



AGENDA

Ordinary meeting of the

Sports and Recreation Committee

**Tuesday 4 April 2017
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership: Councillor Tim Skinner (Chairperson), Her Worship the Mayor Rachel Reese, Councillors Ian Barker, Mel Courtney, Kate Fulton, Brian McGurk, Mike Rutledge (Deputy Chairperson) and Stuart Walker

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 Councillor Brian McGurk and 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 21 February 2017 **7 - 16**

Document number M2346

Recommendation

That the Committee

Confirms the minutes of the meeting of the Sports and Recreation Committee, held on 21 February 2017, as a true and correct record.

6. Status Report - Sports and Recreation - 4 April 2017

16 - 22

Document number R7444

Recommendation

That the Committee

Receives the Status Report Sports and Recreation Committee 4 April 2017 (R7444) and its attachment (A1664423).

7. **Chairperson's Report**

8. **Network Tasman Easements - Railway Reserve,
Nelson Airport and Highview Reserve**

23 - 33

Document number R7243

Recommendation

That the Committee

Receives the report Network Tasman Easements - Railway Reserve, Nelson Airport and Highview Reserve (R7243) and its attachments (A1725409, A1730653 and A1725412).

Recommendation to Council

That the Council

Grants the easement in gross, meaning granting the easement to Nelson City Council rather than to property, in favour of Network Tasman Limited over the area shown on the plan marked "A" (Attachment One, A1725409) of the Railway Reserve with all legal costs associated with the easement over Railway Reserve to be met by Proper Snack Foods Limited; and

Grants the easement in gross, meaning granting the easement to Nelson City Council rather than to property, in favour of Network Tasman Limited over the area shown on the plan marked "B" (Attachment Two, A1730653) of the Nelson Airport with all legal costs associated with the easement over the Airport to be met by Nelson Airport as tenant; and

Grants the easements in gross, meaning granting the easement to Nelson City Council rather than to property, in favour of Network Tasman Limited over the area on the plan marked "C" (Attachment Three, A1725412) of the Highview Reserve with all legal costs associated with the easements over Highview Reserve to be met by KB Quarries Limited; and

Confirms the easements be agreed to under section 48(1) (d) of the Reserves Act 1977, acting pursuant to a delegation from the Minister of Conservation.

PUBLIC EXCLUDED BUSINESS

9. Exclusion of the Public

Recommendation

That the Committee

Excludes the public 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	Sports and Recreation Committee Meeting - Public Excluded Minutes - 21 February 2017	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
2	Status Report - Sports and Recreation - 4 April 2017	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	Brook Valley Motor Camp and Tahuna Beach Holiday Park - guidance for lease tenders	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)

10. Re-admittance of the public

Recommendation

That the Committee

Re-admits the public to the meeting.

Note:

- **Youth Councillors Jenna Stallard and Jamie Morgan will be in attendance at this meeting.**

Minutes of a meeting of the Sports and Recreation Committee

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

On Tuesday 21 February 2017, commencing at 10.49am

Present: Councillor T Skinner (Chairperson), Her Worship the Mayor R Reese, Councillors I Barker, M Courtney, B McGurk, M Rutledge (Deputy Chairperson) and S Walker

In Attendance: Councillors M Lawrey, P Matheson and G Noonan, Chief Executive (C Hadley), Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Group Manager Corporate Services (N Harrison), Administration Adviser (S Burgess), and Nelson Youth Councillors (A James and L-J Amos)

Apologies: Councillor K Fulton for attendance, and Her Worship the Mayor R Reese for early departure

1. Apologies

Resolved SPO/2017/011

That the Committee

Accepts and receives the apologies from Councillor Fulton for attendance, and Mayor Reese for early departure.

Barker/Rutledge

Carried

Attendance: The meeting adjourned from 10.50am to 11.04am.

2. Confirmation of Order of Business

The Chair noted there was a change to public forum speakers, as well as an additional public forum presentation.

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 Tony Davies - Save the Maitai Track Group

Mr Davies gave a PowerPoint presentation (A1721115) regarding the consultation for Council's Active Travel and Pathway based Recreation Policy. He suggested that the consultation was unrepresentative, there was a lack of data, and too much weight had been placed on feedback from small advocacy groups.

