



AGENDA

Ordinary meeting of the

Works and Infrastructure Committee

**Thursday 23 June 2016
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership: Councillor Eric Davy (Chairperson), Her Worship the Mayor Rachel Reese, Councillors Ian Barker, Luke Acland, Ruth Copeland, Matt Lawrey (Deputy Chairperson), Gaile Noonan and Tim Skinner

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Orders:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)

It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the room for discussion and voting on any of these items.

1. Apologies

- 1.1 Apologies have been received from Her Worship the Mayor Rachel Reese

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**5. Confirmation of Minutes**

- 5.1 10 May 2016 **7 - 14**

Document number M1876

Recommendation

THAT the minutes of the meeting of the Works and Infrastructure Committee, held on 10 May 2016, be confirmed as a true and correct record.

Please note that as the only business transacted in public excluded was to confirm the minutes and receive the status report, this business has been recorded in the public minutes. In accordance with the Local Government Official Information Meetings Act, no reason for withholding this information from the public exists.

6. Status Report - Works and Infrastructure Committee - 23 June 2016 **15 - 19**

Document number R6061

Recommendation

THAT the Status Report Works and Infrastructure Committee 23 June 2016 (R6061) and its attachment (A1150321) be received.

CHAIRPERSON'S REPORT

7. Chairperson's Report

TRANSPORT AND ROADING

8. Roading Maintenance Contract Collaboration - Nelson City Council and Tasman District Council - Business Case **20 - 33**

Document number R5518

Recommendation

THAT the report Roading Maintenance Contract Collaboration - Nelson City Council and Tasman District Council - Business Case (R5518) and its attachment (A1521826) be received;

AND THAT Option 2 as detailed in attachment (A1521826) of Report R5518, to explore a combined procurement strategy with the Tasman District Council on urban road maintenance and renewal activities, be approved subject to similar approval by Tasman District Council;

AND THAT if Tasman District Council do not approve Option 2 then Option 1 (Do nothing different – Status Quo) be the approved option.

9. Road Stopping - Brook Recreation Reserve - Referral to Council **34 - 36**

Document number R6043

Recommendation

THAT the report Road Stopping - Brook Recreation Reserve - Referral to Council (R6043) be received;

AND THAT the Works and Infrastructure Committee refer its delegation regarding road stopping to Council, in respect of the proposal to stop the road reserve at the Brook Recreation Reserve.

10. 80 Scotia Street Road Stopping **37 - 46**

Document number R6050

Recommendation

THAT the report 80 Scotia Street Road Stopping (R6050) and its attachments (A1529664, A1532866 and A1538842) be received;

AND THAT a Hearing Panel of the Works and Infrastructure Committee be delegated to hear and consider objections to the proposed Road Stopping at 80 Scotia Street in accordance with the attached Terms of Reference (A1538842);

AND THAT the Chairman of the Works and Infrastructure Committee and Councillors _____ and _____ be appointed to the Hearing Panel, with Councillor _____ as alternate.

11. Church Street Concept Proposal **47 - 55**

Document number R6058

Recommendation

THAT the report Church Street Concept Proposal (R6058) and its attachments (A1473241 and A1473250) be received;

AND THAT \$75,000 be allocated from provision in the 2016/17 CBD Enhancement budget to engage with stakeholders and develop a design for the upgrade of Church Street in the 2016/17 financial year;

AND THAT the developed design be brought back to the Works and Infrastructure Committee for approval prior to construction;

AND THAT construction be prioritised in future Annual/Long Term Plans.

Note:

- **Youth Councillors Keegan Phipps and Luke Wilkes will be in attendance at this meeting.**

Minutes of a meeting of the Works and Infrastructure Committee

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

On Tuesday 10 May 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 M Ward, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Senior Asset Engineer - Solid Waste (J Thiart), Senior Asset Engineer - Transport and Roding (R Palmer), Asset Engineer - Transport (C Pawson), Manager Communications and Acting Manager Libraries and Heritage Facilities (P Shattock), Youth Councillors (M Dahal and B Rumsey), and Administration Adviser (L Canton)

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 Graham Wells – Recycling and Rubbish Collection

Mr Wells did not attend.

5. Confirmation of Minutes

5.1 31 March 2016

Document number M1798, agenda pages 8 - 16 refer.

Resolved WI/2016/032

THAT the minutes of the meeting of the Works and Infrastructure Committee, held on 31 March 2016, be confirmed as a true and correct record.

Davy/Skinner

Carried

Attendance: Councillor Acland joined the meeting at 9.03am.

6. Status Report - Works and Infrastructure Committee - 10 May 2016

Document number R5849, agenda pages 17 - 21 refer.

Resolved WI/2016/033

THAT the Status Report Works and Infrastructure Committee 10 May 2016 (R5849) and its attachment (A1150321) be received.

Lawrey/Copeland

Carried

7. Chairperson's Report

There was no Chairperson's report.

TRANSPORT AND ROADING

8. Main Road Stoke Speed Limit - Deliberations Report

Document number R5622, agenda pages 22 - 72 refer.

Asset Engineer – Transport, Chris Pawson, presented the report.

In response to questions regarding cyclists, Mr Pawson explained how cycle safety issues around the Elms Street intersection were addressed in the concept design for safety improvement works in that section of Main Road Stoke.

Attendance: Her Worship the Mayor joined the meeting at 9.09am.

In response to further questions, Mr Pawson said it was expected that reducing the speed limit from 80km/hour to 60km/hour would result in increased throughput and a small but unnoticeable increase in travel time.

Mr Pawson presented the concept design for safety improvement works (A1550184).

Council Davy moved and Councillor Acland seconded the recommendation in the officer's report.

Councillors speaking in support of the motion noted the importance of addressing cycle safety. Some concerns with the narrowing of the southbound on-road cycle lane were noted. Officers said they expected any remaining safety issues would be identified in a post-construction audit.

Attachments

1 A1550184 - Elm Street Intersection layout

Resolved WI/2016/034

THAT the report Main Road Stoke Speed Limit - Deliberations Report (R5622) and its attachments (A1521274, A1486083 and A1521649) be received;

AND THAT it be agreed that the speed limit on Main Road Stoke between Saxton Road and Salisbury Road be reduced from 80km/h to 60km/h on completion of the Elms Street/Main Road Stoke intersection safety improvements and associated speed reduction measures;

AND THAT schedules G and I in the Speed Limits Bylaw 2011 be amended to reflect this change;

AND THAT physical works approved at the Elms Street/Main Road Stoke intersection be funded from the Minor Improvements budget in 2016/17.

Davy/Acland

Carried

9. Waimea Road Refuge - Consultation outcomes

Document number R5770, agenda pages 73 - 77 refer.

Senior Asset Engineer - Transport and Roding, Rhys Palmer, presented the report and gave a PowerPoint presentation (A1546729) on the Waimea Road Refuge concept plan. He explained that the presentation showed desire lines which influenced the placement of pedestrian refuges and showed that the pedestrian refuge was appropriately sited.

In response to questions, Mr Palmer explained how safety issues for pedestrians and motorists were addressed in the concept plan. He added that although the cyclist pinch point identified by a submitter did exist, it would not be exacerbated and on balance, the new design was a safer solution than the current situation where pedestrians crossed at will.

Attachments

1 A1546729 - Waimea Road pedestrian refuge consultation outcomes

Resolved WI/2016/035

THAT the report Waimea Road Refuge - Consultation outcomes (R5770) and its attachment (A1531450) be received;

AND THAT in line with community feedback, approval be given to construct a pedestrian refuge in the location shown in attachment 1 at an estimated cost of \$30,000.

Lawrey/Copeland

Carried

WATER, WASTEWATER, STORMWATER**10. Capital Project Budget Status Report**

Document number R5818, agenda pages 78 - 80 refer.

Group Manager Infrastructure, Alec Louverdis, presented the report.

Resolved WI/2016/036

THAT the Capital Project Budget Status Report (R5818) be received;

Davy/Lawrey

Carried

Recommendation to Council WI/2016/037

THAT with respect to the Montcalm/Arrow/Washington Valley/Hastings stormwater upgrade project that \$116,000 be transferred from the current provision in 2016/17 to 2015/16 to maintain continuity of this multi-year project.

Davy/Lawrey

Carried

SOLID WASTE**11. Future of Green Waste**

Document number R5797, agenda pages 81 - 85 refer.

Group Manager Infrastructure, Alec Louverdis, presented the report.
Senior Asset Engineer - Solid Waste, Johan Thiart, joined the meeting.

In response to questions, Mr Louverdis explained the likely volumes and costs of the green waste collected at Pascoe Street transfer station and how it would be stored whilst options for further disposal were considered. He confirmed that, once a solution for green waste was agreed, the public would not experience any change to the current service at the Pascoe Street transfer station.

