason exists under section 7	disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 10.40am and resumed in public session at 11.35am.

14. Re-admittance of the Public

Resolved CS/2016/011

THAT the public be re-admitted to the meeting.

Rainey/Skinner

Carried

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

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of an extraordinary meeting of the Governance Committee

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

On Thursday 3 March 2016, commencing at 1.30pm

Present: Councillor I Barker (Chairperson), Her Worship the Mayor R Reese, Councillors L Acland (Deputy Chairperson), K Fulton, P Matheson, B McGurk, G Noonan, and Mr J Murray and Mr J Peters

In Attendance: Councillor M Lawrey, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Administration Adviser (S Burgess), and Nelson Youth Councillors (F Sawyer and L Wilkes)

Apologies: Councillors E Davy and P Rainey

1. Apologies

Resolved GOV/2016/001

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

McGurk/Noonan

Carried

2. Confirmation of Order of Business

The Chairperson advised that a public forum presentation had been arranged since the agenda was distributed.

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 Kerry Neal

Mr Neal tabled a document (A1512793) and spoke on behalf of the Nelson Residents Association, raising concerns about the Trafalgar Centre budget and unbudgeted amounts for roading for the Trafalgar Centre project. He spoke about health and safety in employment versus safety provisions in the Building Act 2004. Mr Neal suggested that the Victory Room at the Trafalgar Centre had been demolished without adherence to Council's Significance and Engagement Policy.

Mr Neal advised the Nelson Residents Association had no intention of organising at considerable cost any local government candidates meetings in 2016. On a personal note, he raised concerns about the Mayor's interaction with a contractor.

Attachments

- 1 A1512793 - Kerry Neal Tabled Document

5. Confirmation of Minutes

5.1 5 November 2015

Document number M1580, agenda pages 9 - 15 refer.

Resolved GOV/2016/002

THAT the minutes of the meeting of the Governance Committee, held on 5 November 2015, be confirmed as a true and correct record.

McGurk/Matheson

Carried

5.2 24 December 2015 - Extraordinary Meeting

Document number M1670, agenda pages 16 - 18 refer.

Resolved GOV/2016/003

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

Matheson/Fulton

Carried

6. Status Report - Governance Committee- 3 March 2016

Document number R5557, agenda pages 19 - 20 refer.

Resolved GOV/2016/004

THAT the Status Report Governance Committee 3 March 2016 (R5557) and its attachment (A1160658) be received.

Noonan/McGurk

Carried

7. Chairperson's Report

The Chairperson noted the recent release of the draft Annual Plan 2016/17 for consultation.

Resolved GOV/2016/005

THAT the verbal Chairperson's Report be received.

Barker/Noonan

Carried

8. Audit, Risk and Finance Subcommittee Terms of Reference and Delegations Update

Document number R4931, agenda pages 21 - 28 refer.

The Chief Executive, Clare Hadley, presented the report.

Resolved GOV/2016/006

THAT the report Audit, Risk and Finance Subcommittee Terms of Reference and Delegations Update (R4931) and its attachments (A1437349 and A1507355) be received.

Peters/Murray

Carried

Recommendation to Council GOV/2016/007

THAT the Audit Risk and Finance Subcommittee draft Terms of Reference (A1437349) be adopted;

AND THAT the Delegations Register be updated as illustrated in (A1507355) to:

- **include a reference to the Audit, Risk and Finance Subcommittee Terms of Reference;**
- **remove Health and Safety from the Audit, Risk and Finance Subcommittee's area of responsibility.**

Peters/Murray

9. Audit, Risk and Finance Subcommittee - 12 November 2015

Document number M1593, agenda pages 29 - 35 refer.

Resolved GOV/2016/008

THAT the minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 12 November 2015, be received.

Peters/Murray

Carried

9.1 Internal Audit Plan and Procedure

Recommendation to Council GOV/2016/009

THAT the Internal Audit Plan to 30 June 2016 (A1452073) be approved, with the amendment:

- ***Under the heading 'Extension for Action Plans', insert the words "or organisational risk" after the words "no safety-related issues".***

Peters/McGurk

9.2 Liability Management Policy amendment

Recommendation to Council GOV/2016/010

THAT the amended Liability Management Policy (A1450461) be adopted.

Peters/Murray

10. Commercial Subcommittee - 24 December 2015

Document number M1664, agenda pages 36 - 38 refer.

Resolved GOV/2016/011

THAT the unconfirmed minutes of an extraordinary meeting of the Commercial Subcommittee, held on 24 December 2015, be received.

Murray/Noonan

Carried

11. Audit, Risk and Finance Subcommittee - 18 February 2016

Document number M1712, agenda pages 39 - 47 refer.

It was advised there had also been discussion at the Subcommittee meeting regarding risks to elected members.

Attendance: Councillor Matheson left the meeting from 1.50pm to 1.52pm.

Resolved GOV/2016/012

THAT the unconfirmed minutes of a meeting of the Audit, Risk and Finance Subcommittee, held on 18 February 2016, be received.

Peters/Murray

Carried

11.1 Corporate Report to 31 December 2015

Recommendation to Council GOV/2016/013

THAT Council resolves to fund the additional expenditure for Tasman Street from the following activities; Roading subsidised budgets (\$119,000), Roading unsubsidised budgets (\$117,000) and Stormwater budgets (\$92,000), a total of \$328,000, from operational and capital expenditure budgets as appropriate, noting that any individual project underspends which cover this overspend will be reported by 30 June 2016;

Peters/Matheson

Carried

Recommendation to Council GOV/2016/014

AND THAT funding of \$100,000 for the Stoke Foothills Traffic Study be deferred from 2015/16 to 2016/17;

AND THAT funding of \$100,000 for the Atawhai Hills Traffic Study be brought forward from 2016/17 to 2015/16.

Peters/Murray

Carried

11.2 Letter to the Council on the audit for the year ending 30 June 2015

Recommendation to Council GOV/2016/015

THAT Council notes Audit NZ's comments (A1499499) and how officers intend to address the issues raised.

Peters/Her Worship the Mayor

11.3 Internal Audit Report to 31 December 2015

Recommendation to Council GOV/2016/016

THAT Council note the internal audit findings, recommendations and status of action plans up to 31 December 2015 (R5452).

Peters/Murray

12. Exclusion of the Public

Resolved GOV/2016/017

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:

Acland/Matheson

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Governance Committee Meeting - Public Excluded Minutes - 5 November 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	Extraordinary Governance Committee Meeting - Public Minutes - 24 December 2015	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		good reason exists under section 7.	disadvantage, commercial activities. <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.
3	Audit, Risk and Finance Subcommittee Meeting - Public Excluded Minutes - 12 November 2015 These minutes do not contain a recommendation to the Governance Committee	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.
4	Extraordinary Commercial Subcommittee Meeting Minutes - Public Excluded Minutes - 24 December 2015 The recommendation to the Governance Committee in these minutes was considered at the extraordinary Governance Committee meeting on 24 December 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)(j) To prevent the disclosure or use of official information for improper gain or improper advantage.
5	Audit, Risk and Finance Subcommittee Meeting - Public Excluded Minutes - 18 February 2016 These minutes contain a recommendation to the Governance Committee	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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	regarding 'Letter to the Council on the audit for the year ending 30 June 2015 – Utilities Contract'		subject of the information. <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 1.57pm and resumed in public session at 2.04pm.

13. Re-admittance of the Public

Resolved GOV/2016/018

THAT the public be re-admitted to the meeting.

Peters/Acland

Carried

There being no further business the meeting ended at 2.04pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date