Attachments

- 1 A1721115 - Tony Davies - Save the Maitai Track Group PowerPoint

4.2 David Ayre - Friends of the Maitai

Mr Ayre provided a handout (A1721180) and spoke about the desire of Friends of the Maitai to have the park area alongside the Maitai River from Trafalgar Street to Nile Street be formally named so it can be given an identity and be celebrated.

Attachments

- 1 A1721180 - David Ayre Friends of the Maitai Handout

4.3 Garry Adcock, Kohatu Board

Garry Adcock of the Kohatu Board gave a PowerPoint presentation (A1721184) and provided a handout (A1721187) regarding the Kohatu Park Development. He provided background information and responded to questions from the Committee regarding noise, finance and other facilities across New Zealand.

Attachments

- 1 A1721187 - Garry Adcock Kohatu Park Board Handout
- 2 A1721184 - Garry Adcock Kohatu Park Board PowerPoint

4.4 Nigel Gibbs and John Gilbertson, Nelson Society of Modellers

Mr Gibbs tabled and read from a handout (A1721206) regarding the Nelson Society of Modellers and its progress and thoughts regarding the Modellers' Pond. Mr Gilbertson echoed Mr Gibbs' thoughts and highlighted the hard work that Mr Gibbs had contributed towards fundraising and finding a solution for the Modellers' Pond.

Mr Gibbs responded to questions regarding fundraising, costings, design, timeframes, the upcoming International Model Engineering Convention, and previous reports on the Modellers' Pond. He clarified that the NZ Lotteries application required a letter from Council to confirm that the

resource consent was to be processed, and the resource consent could be provided subsequent to the application.

Attachments

1 A1721206 - Nigel Gibbs Nelson Society of Modellers Handout

5. Confirmation of Minutes

5.1 24 November 2016

Document number M2216, agenda pages 8 - 14 refer.

Resolved SPO/2017/016

That the Committee

Confirms the minutes of the meeting of the Sports and Recreation Committee, held on 24 November 2016, as a true and correct record.

McGurk/Rutledge

Carried

6. Status Report - Sports and Recreation Committee - 21 February 2017

Document number R7140, agenda pages 15 - 19 refer.

Resolved SPO/2017/017

That the Committee

Receives the Status Report Sports and Recreation Committee 21 February 2017 (R7140) and its attachment (A1664423).

McGurk/Rutledge

Carried

Attendance: The meeting adjourned for lunch from 12.28 to 1.06pm, during which time Councillor Barker left the meeting.

The Chair advised the meeting would move to consider item 9 of the agenda, Modellers Pond review of funding.

7. Modellers Pond review of funding

Document number R7038, agenda pages 27 - 35 refer.

Resolved SPO/2017/018

That the Committee

Receives the report Modellers Pond review of funding (R7038).

Attachments

1 A1714698 - Modellers Pond PowerPoint

Manager Capital Projects, Shane Davies, Group Manager Infrastructure, Alec Louverdis and Capital Projects Contractor, Richard Kirby, gave a PowerPoint presentation (A1714698) providing background on the Modellers' Pond situation.

Mr Kirby spoke about the original design and price estimate for the 'Modify Pond' option. He advised that if the project proceeded, detailed design would be carried out and it was expected that the project would be priced within the boundaries of the original price estimate.

Concern was raised that the estimated shortfall of \$176,000 did not account for the possibility of not receiving a Lotteries grant. In response to comments regarding the resource consent, the Chief Executive, Clare Hadley, highlighted that, given the nature of the project, it was inappropriate for officers to commence consent processes without a resolution from Council.

Mr Kirby explained the trade off in Council carrying the risk of the project, instead of a designer, in the hopes of achieving a lower cost.

Officers responded to questions regarding the scope of Opus designs, confidence in price estimates and price ranges, consultant fees, chemical use, and other options for the Pond. Mrs Hadley explained the current state of the construction market and its impact on tendering prices.

In response to comments regarding stormwater, officers provided background and consent information and explained stormwater solutions for the various options for the Modellers' Pond. It was confirmed that the cost for a variation to consent was covered in the total funding estimate for the estuarine environment option.