In response to further questions, Mr Louverdis said that discussions with Tasman District Council on a potential partnership for green waste would most likely include non-priced attributes and price. He explained that discussions would reserve Nelson City Council's right to explore other options, and that Nelson City Council would not be bound by any outcome of the joint tender with Tasman District Council.

Attendance: Councillor Lawrey left the meeting at 10.23am.

Councillor Acland moved and Councillor Davy seconded the recommendations in the officer report.

During discussion of the motion, councillors discussed the possibility of further education to encourage ratepayers to deal with their green waste at home in line with the Nelson 2060 strategy's sustainability and lifestyle principles, but it was also noted that intensified housing limited space for home composting.

Attendance: Councillor Lawrey returned to the meeting at 10.28am.

Some councillors expressed a view that a contract with a commercial operator was preferred over a joint approach with Tasman District Council. It was suggested that eventually the cost of taking green waste to the transfer station may override the convenience aspect to ratepayers.

It was noted that the ability to take green waste to the Pascoe Street transfer station was valued by ratepayers. Mr Louverdis said it was anticipated that the new arrangement would maintain the current level of service to ratepayers as ratepayers would still take green waste to the transfer station. Councillors requested that the outcome of the tendering process be reported back to the Works and Infrastructure Committee before a final decision was made.

Attendance: The meeting adjourned from 10.43am to 10.53am.

With the agreement of the mover and seconder, the last clause of the motion was amended to incorporate a report back to the Committee for decision.

Resolved WI/2016/038

THAT the report Future of green waste (R5797) be received.

Acland/Davy

Carried

Recommendation to Council WI/2016/039

THAT following a review of green waste services at the request of Council:

THAT Nelson City Council partner with Tasman District Council to call for public tenders with respect to their green waste in June 2016;

AND THAT failing success with this approach with Tasman District Council, that officers be authorised to negotiate a contract with a commercial operator to accept Nelson City Council's green waste;

AND THAT in the interim, Council continues to take green waste at the Pascoe Street transfer station;

AND THAT the outcome of the tendering process, either in partnership with Tasman District Council, or with a commercial operator, be reported back to the Works and Infrastructure Committee for a decision.

Acland/Davy

Carried

12. Exclusion of the Public

Resolved WI/2016/040

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

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

Davy/Lawrey

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Works and	Section 48(1)(a)	The withholding of the

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Infrastructure Committee Meeting - Public Excluded Minutes - 31 March 2016	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	information is necessary: <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
2	Status Report - Works and Infrastructure Committee - 10 May 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)(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

The meeting went into public excluded session at 10.55am and resumed in public session at 11.00am.

Please note that as the only business transacted in public excluded was to confirm the minutes and receive the status report, this business has been recorded in the public minutes. In accordance with the Local Government Official Information Meetings Act, no reason for withholding this information from the public exists.

13. Confirmation of Minutes - Public Excluded

Document number M1799, public excluded agenda pages 3 – 6 refer.

Resolved WI/2016/041

THAT the minutes of part of the meeting of the Works and Infrastructure Committee, held with the public excluded on 31 March 2016, be confirmed as a true and correct record.

Davy/Lawrey

Carried

14. Status Report - Works and Infrastructure Committee - 10 May 2016 - Public Excluded

Document number R5850, public excluded agenda pages 7 – 8 refer.

Resolved WI/2016/042

THAT the Status Report Works and Infrastructure Committee 10- May 2016 (R5850) and its attachment (A1150333) be received.

Davy/Noonan

Carried

15. Re-admittance of the Public

Resolved WI/2016/043

THAT the public be re-admitted to the meeting.

Davy/Noonan

Carried

There being no further business the meeting ended at 11.00am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

23 June 2016**REPORT R6061**

**Status Report - Works and Infrastructure Committee -
23 June 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 Works and Infrastructure Committee 23 June 2016 (R6061) and its attachment (A1150321) be received.

Shailey Burgess
Administration Adviser

Attachments

Attachment 1: A1150321 - Status Report - Works and Infrastructure Committee

6. Status Report - Works and Infrastructure Committee - 23 June 2016

Outstanding Actions

Status Report - Works and Infrastructure Committee - 23 June 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
26 March 2015	Bridge Street Upgrade - Alma Street and Fiddle Lane	<p>Resolved WI/2015/001</p> <p>THAT the report Bridge Street Upgrade - Alma Street and Fiddle Lane (A1321138) and its attachments (A1323529, A1257824, A1323532) be received;</p> <p>AND THAT approval is given to proceed with the upgrade of Fiddle Lane as per attachment 3 (A1323532) to enhance the aesthetic appearance of the lane.</p> <p>AND THAT further discussions be held with building owners about enhancing street frontages on Bridge Street.</p>	Shane Davies	<p>Fiddle Lane - Agreement reached with building owners and documents signed. The owner of the western building has commenced maintenance on the wall, this is proposed to be finished by August 2016. As soon as this maintenance work is completed the cables for the awnings will be installed. This work will not be completed this financial year. Once complete, the awnings will follow.</p> <p>Ongoing</p>
05 May 2015	Licences for Street Stalls and Outdoor Dining	<p>Resolved WI/2015/006</p> <p>THAT the report Licences for Street Stalls and Outdoor Dining (R4132) and its attachment (A1341408) be received;</p> <p>AND THAT an extension of the current street stall and outdoor dining licences for six years be offered to licensees from 1 July 2015 to 30 June 2021;</p> <p>AND THAT the policy on Licences for Street Stalls and Outdoor Dining, including the moratorium on public parking spaces, be reviewed by this Committee;</p> <p>AND THAT a formal review of the rents for both street stall occupations and outdoor dining be undertaken.</p>	Gabrielle Thorpe	<p>A report on this is on the Council agenda for 16 June 2016.</p> <p>Complete</p>

Status Report - Works and Infrastructure Committee – 23 June 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
30 July 2015	Earthquake Prone Buildings #5	<p>Resolved WI/2015/013</p> <p><u>THAT</u> the report Earthquake Prone Buildings #5 (R4128) and its attachments (A1252682, A573853, A573921) be received;</p> <p><u>AND THAT</u> approval be granted to undertake detailed earthquake assessments on Montgomery Superloo, Nelson Haven Sports Complex and the Tahuna Campground – Function Centre, funded from provision provided in the 2015/16 budget, on the basis that these are of the next highest priority;</p> <p><u>AND THAT</u> approval be granted to undertake design and cost estimate for the remedial work to Isel House Chimneys funded from provision provided in the 2015/16 budget;</p> <p><u>AND THAT</u> further assessment considering economical and community factors be completed on the following buildings below 34%NBS to enable the Committee to make informed decision and that this is brought back to a future Works and Infrastructure Committee and/or Commercial Sub-Committee;</p> <ul style="list-style-type: none"> • Refinery building • Plant and Food building • Wood Turners Building 	Alec Louverdis	<p>An internal project manager has been appointed to look at the Haven Precinct, and the Plant and Food building will be included in this work.</p> <p>Ongoing</p> <p>Remaining clauses: Complete</p>

Outstanding Actions

Status Report - Works and Infrastructure Committee - 23 June 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
26 November 2015	Roading Maintenance Contract Collaboration - Nelson City Council and Tasman District Council	<p>Resolved WI/2015/018</p> <p><u>THAT</u> the report Rooding Maintenance Contract Collaboration - Nelson City Council and Tasman District Council (R4186) be received;</p> <p>AND <u>THAT</u> a single tender for the Nelson and Tasman Urban areas is approved in principle;</p> <p>AND <u>THAT</u> approval is granted for officers to work with Tasman District Council officers to prepare a business case for collaboration on an urban roading maintenance contract;</p> <p>AND <u>THAT</u> the business case be reported back to the Works and Infrastructure Committee noting any benefits or disadvantages.</p>	Alec Louverdis	<p>A report on this matter is part of this agenda.</p> <p>Complete</p>
25 February 2016	Earthquake Update Report #7	<p>Resolved WI/2016/009</p> <p><u>THAT</u> the report Earthquake Update Report #7 (R5218) and its attachments (A1498625, A1498652, A1498808) be received;</p> <p>AND <u>THAT</u> 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;</p> <p>AND <u>THAT</u> 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.</p>	Alec Louverdis	<p>Isel House - Design complete, and consent underway. Construction anticipated to commence end of June.</p> <p>Refinery - not commenced yet.</p> <p>Ongoing</p>

Status Report - Works and Infrastructure Committee - 23 June 2016

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
31 March 2016	Waimea Road Issues and Opportunities	<p>Resolved WI/2016/021</p> <p>THAT the report Waimea Road Issues and Opportunities (R4960) and its attachments (A1522595 and A1436204) be received;</p> <p>AND THAT opportunities three, four and seven in table 5.1 of report (R4960) are supported in principle;</p> <p>AND THAT officers initiate consultation on these opportunities and report feedback to a future meeting of Works and Infrastructure.</p>	Alec Louverdis	<p>Officers will commence consultation on these options with a view to reporting back to the W&I committee for a decision.</p> <p>Ongoing</p> <p>W&I have previously approved the Waimea Road pedestrian refuge (option 4) and this work will be undertaken as part of the York Stream stormwater upgrade.</p> <p>Complete</p>

Roading Maintenance Contract Collaboration - Nelson City Council and Tasman District Council - Business Case

1. Purpose of Report

- 1.1 To advise the committee of key findings of the business case that investigates collaboration opportunities for road maintenance and renewal activities with Tasman District Council (TDC).
- 1.2 To approve a joint procurement process with TDC on urban road maintenance and renewal activities.