Attendance: Mayor Reese left the meeting from 1.58pm to 1.59pm.

It was suggested that governance engagement was necessary through the next steps of the process for the Modellers' Pond.

Attendance: The meeting adjourned from 2.17pm to 2.40pm.

The Chair advised the meeting would move to consider the remaining agenda items while his motion regarding the Modellers' Pond was being developed.

Attendance: Mayor Reese left the meeting at 2.41pm.

8. Chairperson's Report

Document number R7141, agenda pages 20 - 22 refer.

The Chair noted the success of Nelson schoolboy Cameron Jones in the two-day Coast to Coast race. The Chair provided an update on parks and reserves.

Resolved SPO/2017/019

That the Committee

Receives the report Chairperson's Report (R7141); and

Courtney/McGurk

Carried

Resolved SPO/2017/020

Appoints Councillor Rutledge to the Councillor Liaison role for Sport Tasman (Tasman Regional Sports Trust) for the 2016 – 2019 triennium.

Courtney/Walker

Carried

RECREATION AND LEISURE

9. Capital Expenditure Programme 2016-17 Quarter 2 Progress Report

Document number R6967, agenda pages 23 - 26 refer.

The Chief Executive, Clare Hadley, presented the report.

Resolved SPO/2017/021

That the Committee

Receives the report Capital Expenditure Programme 2016-17 Quarter 2 Progress Report (R6967).

McGurk/Rutledge

Carried

Recommendation to Council SPO/2017/022

That the Council

Approves, with respect to project 1175 Stoke Sports and Community Facility, that \$1,300,000 be transferred from 2016/17 to 2017/18, to align with the scheduled construction programme.

McGurk/Rutledge

Carried

10. Easements - Quail Rise subdivision

Document number R7132, agenda pages 35 - 40 refer.

Team Leader Property, Peter Hunter, presented the report.

Resolved SPO/2017/023

That the Committee

Receives the report Easements - Quail Rise subdivision (R7132) and its attachment (A1707984).

McGurk/Courtney

Carried

Recommendation to Council SPO/2017/024

That the Council

Grants the easement in gross, in favour of Network Tasman Limited shown as area 'CC' on Title Plan LT 493128 (A1707984); and

Grants the easement in favour of Lot 34 DP 353023 shown as area 'L' on Title Plan LT 493128 (A1707984).

McGurk/Courtney

Carried

11. 2016-2017 Fees and Charges for the Trafalgar Centre

Document number R7143, agenda pages 41 - 45 refer.

Manager Roading and Utilities, Peter Anderson, and Venue Marketing Officer, Lynette Hartgill, presented the report.

Resolved SPO/2017/025

That the Committee

Receives the report 2016-2017 Fees and Charges for the Trafalgar Centre (R7143) and its attachment (A1709200); and

Approves the proposed fees and charges for the Trafalgar Centre, as detailed in report R7143, effective 1 March 2017.

McGurk/Rutledge

Carried

Attendance: The meeting adjourned from 2.56pm to 3.15pm.

12. Modellers Pond review of funding (contd.)

The Chief Executive, Clare Hadley, presented the recommendation to Council prepared by the Chair and officers. Mrs Hadley advised that if the recommendation was passed, she would write the letter to the Nelson Society of Modellers by the end of the week.

Chair of the Nelson Society of Modellers, Nigel Gibbs, was welcomed to the table. In response to a question, Mr Gibbs said he believed the letter from the Chief Executive would provide the necessary documentation for the Society to progress an application to Lotteries, which could be followed up with details of the resource consent once submitted.

In response to a question, it was confirmed that if the Lotteries application was unsuccessful, the recommendation to Council, if passed, would require approximately \$1million of ratepayer funding.

Concern was expressed that there did not seem to be firm evidence that the Modify Pond option would be the most appropriate for the long term.

Councillor Rutledge, seconded by Councillor Courtney, moved the motion:

That the Committee

Directs the Chief Executive to provide written confirmation to the Nelson Society of Modellers confirming the Committee supports the lodgement of a resource consent for the modified pond option.

Recommendation to Council

That the Council

Revokes the resolution passed on 8 September 2016 (CL/2016/241):

Amends clauses 4 and 7 of the Council resolution passed on 24 March 2016 as follows:

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 ~~September 2016~~ February 2017;

AND THAT Council confirms that should the additional funding not be raised by the Nelson Society of Modellers by the end of ~~September 2016~~ February 2017, 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;'

Confirms the modified pond option at a cost of \$1.2 million as Councils preferred option, noting the contributions pledged to date to the Nelson Society of Modellers, as set out in report R7038, and the progression of the application to Lotteries and other funders by the Society; and

Establishes a Project Governance Group consisting of Councillors Skinner, Walker and Rutledge, and one member of the Nelson Society of Modellers; and

Directs that a resource consent application for the Modify Pond option be lodged.

Councillors against the motion expressed concern at the level of funding required of ratepayers, the lack of data of pond usage, the fact the area had other facilities for recreation, and the risk that the project may continue to be stalled.

Point of Order: A point of order was raised under Standing Order 3.13.4(b) for the use of disrespectful language. The Chair accepted the point of order and the comment was withdrawn.

Councillors in favour of the motion highlighted that the alternative option to convert the pond to estuarine environment also came at a high cost to ratepayers, and the investment of up to \$1million could result in a facility to benefit the community for years to come. Concerns were raised regarding the release of untreated stormwater into the Tahunanui back beach if the estuarine environment was established. It was suggested that Council process had impacted progress of the project.

Resolved SPO/2017/026

That the Committee

Directs the Chief Executive to provide written confirmation to the Nelson Society of Modellers confirming the Committee supports the lodgement of a resource consent for the modified pond option.

Rutledge/Courtney

Carried

Recommendation to Council SPO/2017/027

That the Council

Revokes the resolution passed on 8 September 2016 (CL/2016/241):

'Amends clauses 4 and 7 of the Council resolution passed on 24 March 2016 as follows:

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 ~~September—2016~~ February 2017;

AND THAT Council confirms that should the additional funding not be raised by the Nelson Society of Modellers by the end of ~~September—2016~~ February 2017, 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;'

Confirms the modified pond option at a cost of \$1.2 million as Councils preferred option, noting the contributions pledged to date to the Nelson Society of Modellers, as set out in report R7038, and the progression of the application to Lotteries and other funders by the Society; and

Establishes a Project Governance Group consisting of Councillors Skinner, Walker and Rutledge, and one member of the Nelson Society of Modellers; and

Directs that a resource consent application for the Modify Pond option be lodged.

Rutledge/Courtney

Carried

13. Exclusion of the Public

Resolved SPO/2017/028

That the Committee

Excludes the public from the following parts of the proceedings of this meeting.

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

McGurk/Walker

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	Sports and Recreation Committee Meeting - Public Excluded Minutes - 24 November 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).
2	Management Contract for Waahi Taakaro Golf Course	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 3.45pm and resumed in public session at 4.08pm.

14. Re-admittance of the Public

Resolved SPO/2017/029

That the Committee

Re-admits the public to the meeting.

Walker/Skinner

Carried

There being no further business the meeting ended at 4.09pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Status Report - Sports and Recreation - 4 April 2017

1. Purpose of Report

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

2. Recommendation

That the Committee

Receives the Status Report Sports and Recreation Committee 4 April 2017 (R7444) and its attachment (A1664423).

E-J Ruthven

Administration Adviser

Attachments

Attachment 1: A1664423 - Status Report - Sports and Recreation - 4 April 2017 [↓](#)

Outstanding Actions

Status Report - Sports and Recreation Committee – 4 April 2017

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
23 July 2015	Reserve Management Plan: Sports Ground Reserves	<p>Resolved CL/2015/025</p> <p>THAT a Reserve Management Plan for the Sports Ground Reserves is developed under The Reserves Act 1977 for the provision of areas for recreation and sporting activities, and the physical welfare and enjoyment of the public.</p> <p><i>Note: This item was moved from the Council Status Report to the Sports and Recreation Committee Status Report in December 2016.</i></p>	Jane Loughnan	<p>Legal advice is being sought on the options for classifying land that is subject to the Reserves Act and included in the draft Reserve Management Plan, so that Council can consider whether classification of this land should occur as an integrated part of the management planning process.</p> <p>Ongoing</p>