2. Delegations

- 2.1 This is a matter for the Works and Infrastructure Committee as it has powers to decide on all functions, powers and duties relating to the operation and maintenance of the transportation activity/network.

3. Recommendation

THAT the report Roading Maintenance Contract Collaboration - Nelson City Council and Tasman District Council - Business Case (R5518) and its attachment (A1521826) be received;

AND THAT Option 2 as detailed in attachment (A1521826) of Report R5518, to explore a combined procurement strategy with the Tasman District Council on urban road maintenance and renewal activities, be approved subject to similar approval by Tasman District Council;

AND THAT if Tasman District Council do not approve Option 2 then Option 1 (Do nothing different – Status Quo) be the approved option.

4. Background

- 4.1 NZTA set up the "Road Maintenance Task Force" (Task Force) in 2012 to report on opportunities for increasing the effectiveness of road maintenance expenditure. One of the key outcomes coming out of the

Task Force report was that "In order to lift efficiency and increase value for money, the most promising opportunity is for RCAs (road controlling authorities) to strongly collaborate and where appropriate jointly manage, plan, and deliver maintenance, operations and renewal works."

- 4.2 Accordingly NZTA and Local Government New Zealand formed the Road Efficiency Group (REG) to promote collaboration amongst RCAs. REG encourages better collaboration between road controlling authorities with a number of aims:
- Reducing costs by saving money in the right areas;
 - Prioritising investment on the roads that need it most;
 - Encouraging best practice;
 - Providing a more integrated, collective way of maintaining and operating state highways and local roads in the regions.
- 4.3 Similarly Section 17A of the Local Government Act (LGA) encourages councils to seek greater effectiveness and efficiencies in service delivery through exploring a set number of options for the governance, funding, and delivery of 'infrastructure, services, and regulatory functions'. This part of the LGA encourages council to explore opportunities and identify where there may be benefits in changing the way we deliver services. The preparation of this business case takes in to consideration the requirements of Section 17A of the LGA.
- 4.4 On the 26 November 2015 the Works and Infrastructure Committee resolved:
- THAT the report Roothing Maintenance Contract Collaboration - Nelson City Council and Tasman District Council (R4186) be received;*
- AND THAT a single tender for the Nelson and Tasman Urban areas is approved in principle;*
- AND THAT approval is granted for officers to work with Tasman District Council officers to prepare a business case for collaboration on an urban roading maintenance contract;*
- AND THAT the business case be reported back to the Works and Infrastructure Committee noting any benefits or disadvantages.*
- 4.5 A series of workshops involving NCC and TDC officers have been undertaken to prepare a business case.
- 4.6 As part of this work officers analysed and compared the respective councils' existing and historical maintenance contract rates, including resurfacing, street cleaning and road marking.

5. Discussion

- 5.1 Attachment 1 (Strategic Business Case for Urban Road Maintenance Collaboration) summarises the history, drivers and assumptions for this business case investigation.
- 5.2 There are four options detailed in Attachment 1 which are summarised below:
- **Business Option 1 - Do nothing different (Status Quo)**
Develop aligned tender timing only with each Council advertising separate contracts with no collaboration but focused on improving existing contracts and procurement methods;
 - **Business Option 2 – Combined Procurement Strategy (Shared Procurement)** Develop a combined procurement strategy that realises benefits, such as using the same contract form and specifications. Separate requests for tender (RTFs) would be developed for each local authority as standalone documents that requires the management of the works separately, but allows prospective tenderers the opportunity to tender for either or both contracts and provide conditional tenders for multiple contracts;
 - **Business Option 3 – Service Level Agreement for different services** The Councils enter into service level agreements for different services. For example, Tasman engages a contractor to do reseals for the region, Tasman manages the contract and Nelson 'buys' the services off Tasman;
 - **Business Option 4 – Joint Principals Contracts (Richmond Urban within NCC Maintenance Contract)** Both council's enter into a shared services arrangement whereby there are 'joint principals' contracts and the management effort is shared relative to the respective Council capabilities (Richmond Urban within NCC Maintenance Contract).
- 5.3 The benefits, dis-benefits, costs, risks and rationale for the respective options are detailed in the attachment.
- 5.4 Although it is reasonable to expect that some economies of scale or efficiencies could be expected by collaborating on urban roading maintenance, discussions with stakeholders, including suppliers and respective council officers experienced in roading maintenance and contract procurement suggests that competition between suppliers has the most significant effect on tender prices.
- 5.5 The analysis in projected cost versus current cost indicated a saving of less than 1% across both councils' contracts for options 3 and 4. Both these options would require increased management effort and cost to collaborate, therefore savings on such contracts was not confidently demonstrated.

- 5.6 Current maintenance and renewal spend is approximately \$4.4M per year for Nelson City Council and \$1.2M for Tasman District Council (Richmond urban area only).

6. **Options**

- 6.1 Officers recommend Option 2 - Combined Procurement Strategy (Shared Procurement).

7. **Alignment with relevant Council policy**

- 7.1 The Transport Asset Management Plan and Long Term Plan 2015-25 have no reference to collaboration with TDC on an urban roading maintenance contract.
- 7.2 A previous report on this matter has endorsed a collaborative approach.
- 7.3 This decision is not inconsistent with any other previous Council decisions with regards to this proposal.

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 as it has low/no impact on all criteria assessed against in the policy, in particular:
- levels, or delivery, of service;
 - financial impact;
 - ownership of the asset;
 - impact on the community.

9. **Consultation**

- 9.1 Consultation with the local contracting industry has been undertaken to inform/test the assumptions made in the business case. Continued consultation with the industry is planned so they are aware of tender scope and timing via the Civil Contractors New Zealand meetings.
- 9.2 Council's key co-investor, the NZ Transport Agency (NZTA) has been consulted. NZTA is supportive of the recommended collaboration.

10. **Inclusion of Māori in the decision making process**

- 10.1 No specific consultation with Maori has been undertaken.

11. **Conclusion**

- 11.1 Research by both councils for this business case has concluded that both councils have a good understanding of the maintenance work necessary

in each roading network, and contracts and workloads are being efficiently managed at present.

- 11.2 The business case supports collaboration with TDC to undertake joint procurement as outlined in Business Option 2 (Combined Procurement Strategy) of the Attachment.

Peter Anderson
Manager Operations

Attachments

Attachment 1: A1521826 - Maintenance Collaboration TDC NCC Business

Indicative Business Case for Urban Road Maintenance Collaboration:

Explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance

Project #:

Activity Area:	Urban Road Maintenance
Prepared by:	Rhys Palmer, Senior Asset Engineer - Transport and Roding, Nelson City Council and Jamie McPherson, Transportation Network Engineer, Tasman District Council
Reviewed by:	Peter Anderson, Manager Operations and Asset Management, Nelson City Council and Gary Clark, Transportation Manager, Tasman District Council
Last update:	9 June 2016
Purpose:	To explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance.
Funding available:	Budget and years of funding allocated in Annual Plan/ LTP

STRATEGIC CASE

PROBLEM / OPPORTUNITY SUMMARY

Problem/ Opportunity Statement(s)
<p>Background/ evidence:</p> <ol style="list-style-type: none"> No problems have been identified. Collaboration is being considered as an opportunity to explore possible savings and share knowledge rather than solve specific problems. Evidence of sub-optimal outcomes and opportunities for improved outcomes: <ol style="list-style-type: none"> Tasman District needed to establish an urban maintenance contract for urban level of service to be provided reliably, but ran into difficulty getting reasonable price because their urban areas were not large enough. Tasman has a larger resealing programme per year than Nelson and so over time combined contracts could lead to savings (reduced unit cost) for Nelson. Nelson has a larger paving resurfacing (AC) area than Tasman and there is an increasing likelihood of more paving required in Tasman as a result of urban growth. Tasman therefore could benefit from savings (reduced unit cost) generated by combined contracts for paving/resurfacing. There are examples of some lower cost solutions for activities in one road controlling authority (RCA) compared to another (footpath rehab being procured separate from the maintenance contract and undertaken by smaller contractors with lower cost structures was raised as an example). There is little benefit in collaborating with Marlborough due the topographical separation There is no current opportunity to collaborate with the NZTA highways maintenance as they have recently entered into a long term maintenance contract. <p>Problem/ Opportunity Statement(s):</p> <ol style="list-style-type: none"> Aligning specifications and schedules makes it simpler for the market to provide consistent services and pricing across RCA boundaries.

Indicative Business Case for Urban Road Maintenance Collaboration:

Explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance

Project #:

Problem/ Opportunity Statement(s)
<ol style="list-style-type: none"> Combining activities across RCA boundaries could lead to improved contractor staff efficiencies, for example a reduced number of supervisors needed resulting in reduced unit costs. Alignment of tender programmes could help reduce the cost and maximise competitive response by the market There may be better buying power for urban maintenance contracts when spread across both Nelson and Tasman rather than individually. Greater collaboration will make it easier to deliver consistent one network road classification (ONRC) levels of service between neighbouring Councils Economy of scale could lead to a wider number of opportunities for different procurement strategies leading to reduced costs for both Councils over time Improved collaboration will give more credibility to consideration of wider regional strategic solutions such as 'Top of the South Roads' Improved knowledge sharing across Council roading teams Benchmarking performance across both networks; more ability to 'like-for-like' comparisons Larger contracts may result in bigger contractors, newer and better plant, equipment at a lower cost and retention of skilled people in the region

Photos/ Plans
NA

BENEFITS SUMMARY

Benefit	Rank (H/M/L)	Measure
Consistency of customer experience across the two districts (ONRC)	L	Consistent performance against ONRC measures across Tasman District and Nelson City
Economy of scale and buying power	M	Financial savings
Right sized procurement packaging and realising more options and opportunities	H	Improved contract performance and reduced cost to the market

STRATEGIC CONTEXT

Indicative Business Case for Urban Road Maintenance Collaboration:

Explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance

Project #:

Strategy/ Policy/ Service Level Definition	Contribution
S17A Local Government Act	<i>review the cost effectiveness of current arrangements for providing local infrastructure, services and regulatory functions at regular intervals</i>
Roading Efficiency Group (REG) collaboration	"Provide for benchmarking and information to support "smart buying". Allow for local procurement if appropriate/cost effective. Provide a foundation for possible joint procurement." (ref. REG "Collaboration: Working with each other to achieve shared goals", https://www.nzta.govt.nz/assets/Road-Efficiency-Group-2/docs/collaboration.pdf)

STAKEHOLDERS

Stakeholder	Interest	Consulted?
Operations	Operating and maintaining Councils roading infrastructure asset in a cost effective manner	Yes
Parks and Facilities	NCC Roading include maintenance of many Parks and Facilities hard surfaces under the urban Maintenance Contract	Yes
Council		Yes via 2 x reports
NZTA	External funder	Yes
Contracting industry	Size, form and scope of contracts to be offered to market	Yes – Fulton Hogan (TDC) and Downer (NCC) only as incumbents. Contracts extended to June 2017

RELATED PROJECTS/ STRATEGIES/ ACTIVITIES

Indicative Business Case for Urban Road Maintenance Collaboration:

Explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance

Project #:

Project (ID) or Operational Activity Definition	Implications

STRATEGIC RESPONSE OPTIONS

Options
1. Develop aligned tender timing only, with each Council doing their own thing with no collaboration focused on improving existing contracts and procurement methods
2. The Councils develop a combined procurement strategy that realises additional benefits, such as using the same contract form and specifications and aligning tender timing
3. The Councils enter into service level agreements for different services. For example, Nelson engages a Contractor to do reseals for the region, Nelson manages the contract and Tasman 'buys' the services off Nelson
4. The Councils enter into a shared services arrangement whereby there are 'joint principals' contracts and the management effort is shared relative to the respective Council capabilities
5. The Councils create an entity (Council Controlled Organisation) to manage the road network, such as Marlborough Roads; this could also include State Highways

KEY ASSUMPTIONS

Assumption
Urban road maintenance is not sufficiently significant an activity to consider establishment of a CCO (option 5), and the benefits would not in themselves justify considering amalgamation (option 6) as a solution, therefore these two options will not be considered any further in the Indicative Business Case
Tasman District and Nelson City will work together openly sharing information on existing urban maintenance contracts and associated road maintenance activities in their respective jurisdictions to enable comparison of costs on a like for like basis. This analysis will enable them both to develop an understanding of the financial benefits that can be gained by implementing the various options.
Urban Maintenance Scope boundaries – All of Nelson and Richmond
Other activities e.g. reseals street sweeping, road marking could be across all areas
Option 1 is the baseline 'do nothing' option.

STRATEGIC CASE ASSESSMENT

Indicative Business Case for Urban Road Maintenance Collaboration:

Explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance

Project #:

Recommendation
Options: <ol style="list-style-type: none"> 1. Continue on to complete the Indicative Business Case – include rationale for this and time and \$ estimates for completion 2. Do nothing – no further work required, accept the problem
Approval Name: Alec Louverdis Date: May 2016

Reference Material

Document	Tardis ref
Notes from workshop, dated 11 March 2016, attended by Nelson City and Tasman District Council staff independently facilitated by MWH	

Indicative Case

DECISION CRITERIA

Indicator	Definition	Weight
Staff Cost	Cost to administer maintenance contracts and any associated governance activities	20
Service Cost	Cost to provide service/contract based on 80% of total expenditure (\$)	60
Improved contract performance		20

Indicative Business Case for Urban Road Maintenance Collaboration: Explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance

Project #:

Option	Business Option 1 - do nothing different – Status Quo	Business Option 2 – Combined Procurement Strategy (Shared Procurement)	Business Option 3 – Service Level Agreement for different services	Business Option 4 – Joint Principals Contracts
Detail	Develop aligned tender timing only with each Council doing their own thing and no collaboration focused on improving existing contracts and procurement methods.	Develop a combined procurement strategy that realises benefits, such as using the same contract form and specifications and aligning tender timing. Separate RFTs as standalone documents. Tenderers can provide conditional tenders for multiple contracts. Tenderers can choose to tender for either or both contracts with rates conditional on whether they are awarded one or both of the contracts.	The Councils enter into service level agreements for different services. For example, Tasman engages a Contractor to do reseals for the region, Tasman manages the contract and Nelson 'buys' the services off Tasman. Likewise, Nelson would engage a contractor to do road sweeping for the region with Nelson managing the contract and Tasman 'buying' the service from Nelson.	(Richmond Urban within NCC Maintenance Contract) The Councils enter into a shared services arrangement whereby there are 'joint principals' contracts and the management effort is shared relative to the respective Council capabilities
Benefits	<ul style="list-style-type: none"> No Additional overhead cost (staff time) BAU comfortable flexibility at individual organisation level, both operational and governance 	<ul style="list-style-type: none"> Scope flexibility e.g.: can cope with differences in contract scope and or exclude elements such as reseal. Individual organisation retains operational and governance flexibility – simplify Contractors relationships with Principals. Knowledge sharing during RFT development. Allows tender to demonstrate/achieve economy of sale for resourcing. 	<ul style="list-style-type: none"> Efficient supplier/principal interface Achieve maximum tender box pricing economies/advantages Maximising relevant expertise within and between organisations. Scope flexibility 	<ul style="list-style-type: none"> Economy of scale for suppliers Each Principal can retain control over their 'patch' Knowledge sharing ongoing through contract meetings Enable understanding of future/further opportunities for achieving value through collab.
Dis-benefits	<ul style="list-style-type: none"> Opportunity cost – does not position either Council to seek potential savings No knowledge sharing 	<ul style="list-style-type: none"> Less ongoing knowledge sharing than options 3 and 4. Aligning documentation will take time/resource. 	<ul style="list-style-type: none"> Apparent loss of control for either party. Need to prepare robust service level agreement (SLA) Limited knowledge sharing Managing internal interfaces e.g.: customer interaction, additional layer of communication in CSR Lifecycle Aligning documentation will take time/resource 	<ul style="list-style-type: none"> Less management efficiency than #3 in terms of supplier/principal relationship Supplier getting mixed messages/conflicting instructions. Aligning documentation will take time/resource.
Costs	<ul style="list-style-type: none"> Being the 'do nothing different' option no changes to costs other than general market movement are expected. Current maintenance and renewal spend is approximately \$4.4M per year for Nelson and \$1.2M for Richmond including road cleaning and line marking. 	<ul style="list-style-type: none"> Staff cost for both organisations to develop consistent RFT. Estimate \$20K. Increased evaluation costs. Estimate \$10K. Potential for cost savings if both contracts awarded to same large contractor that can achieve economies of scale or conversely if two smaller contracts are more attractive to the market due to smaller contractors having a lower cost structure. 	<ul style="list-style-type: none"> Cost of preparation of tender documentation + SLA estimated at \$40K. Based on a day a week in additional effort \$40-60K per year for each organisation for ongoing management and governance. Due to the significant dependency on the market conditions at the time of tender, it is not possible to calculate an expected savings figure. 	<ul style="list-style-type: none"> Cost of preparation of tender documentation + management framework estimated at \$40K. Based on a day a week in additional effort \$40-60K per year for each organisation for ongoing management and governance. Additional governance cost. This is very uncertain and as a result no estimate of the cost is provided other than at least an additional staff member for each organisation is likely to be needed. Due to the significant dependency on the market conditions at the time of