Outstanding Actions

Status Report - Sports and Recreation Committee - 4 April 2017

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
24 March 2016	Nelson Marina Strategy	<p>Resolved CL/2016/053</p> <p><u>THAT</u> the draft Nelson Marina Strategy (A1498122) be received;</p> <p><u>AND THAT</u> fees and charges at the Marina be increased as from 1 July 2016 as per the Consumer Price Index;</p> <p><u>AND THAT</u> the Marina Development Levy be discontinued as from 1 July 2016;</p> <p><u>AND THAT</u> an unbudgeted amount of \$30,000 be provided in the Marina Opex Account in 2015/16 to remedy existing health and safety risks;</p> <p><u>AND THAT</u> 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.</p> <p><i>Note: This item was moved from the Council Status Report to the Sports and Recreation Committee Status Report in December 2016.</i></p>	Andrew Petheram	<p>The first meeting of the Marina Advisory Group has been held to review the draft Marina Strategy. The group will meet regularly and their recommendations will be presented to the Sports and Recreation Committee to determine the final Marina Strategy. It is expected that this will be completed by 30 June 2017.</p> <p>Ongoing</p>

Outstanding Actions
Status Report - Sports and Recreation Committee – 4 April 2017

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
14 April 2016	Community Services Fees and Charges	<p>Resolved CS/2016/001</p> <p><u>THAT</u> the report Community Services Fees and Charges (R4753) and its attachment (A1507700) be received;</p> <p><u>AND THAT</u> the proposed fees and charges as detailed in attachment 1 (A1507700) of Report R4735 be approved effective 1 July 2016;</p> <p><u>AND THAT</u> minor corrections be undertaken as outlined through the meeting and these be communicated back via the Councillors' newsletter;</p> <p><u>AND THAT</u> it be noted that the charging regime for the Golf Course will be brought to a future Committee meeting;</p> <p><u>AND THAT</u> it be noted that the charging regime for the Trafalgar Centre will be brought to a future Committee meeting;</p> <p><i>Note: This item was moved from the Community Services Committee Status Report to the Sports and Recreation Committee Status Report in February 2017.</i></p>	Peter Anderson	<p>Golf Course: Council has sought feedback from golf course users on the proposed changes to the fee structure. This will be reported to the Committee's meeting on 30 May 2017 along with recommendations on fees and charges</p> <p>Ongoing</p> <p>Trafalgar Centre: Complete</p>

Outstanding Actions
Status Report - Sports and Recreation Committee - 4 April 2017

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
28 July 2016	Management of Waahi Taakaro	<p>Resolved CL/2016/230</p> <p><u>THAT</u> the Memorandum of Understanding between Council and the Waahi Taakaro Golf Club (A1487496) be approved in principle for signing, subject to confirmation of the fee and concession structure and completion of consultation with club and non-club members in regards to the proposed fee and concession structure.</p> <p><i>Note: This item was moved from the Council Status Report to the Sports and Recreation Committee Status Report in December 2016.</i></p>	Chris Ward	<p>Feedback sought over busy December 2016 – January 2017 period. Report being prepared on management options for the course for Sports and Recreation Committee. A further report on this matter will be brought to the Sports and Recreation Committee meeting on 30 May 2017.</p> <p>Ongoing</p>

Outstanding Actions
Status Report - Sports and Recreation Committee – 4 April 2017

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
8 September 2016	Modellers Pond - Fundraising Status	<p>Resolved CL/2016/241</p> <p><u>Receives</u> the report Modellers Pond - Fundraising Status (R6456);</p> <p><u>Amends</u> clauses 4 and 7 of the Council resolution passed on 24 March 2016 as follows:</p> <p><u>AND THAT</u> 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 September 2016 February 2017;</p> <p><u>AND THAT</u> Council confirms that should the additional funding not be raised by the Nelson Society of Modellers by the end of September 2016 February 2017, 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.</p> <p><i>Note: This item was moved from the Council Status Report to the Sports and Recreation Committee Status Report in December 2016.</i></p>	Alec Louverdis	This resolution was revoked by Council on 23 March 2017. Complete
21 February 2017	Modellers Pond review of funding	<p>Resolved SPO/2017/026</p> <p>That the Committee</p> <p><u>Directs</u> the Chief Executive to provide written confirmation to the Nelson Society of Modellers confirming the Committee supports the lodgement of a resource consent for the modified pond option.</p>	Shane Davies	Letter sent Complete