Indicative Business Case for Urban Road Maintenance Collaboration: Explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance

Project #:

Option	Business Option 1 - do nothing different – Status Quo	Business Option 2 – Combined Procurement Strategy (Shared Procurement)	Business Option 3 – Service Level Agreement for different services	Business Option 4 – Joint Principals Contracts
				tender, it is not possible to calculate an expected savings figure.
Timescale	<ul style="list-style-type: none"> June/July report to Council 2016 Prepare RFT's June/Sept 2016 Advertise RFT's Oct/Nov 2016 Evaluate Dec 2016 Report to Council Jan/Feb 2017 Commence July 2017 	<ul style="list-style-type: none"> June/July report to Council 2016 Prepare RFT's June/Oct 2016 Advertise RFT's Nov/Dec 2016 Evaluate Jan 2017 Report to Council Feb/Mar 2017 Commence July 2017 	<ul style="list-style-type: none"> June/July report to Council 2016 Prepare RFT's June/Oct 2016 Advertise RFT's Nov/Dec 2016 Evaluate Jan 2017 Report to Council Feb/Mar 2017 Commence July 2017 	<ul style="list-style-type: none"> June/July report to Council 2016 Prepare RFT's June/Oct 2016 Advertise RFT's Nov/Dec 2016 Evaluate Jan 2017 Report to Council Feb/Mar 2017 Commence July 2017
Risks	<ul style="list-style-type: none"> Co-funder could restrict future maintenance fund applications as TDC/NCC not taken opportunity to achieve value for money 	<ul style="list-style-type: none"> Risk of capture of the market by a single supplier resulting in reduced VFM over time. Risk to local suppliers if larger or aggregated contracts across the Districts If collaboration results in more smaller and specialised contracts Councils may lose the benefit of the emergency management coordination of the larger suppliers such as Downer/FH. That regardless of benefits that could be realised from collaboration a political decision may either force it to happen or prevent it from happening. Cross-subsidy may need to be resolved eg South Canterbury. Inability to agree on specs TDC/NCC could result in failure of this model. 	<ul style="list-style-type: none"> Does LGA or LTMA allow this? Contractors may place 'price premium' on contracts because of uncertainty around who is making decisions and lack of clarity on governance Risk of capture of the market by a single supplier resulting in reduced VFM over time. Risk to local suppliers if larger or aggregated contracts across Districts If collaboration results in more smaller and specialised contracts Councils may lose the benefit of the emergency management coordination of the larger suppliers such as Downer/FH That regardless of benefits that could be realised from collaboration a political decision may either force it to happen or prevent it from happening Potential that inconsistent levels of service compared with ONRC across jurisdictions will result in one Council subsidising another in some way That savings identified to be realised by collaboration are offset by increased management / governance costs "Playing favourites" or political fears of one party receiving poorer service. Inability to agree on specs TDC/NCC could result in failure of this model. 	<ul style="list-style-type: none"> Contractors may place 'price premium' on contracts because of uncertainty around who is making decisions and lack of clarity on governance. Risk of capture of the market by a single supplier resulting in reduced VFM over time. Risk to local suppliers if larger or aggregated contracts across Districts If collaboration results in more smaller and specialised contracts Councils may lose the benefit of the emergency management coordination of the larger suppliers such as Downer That regardless of benefits that could be realised from collaboration a political decision may either force it to happen or prevent it from happening. Potential that inconsistent levels of service compared with ONRC across jurisdictions will result in one Council subsidising another in some way That savings identified to be realised by collaboration are offset by increased management / governance costs
Option Rank	2	1	3	4
Rationale	Low risk, low cost, no additional benefits	Low risk, low cost, potential for moderate benefits.	High risk, high level of uncertainty with cost, moderate benefit	High risk, high level of uncertainty with cost, moderate benefit

Indicative Business Case for Urban Road Maintenance Collaboration:

Explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance

Project #:

OTHER ALTERNATIVES CONSIDERED

Options
The Councils create an entity (Council Controlled Organisation) to manage the road network, such as Marlborough Roads; this could also include State Highways

Indicative Business Case for Urban Road Maintenance Collaboration: Explore the benefits of collaboration between Nelson City Council and Tasman District Council for Urban Road Maintenance

Project #:

PREFERRED WAY FORWARD
Business Option 2 – Combined Procurement Strategy (Shared Procurement)
Summarise Implementation Plan
Team/ person to manage the project, approach to procurement and delivery
Approval
Name:
Date:

Road Stopping - Brook Recreation Reserve - Referral to Council

1. Purpose of Report

- 1.1 To refer the Committee's delegation regarding road stopping in Council, in regards to the stopping of the road reserve at the Brook Recreation Reserve.

2. Delegations

- 2.1 The Works and Infrastructure Committee has delegated authority to perform all functions, powers and duties relating to the operation of roads conferred on Council by relevant legislation. The Committee has the power to hear and consider applications for road stopping.

3. Recommendation

THAT the report Road Stopping - Brook Recreation Reserve - Referral to Council (R6043) be received;

AND THAT the Works and Infrastructure Committee refer its delegation regarding road stopping to Council, in respect of the proposal to stop the road reserve at the Brook Recreation Reserve.

4. Background

- 4.1 Matters relating to the Brook Recreation Reserve have been considered by full Council ever since the Community Services Committee referred this matter to Council due to the level of public interest.
- 4.2 On 15 October 2015, Council resolved to adopt the Brook Recreation Reserve Management Plan in principle. Included in that resolution was an action relating to road stopping:

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

AND THAT the Chief Executive be delegated authority to Gazette the entire area covered by the Brook Recreation Reserve Management Plan, as shown on plan (A1438749), as a Local Purpose Reserve (Recreation); and the road reserve which extends into the Sanctuary lease area as Local Purpose Reserve (Wildlife Sanctuary), noting this will be subject to separate statutory processes under the Reserves Act 1977;

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

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

5. Discussion

- 5.1 The next stage of the process to enable the Brook Recreation Reserve Management Plan to take effect is to consider gazettal and road stopping matters.
- 5.2 As full Council has previously considered matters relating to the Brook Recreation Reserve, it is proposed that the gazettal and road stopping information is dealt as one item and presented to Council at its meeting on 28 July 2016.
- 5.3 To enable consistency of decision-making and ensure good process, it is recommended that the Works and Infrastructure Committee refer its delegation for road stopping to Council, in relation to the stopping of road reserve at the Brook Recreation Reserve.

6. Options

- 6.1 Option 1: Refer to Council the Committee's delegation regarding road stopping so this matter can be considered by Council on 28 July 2016. This is the recommended option, in order to ensure that the matter is considered in a consistent and efficient manner.
- 6.2 Option 2: Do not transfer to Council the delegation regarding road stopping. This option would likely result in a less efficient process as the matter would need to be considered at the next Works and Infrastructure Committee meeting on 4 August 2016, then by Council on 8 September 2016.

7. Alignment with relevant Council policy

- 7.1 This recommendation aligns with Council's Delegations Register.

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 No consultation is required with regards to this decision.

10. Inclusion of Māori in the decision making process

- 10.1 There is no requirement to include Māori in this decision-making process as it is purely a procedural decision.

Alec Louverdis
Group Manager Infrastructure

Attachments

Nil

80 Scotia Street Road Stopping

1. Purpose of Report

- 1.1 To decide whether to proceed the Stopping of the Road at 80 Scotia Street to a Council Hearing and/or to the Environment Court.

2. Delegations

- 2.1 The Works and Infrastructure Committee has delegated authority to perform all functions, powers and duties relating to the operation of roads conferred on Council by relevant legislation. The Committee has the power to hear and consider applications for road stopping.

3. Recommendation

THAT the report 80 Scotia Street Road Stopping (R6050) and its attachments (A1529664, A1532866 and A1538842) be received;

AND THAT a Hearing Panel of the Works and Infrastructure Committee be delegated to hear and consider objections to the proposed Road Stopping at 80 Scotia Street in accordance with the attached Terms of Reference (A1538842);

AND THAT the Chairman of the Works and Infrastructure Committee and Councillors _____ and _____ be appointed to the Hearing Panel, with Councillor _____ as alternate.

4. Background

4.1 In 2013 Council was approached by the owner of 80 Scotia Street to sell part of the road reserve on Scotia Street, shown on Attachment 1, to provide access to a rear section to enable the building of a residence.