Network Tasman Easements - Railway Reserve, Nelson Airport and Highview Reserve

1. Purpose of Report

- 1.1 To approve an easement for electrical purposes to Network Tasman Limited over the following Council administered reserves:
- 1.1.1 Railway Reserve (section connecting to Echodale Place) refer to Attachment One (A1725409);
- 1.1.2 Nelson Airport, held as a local purpose (aerodrome) reserve, (existing easement areas and new easements) refer to Attachment Two (A1730653); and
- 1.1.3 Highview Reserve (section shown on the plan) refer to Attachment Three (A1725412).

2. Recommendation

That the Committee

Receives the report Network Tasman Easements - Railway Reserve, Nelson Airport and Highview Reserve (R7243) and its attachments (A1725409, A1730653 and A1725412).

Recommendation to Council

That the Council

Grants the easement in gross, meaning granting the easement to Nelson City Council rather than to property, in favour of Network Tasman Limited over the area shown on the plan marked "A" (Attachment One, A1725409) of the Railway Reserve with all legal costs associated with the easement over Railway Reserve to be met by Proper Snack Foods Limited; and

Grants the easement in gross, meaning granting the easement to Nelson City Council rather than to property, in favour of Network Tasman Limited over the area shown on the plan marked "B" (Attachment Two, A1730653) of the Nelson Airport with all legal costs associated with the easement over the Airport to be met by Nelson Airport as tenant; and

Grants the easements in gross, meaning granting the easement to Nelson City Council rather than to property, in favour of Network Tasman Limited over the area on the plan marked "C" (Attachment Three, A1725412) of the Highview Reserve with all legal costs associated with the easements over Highview Reserve to be met by KB Quarries Limited; and

Confirms the easements be agreed to under section 48(1) (d) of the Reserves Act 1977, acting pursuant to a delegation from the Minister of Conservation.

3. Discussion

Requirement for easements

Railway Reserve

- 3.1 Network Tasman Limited has existing infrastructure and cables located through the Railway Reserve which help support electricity supply to the surrounding community.
- 3.2 A new line is required to connect to the existing cables from Echodale Place to service a customer in Echodale Place.
- 3.3 Council was consulted on the preferred route and location for the cables and Network Tasman has complied with all requirements.
- 3.4 The proposed cables are located underground and are connecting to cables already located through the reserve. The Railway Reserve is not likely to be materially altered or permanently damaged and the rights of the public in respect of the reserve are not likely to be permanently affected.
- 3.5 As the cables and infrastructure are proposed as a result of a customer for Network Tasman Limited it is proposed that Proper Snack Foods Limited meet all costs associated with the easement.

Nelson Airport

- 3.6 Network Tasman Limited has existing infrastructure and cables located through the Nelson Airport which help support electricity supply to the Airport.
- 3.7 The existing cables are now to be formally registered on the Titles together with the new cables for the proposed development of the Airport.
- 3.8 The proposed cables are located underground with a limitation of the easement works to "on" the land (limited to transformers, switch boxes and surface boxes) or in/under the land, but only overhead temporarily in an emergency. The reserve is not likely to be materially altered or permanently damaged and the rights of the public in respect of the reserve are not likely to be permanently affected. The physical works for this easement and the infrastructure are likely to be installed prior to 4 May 2017 and Network Tasman Limited has agreed to live with these cables on installation whilst acknowledging the risk that the easement has not been granted.
- 3.9 As the cables and infrastructure are being installed as a result of an upgrade to the airport it is proposed that Nelson Airport as tenant meet all costs associated with the easement.

Highview Reserve

- 3.10 A line is required to cut across the corner of Highview Reserve for Network Tasman Limited infrastructure.
- 3.11 The line is located above ground well elevated so should not cause any issue with access to the reserve, a photo with a description of the lines to be strung is attached. The Highview Reserve is not likely to be materially altered or permanently damaged and the rights of the public in respect of the reserve are not likely to be permanently affected.
- 3.12 As the cables and infrastructure are proposed as a result of a development it is proposed that KB Quarries Limited meet all costs associated with the easement.