4.2 At a Council meeting in May 2013 it was resolved:

THAT the Chief Executive be delegated the authority to proceed with the road stopping of 85.87m² of unformed legal road adjoining the eastern boundary 80 Scotia Street (Lot 35 DP2049), and to sell that land to the adjoining owners as an amalgamated title, subject to the outcome of the public consultation required under the Local Government Act 1974, and the owners paying:

- an initial administration fee of \$600 plus GST;

- the value of the land as assessed by a registered valuer;

- all costs associated with the legal road stopping which may include valuation costs, legal costs, survey costs, Land Information New Zealand costs, public notification costs, hearing costs and /or consultants, Environment Court hearing costs and administration costs in excess of the \$600 deposit referred to above.

4.3 Resource Consent RM 135288 was issued in December 2013 for the residence subject to the road stopping and purchase of the land fronting Scotia Street from Nelson City Council.

5. Discussion

Objections

5.1 Council initiated the road stopping procedure in 2014, through public notification, and seven objections were received.

5.2 Officers have contacted the objectors to understand their concerns, and to explore any options for resolutions.

5.3 One objection has been withdrawn, and as at 26 May 2016 three objectors have confirmed they wish to continue with their objection and three have not responded.

5.4 The objections and officer comments are detailed in Attachment 2. The main issue of concern raised by the objectors is based on the location of the proposed driveway on the corner which they consider is already dangerous, particularly due to visibility and lack of footpath.

5.5 Under Schedule 10, Section 5 of the Local Government Act 1974, if the objections cannot be resolved, the objections and plans must be sent to the Environment Court for resolution.

Road Safety Review

- 5.6 **Crash History:** There have been no recorded crashes on this corner in the last 5 years.
- 5.7 **Visibility:** The Nelson City Council Land Development Manual requires domestic driveways to have 45m sight visibility. This can be achieved in all directions; however, as an added precaution the vegetation will be cut back along the bank alongside No 53 to improve the visibility around the corner for all road users.
- 5.8 **Vehicle speeds:** The curvilinear approaches along Scotia Street to this location result in local drivers understanding the road conditions. A recent speed survey indicated the majority (85%) of drivers use this area at speeds below 46kph.
- 5.9 **Lack of footpaths:** This section of road is currently included in the new footpaths prioritised programme for a single footpath on the western side. However due to the high cost involved to construct the required retaining walls and the relatively low pedestrian use it is not expected funds will be allocated to this project within the next 10 years.
- The design of the road reserve adjacent to the area to be stopped does however include the applicant providing a 1.5m bench for Council to build a footpath at a future date without the need for costly retaining structures by the ratepayer.
- 5.10 **Pedestrian Safety:** Whilst there have been no recorded crashes involving pedestrians in this area in the last 5 years, it is accepted it is not a pedestrian "friendly" environment and that pedestrian levels of service are low which can be expected to deter use by pedestrians of all ages. The road is approximately 5.8m wide with banks and vegetation along the carriageway edges. Officers will assess the addition of this section of road to the Homezone project list, which is prioritised as part of the Minor Improvement budget.

6. Options

- 6.1 Under the Local Government Act there are 4 options to handle objections to a Road Stopping as shown in the following table:

Option	Action	Effect
1	Consider objections without holding a hearing. Uphold any or all of the objections.	Road Stopping process halted and applicant advised.
2	Consider objections without holding a hearing. Reject all of the objections.	Road Stopping process continued and application referred to the Environment Court.

3	Hold a Hearing to further consider objections. Uphold any or all objections	Road Stopping process halted and applicant advised.
4	Hold a Hearing to further consider objections. Reject all objections	Road Stopping process continued and application referred to the Environment Court.

- 6.2 Whilst the Local Government Act does not expressly require a hearing of objections to be held, it is good practise to provide objectors an opportunity to be heard and Council procedures include that step.
- 6.3 If this is the option chosen then Terms of Reference (TOR) for the Hearing Panel is required and a draft TOR is shown in Attachment 3.
- 6.4 If a Hearing Panel is established, it is proposed the hearing will take place mid July 2016, with a separate deliberations and decision-making meeting by the end of July 2016.
- 6.5 Officers consider the safety of the corner and the proposed driveway is within design standards, however, can understand adjacent residents' concerns regarding the safety of the pedestrians. Officers do not consider the additional driveway will make the existing safety issues for pedestrians worse around that bend as driveway users will have clear visibility of pedestrians on the corner.
- 6.6 The applicant wishes to proceed and has accepted that all costs incurred in proceeding to a Council Hearing or Environment Court would be paid by them.

7. Alignment with relevant Council policy

- 7.1 The recommendations in this report align with the Community Outcomes in the LTP – "Our infrastructure is efficient, cost effective and meets current and future needs."
- 7.2 The recommendations in this report are not inconsistent with the objectives in the Regional Land Transport Plan.

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

- 8.1 Any decision to stop this section of road reserve is not significant in terms of Council's Significance and Engagement Policy.

9. Consultation

- 9.1 This Road Stopping was advertised in accordance with the requirements of the Local Government Act 1974, Section 342, Schedule 10.
- 9.2 No further consultation or advertisement is proposed beyond liaising with the current objectors and consideration of holding a hearing of objectors.

10. Inclusion of Māori in the decision making process

10.1 No specific consultation with Māori has been undertaken.

11. Conclusion

11.1 Officers recommend that the Works and Infrastructure Committee delegate the matter of hearing and deliberating of objections to the Road Stopping of 80 Scotia Street to a Hearing Panel.

Rhys Palmer

Senior Asset Engineer - Transport and Roading

Attachments

Attachment 1: Plan of Road Stopping 80 Scotia St - A1529664

Attachment 2: 80 Scotia St, Road Stopping, Table of Objections - A1532866

Attachment 3: Terms of Reference - A1538842



Attachment 2

Summary of Objections.

Objection	Summary	Officer comments	Response
1	<p>The road has heavy traffic use/blind corner</p> <p>No footpath on either side of road where children regularly walk to local school</p> <p>Dangerous narrow road, garage and driveway will make blind corner more dangerous</p> <p>Where will contractors park</p> <p>Have had several near misses, due to fast traffic, driveway will increase danger</p> <p>Please think very seriously about this, we think the facts would show a new driveway would be extremely dangerous.</p>	<p>Traffic volumes are between 450 and 550 vehicles per day with up to 70 vehicles in the peak hours.</p> <p>Drivers using new driveway will have good visibility of any pedestrians.</p> <p>Agreed no footpath, has been identified in the asset deficiency register. Is on 10 year plan for footpath.</p> <p>No recorded crash statistics. (update)</p> <p>Not considered additional driveway will result in increased crash statistics</p> <p>Contractors will be subject to a traffic management plan and Parking traffic rules.</p>	No response to date
2	<p>Already a dangerous corner, narrow and no footpaths. Family drive, bike, scooter and walk this road every day, experience many near misses, another driveway would certainly lead to accidents</p>	As above	Continue objection
3	<p>Already a dangerous corner, narrow and no footpaths. Family drive, bike, scooter and walk this road every day, experience many near misses, another driveway would certainly lead to accidents</p>	As above	Continue Objection
4	<p>Major issue is heavy traffic especially between 8-9am</p> <p>Children walk and bike to school along this section</p>	As above	Continue objection and wishes to be heard if Hearing Panel held.

	<p>Blind corner requires extreme care</p> <p>No footpath on either side</p> <p>Will there be two cars if house is built?</p> <p>Will there be onsite turning?</p> <p>Where will construction traffic park?</p> <p>We have lived here for 20 years, vehicles drive fast around this corner and 2 incidents of cars hitting the bank in this area</p> <p>Please think very seriously about this as the safety of our children is at risk.</p>		
5	The corner is extremely dangerous and it would be irresponsible to allow it to go ahead	As above	No response to date
6	The corner is extremely dangerous and it would be irresponsible to allow it to go ahead	As above	No response to date
7	The corner is extremely dangerous and it would be irresponsible to allow it to go ahead	As above	Objection withdrawn but continued concerns over lack of footpaths.

80 Scotia St Road Stopping Hearing Panel

Terms of Reference

1. Purpose

The 80 Scotia Street Road Stopping Hearing Panel was established by the Works and Infrastructure Committee at its meeting on 23 June 2016.

The purpose of the Panel is to hear, consider and decide on the objections received when the proposed Road Stopping for 80 Scotia Street was advertised.

2. Membership

The Hearing Panel is comprised of three Councillors: Cllr (Chairperson), Cllr and Cllr, with Cllr as an alternative.

3. Objections Considered

All objectors will be invited to attend the Hearing.

At the deliberations and decision-making meeting, all six objections will be considered whether or not the objector responds or attends the hearing.

Neither the applicant nor the public will be invited to attend either meetings.

4. Quorum

The quorum should be no less than two members.

5. Areas of Responsibility

The Hearing Panel has responsibility to hear, consider and decide on the objections to the Road Stopping proposed at 80 Scotia Street.

6. Powers to decide

The Works and Infrastructure Committee at its meeting on 23 June 2016 transferred its delegations for this matter in full to the Hearing Panel.

If any of the objections are allowed, the Panel has authority to stop the Road Stopping process and the applicant will be informed the road reserve is not available for their development. If the Panel rejects all of the objections, the Panel will refer the case to the Environment Court.

7. Powers to recommend

The Panel has the power to refer the case to the Environment Court if all objections are rejected. The Panel has no powers to recommend to Council on this matter.

8. Role of the Hearing Panel

- To consider all six objections to the Road Stopping of 80 Scotia Street.
- To hear those objectors who wish to speak to their objections.
- To decide whether to allow or reject each objection and consequently to either stop the road stopping process or to refer the case to the Environment Court.

9. Role of the Chair

- To review the agenda with staff prior to the Hearing Panel meetings,
- To chair meetings according to the agreed agenda and to assist the Hearing Panel to reach consensus on the objections,
- To act as spokesperson for the Hearing Panel,

10. Role of staff

Staff to provide technical expertise, and administrative support to the Hearing Panel. Their role is to:

- Provide advice to enable full consideration of the objections before the Hearing Panel;
- Providing advice to the Hearing Panel on legal and statutory issues and obligations;
- Provide technical advice on the issues raised in the objections;
- Prepare and distribute agendas for the Hearing Panel meetings
- Maintain records of process used, key decisions made by the Hearing Panel and reasons for decisions, so that the decision making process can be clearly understood.

11. Conflicts of Interest

Conflicts of interest should be declared prior to the start of the Hearing Panel meeting.

12. Reporting

- Notes of Hearing Panel meetings will be taken

Church Street Concept Proposal

1. Purpose of Report

- 1.1 To receive the Church Street redevelopment proposal from the owners/businesses of Church Street, and for their concept to be used to gain wider stakeholder feedback.
- 1.2 To approve the allocation of Central Business District (CBD) Enhancement budget to progress engagement with stakeholders and the design development of an upgrade to Church Street in the CBD.

2. Delegations

- 2.1 This is a matter for the Works and Infrastructure Committee as it has powers to decide on all functions, powers and duties relating to roads.

3. Recommendation

THAT the report Church Street Concept Proposal (R6058) and its attachments (A1473241 and A1473250) be received;

AND THAT \$75,000 be allocated from provision in the 2016/17 CBD Enhancement budget to engage with stakeholders and develop a design for the upgrade of Church Street in the 2016/17 financial year;

AND THAT the developed design be brought back to the Works and Infrastructure Committee for approval prior to construction;

AND THAT construction be prioritised in future Annual/Long Term Plans.

4. Background

- 4.1 An amount of \$406,525 is allocated in the 2016/17 Annual Plan for CBD enhancement. This budget is not currently allocated to any specific project.

- 4.2 The Long Term Plan established a CBD Panel to provide feedback on priorities for enhancement of the CBD. The panel has been supportive of the Church Street upgrade as one of a number of projects they were interested in Council pursuing. However, Uniquely Nelson submitted against the Church Street proposal in the 2016/17 Annual Plan process, proposing instead more work on Upper Trafalgar Street, Bridge Street and Hardy Street. Uniquely Nelson felt that there should be a clear route for visitors to travel into the CBD via Trafalgar Street not Church Street.
- 4.3 A Council workshop followed by a report is planned to determine the overall scope of the CBD Enhancement works once the CBD Panel has determined its recommended priorities.
- 4.4 The Church Street businesses and landowners have met twice and propose working with Council to improve the streetscape of Church Street. They have indicated that they may contribute to some of the costs associated with creating an outdoor dining area. Their vision for the space is shown in Attachment 1.
- 4.5 A Church Street upgrade was originally proposed through Heart of Nelson as it forms an important link for pedestrians between the accommodation and conference facilities at the Rutherford Hotel and the CBD. This was to include verandah provision, footpath and road improvement, and encouraging outdoor seating. Heart of Nelson saw Church Street as a hub of cafes and bars that, with improved amenity would form an important pedestrian link. The Heart of Nelson proposal is included as Attachment 2.

5. Discussion

- 5.1 Whilst there is likely to be sufficient budget in the CBD Enhancement account to undertake the project in 2016/17 it is best practice to plan projects of this nature to be delivered over several years to enable the design to be developed alongside the stakeholders and constructed during the quiet business months. It is recommended that stakeholder engagement and design development be undertaken in 2016/17 with procurement and construction occurring in 2017/18. A budget of \$10,000 is recommended for the stakeholder engagement and \$65,000 for the design development in 2016/17.
- 5.2 Provision to project manage this project has been made by the Capital Projects Team for 2016/17.
- 5.3 The associated link to Montgomery Carpark from the Church Street Hardy Street area could be developed in concept as part of the Church Street development with design and construction funding considered by the CBD Enhancement Panel and Council in the 2017/18 Annual Plan.

Design Considerations

- 5.4 The Church Street businesses and landowners concept proposes a different design aesthetic to that of Trafalgar Street, using corten steel planters rather than Victorian styled bollards and chains to separate the outdoor dining from the roadway. The reason for this is that Church Street does not have the heritage buildings that Trafalgar Street does thus a more contemporary design aesthetic could be adopted.
- 5.5 An upgrade to Church Street in addition to the increased outdoor seating area proposed by the businesses and landowners should also consider;
- Thresholds at each end of the street to reinforce it as a people dominate space with a slow speed environment;
 - Upgrading the lighting to current standard;
 - Widening of the footpath(s) to better accommodate pedestrian movement in the street.

Private Funding

- 5.6 It is normal practice that the construction of outdoor dining facilities is at the cost of the business that benefits from them. The costs normally include the outdoor furniture, bollards and associated paving as well as a bond for the removal and reinstatement. A lease for use of the space is also payable.
- 5.7 5 Church Street currently occupied by Kush Café already has an outdoor dining space that was constructed at the landowners/occupiers cost.
- 5.8 The Church Street businesses and landowners propose contributing the corten steel planters and outdoor dining furniture, along with signing up to lease the space. They propose Council fund the paving in the vicinity of the outdoor dining space. Council has previously funded paving when it upgraded the top of Trafalgar Street. The paving in the dining area is estimated to cost in the order of \$20,000.
- 5.9 The rough order cost estimate for the entire street upgrade is estimated to be \$400,000 to \$500,000. The out turn cost is heavily dependent on the quality of material used and extent of the works.

6. Options

- 6.1 The recommended option is to work with Church Street businesses, landowners and stakeholders to implement an upgrade to Church Street. The upgrade design would be in general accordance with the privately developed concept included as attachment 1, but also consider widening of the footpaths, a lighting upgrade and threshold treatments at each end of the street.

- 6.2 The alternative option is to wait for the outcome of the councillor workshop and subsequent report to determine the CBD Enhancement priorities/programme of work.

7. Alignment with relevant Council policy

- 7.1 Council contributing to the development of outdoor dining areas in Church Street has the potential to be inconsistent with Council Policy as discussed in section 5.6 to 5.8 of this report.
- 7.2 This decision is not inconsistent with any other previous Council decisions.

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 general public have not been consulted on the specifics but a Church Street upgrade was signalled for investigation in the draft 2016/17 Annual Plan.
- 9.2 Consultation with representatives of the Church Street businesses and landowners has been undertaken to inform this report as they approached Council in the first instance. Continued consultation with all owners and occupiers along with other stakeholders would be undertaken in the design development stage.

10. Inclusion of Māori in the decision making process

- 10.1 No specific consultation with Māori has been undertaken.

11. Conclusion

- 11.1 There is an engaged group of businesses and landowners who wish to see their street upgraded and have prepared schematic plans at their cost. Representatives of the group have signalled that they are willing to contribute to some of the costs of improving the outdoor dining area.
- 11.2 Council has allocated \$ 406,525 to CBD Enhancement through the 2016/17 Annual Plan. No specific project allocation has been made.
- 11.3 It is recommended that \$75,000 be allocated to Church Street in 2016/17 to employ a consultant to engage with stakeholders and develop the design.
- 11.4 Officers recommend bringing the design back to Committee for approval prior to construction.

Rhys Palmer
Senior Asset Engineer - Transport and Roading

Attachments

Attachment 1: Church Street Businesses and Owners proposal - A1473241

Attachment 2: Heart of Nelson Church Street -A1473250

CHURCH ST DEVELOPMENT

HISTORY

In september 2015 a meeting was organised by John McCaughtry and Gary Cox to discuss the possible future development of Church St. See minutes of meeting attached.

It was agreed that Tony Karsten would document a possible upgrade/ development of Church St and present this to NCC for feedback etc.

Another meeting was held in october to discuss possible different ideas, views.

The general consensus is that a paved area similar to Trafalgar St with seating on the street outside the cafes would greatly enhance the streetscape and change the dynamic of the street.

DESIGN VISION OF BUSINESS/ BUILDING OWNERS

We feel that Church St has real potential for development due to its location and due to the mix of business's within Church St. This proposal has been triggered to some degree by the introduction of East St Cafe to the street. We feel that the mix of cafes/ business's in the street are characteristic of the Nelson region and that as Church St is not a busy traffic lane it has potential to benefit greatly from our proposal.

We feel that this proposal is realistic, eg, some members of the group would like to see the entire street paved and blocked off to traffic, consideration has been taken that this would create adverse effects to some business's and what we are proposing could be the first step towards a possible pedestrian only area.

We feel that Church St does not need to be decorated with the same style bollards/ chains as Trafalgar St. Church St does not have the number of heritage buildings that upper Trafalgar St has, and we feel the furniture/ decoration could be more contemporary than Trafalgar St.

There appears to be a need for bicycle parking in the street also, most days there are 3-4 bikes locked to the chain bollards.

Other ideas discussed at the meeting:

-possibility of blocking the street off for a day for 'the Church St Festival'

-hanging sculpture that could be changed every 2-3 years, with a sculpture competition.

POSSIBLE CONTRIBUTIONS BY BUSINESS/BUILDING OWNERS

-The general consensus at this stage is that business/building owners would fund the corten steel planters and their own permanent or movable furniture.

Until this is designed and priced no-one is able to firmly commit to this.

The furniture/ planters would be a uniform design for all 3 cafes and the design would be approved by NCC.

We feel that street art such as a sculpture would be a great asset to the street and could be supplied/funded by the group.

CORTEN STEEL PLANTERS SHOWN IN IMAGES

Corten is a weathering steel. This material is a corrosion resistant steel, that left uncoated develops an outer layer patina. This patina protects the steel from additional corrosion. It is proposed that these be (tru-bolt) fixed to the paving and filled with soil. These could possibly be removed. These planters create a barrier to the traffic lane and privacy in the outdoor dining areas. Planters shown are 2.4m long, 600mm wide, 800mm high. A practical, grass/plant is to be specified by a landscape architect.



MEMBERS WHO ATTENDED MEETINGS

Name	Business	Address	Email	Phone
Kay & Kew Solomon	Hardy Church St Landlord	162 Hardy St	north.west@xtra.co.nz	0272335119
John Dawson	Equilibrium	10 Church St	john@equilibriumnelson.nz	0212350523
Nicky & Ross	Nicola's	6 Church St	nicolacantrick@yahoo.com	0212274178
Andy	Kush	5 Church St	kushcoffee@clear.net	021452922
Hayden Thomas	Equilibrium	10 Church St	hayden@equilibriumnelson.nz	0272999939
Cher Williscroft	Conflict Management Ltd	Church St	cher@conflictmanagement.co.nz	5452567
Tony Karsten	Karsten Architectural	6 Church St	tony@kad.co.nz	5391066
Halfdan Hansen	Jens Hansen	10-12 Church St	halfdan@jenshansen.com	0212993380
Brian Jove	Beaches and Bays Kaiteriteri Ltd	Cnr Hardy/ Church St	beebes@xtra.co.nz	5482109
John McCaughtry	Port Hills Counselling	5 Church St	shandoss@xtra.co.nz	0212331917
Gary Cox	HR Brokering Ltd	5 Church St	hrbrokering@gmail.com	021548273
	East St Cafe	Church St		

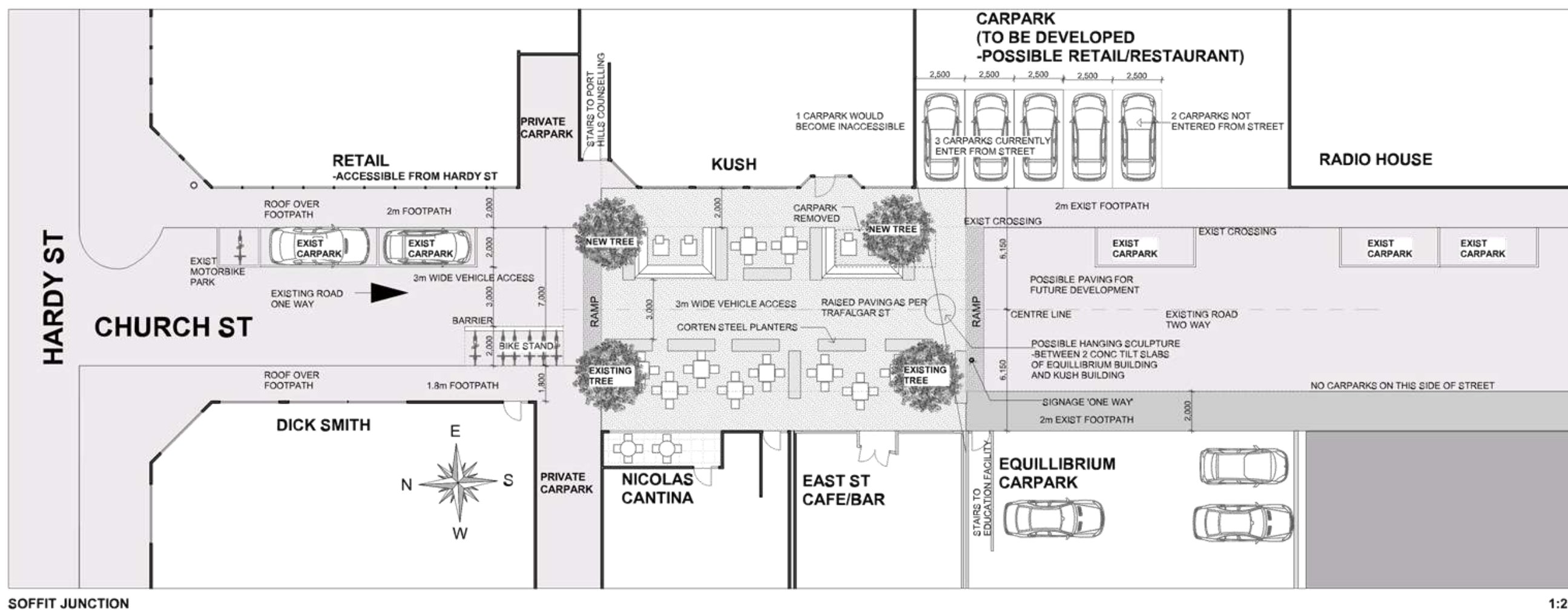




PROPOSED VIEW SOUTH



PROPOSED VIEW NORTH



CHURCH ST, PROPOSED DEVELOPMENT

8/12/2015



02



B.11 Undertake façade improvements along Church St, along linkages to the future Performing Arts Centre, within Rutherford Mews, including canopy provision (protection from the elements) to encourage outdoor seating. Develop plans for improved linkages to Performing Arts/Conference Centre if established on proposed site.

What is the issue?

Recognition of built heritage and streets which can benefit from upgrade of the existing built fabric. Improved and safer pedestrian linkages from the CBD to the Rutherford Hotel and proposed Performing Arts/Conference Centre.

Explanation: Church Street is emerging as a small hub of cafes and bars in a laneway-type area. Initiatives to provide an upgrade with a coherent design and better amenity are favoured (including verandahs/canopies for weather protection). Church Street is an important pedestrian linkage between the CBD and the Rutherford Hotel and the proposed Performing Arts Centre. There are also opportunities for amenity upgrades and improved linkages through Rutherford Mews which are best explored once plans for the conference centre and the Performing Arts Centre are further developed.

Options:

- Do nothing
- Focus investment on undertaking Council initiated façade improvements along Church St
- Provide incentives to private land owners along Church St to carry out façade improvements e.g. paint provision, architectural/builder guidance
- Work with landowners in vicinity of Rutherford Mews
- Investigate safer crossing options of Selwyn Place once location of Performing Arts/Conference Centre is finally confirmed.

Preference:

Establish a coherent design scheme for Church Street which provides protection from the weather, outdoor dining opportunities and improves street amenity. Given their existing qualities, existing heritage buildings such as Fifeshire House and Flame Daisy fit in well with the emerging quality characteristics displayed by the street (Note: heritage buildings should not have unsympathetic façade alterations). This street is also an important connection between the CBD and the Rutherford Hotel and proposed Performing Arts/Conference Centre. Work with landowners in vicinity of Rutherford Mews. Investigate safer crossing options of Selwyn Place once location of Performing Arts/Conference Centre is finally confirmed.

Implementation:

Funded through Council CAPEX contributions through the Annual Plan process.