Legislation

- 3.13 As the Network Tasman Limited infrastructure is located on Council administered reserve land, easements are required to formalise its occupation of the land. The Reserves Act 1977 confers on Council the ability to grant an easement if it is for one of the specified purposes in section 48(1) of the Reserves Act 1977. Council, as the administering body, may grant an easement for the purpose of an electrical installation or work. Easements on reserve land require consent from Council under section 48(1)(d) by passing a formal Council resolution.
- 3.14 Where the reserve is not likely to be materially altered or permanently damaged; and the rights of the public in respect of the reserve are not

likely to be permanently affected then public notice is not required under the Reserves Act 1977.

4. Options

- 4.1 The options are either to grant the easements (preferred option) or to not grant the easements.
- 4.2 Granting the easements enables Council to formalise the access to Network Tasman Limited across the Railway Reserve, Nelson Airport and Highview Reserve.
- 4.3 If the easements are not granted then Network Tasman Limited will not live their cables or provide electricity over these areas.

5. Conclusion

- 5.1 Approval of the easements in gross (granting rights to Nelson City Council rather than to a property) to Network Tasman Limited to convey electricity, telecommunications and computer media located in the Railway Reserve, Nelson Airport and Highview Reserve enables Council to formalise access to Network Tasman Limited and ensures security of electricity supply for the suburb of Stoke together with security of electricity supply for the Airport and future development on Highview Drive.

Alison Millard
Property Legal Executive

Attachments

- Attachment 1: Network Tasman Easement Plan "A" - Railway Reserve (A1725409) [↓](#)
- Attachment 2: Network Tasman Easement Plan "B" - Nelson Airport (A1730653) [↓](#)
- Attachment 3: Network Tasman Easement Plan "C" - Highview Reserve (A1725412) [↓](#)

Important considerations for decision making	
1. Fit with Purpose of Local Government	This decision facilitates supply of electricity infrastructure to the Nelson community.
2. Consistency with Community Outcomes and Council Policy	<p>The costs of securing the easement will be met by the parties requesting the easements.</p> <p>The Decision supports the community outcome "Our infrastructure is efficient, cost effective and meets current and future needs."</p> <p>The recommendation fits with Goal Nine of Nelson Nature – everyone in our community has their essential needs met.</p>
3. Risk	Low risk of adverse consequences.
4. Financial impact	Costs for electricity easements over the Railway Reserve, Nelson Airport and Highview Reserve are being met by the requesting party.
5. Degree of significance and level of engagement	<p>This matter is of low significance because it does not materially affect or impact the public or Council's use of the reserves. No consultation or public notification is required under section 48(2) of the Reserves Act 1977 because this easement proposal meets the criteria of sections 48(3)(a) and 48(3)(b) of the Reserves Act 1977:</p> <p>Section 48(3)(a) the reserve is vested in an administering body and is not likely to be materially altered or permanently damaged; and</p> <p>Section 48(3)(b) the rights of the public in respect of the reserve are not likely to be permanently affected.</p>
6. Inclusion of Māori in the decision making process	No consultation with Māori has taken place.

7. Delegations

The Sports and Recreation Committee has the responsibility for considering parks and reserves including the acquisition, lease, sale or disposal, maintenance, management or development of any land or buildings. The Sports and Recreation Committee has the power to make a recommendation to Council on this matter, and under the Reserves Act 1977 this is a decision for full Council.

8. Network Tasman Easements - Railway Reserve, Nelson Airport and Highway Reserve, Attachment 1 - Network Tasman Easement Plan "A" - Railway Reserve (A1725409)



This Drawing is not to Scale.
All Dimensions need to be checked on Site

- Existing Duct in Easement
- Existing 11kV line
- Existing 33kV line
- - - Existing 11kV cable
- Proposed new 11kV Cable



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8. Network Tasman Easements - Railway Reserve, Nelson Airport and Highview Reserve - Attachment 2 - Network Tasman Easement Plan "B" - Nelson Airport (A1730653)

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8. Network Tasman Easements - Railway Reserve, Nelson Airport and Highway Reserve - Attachment 2 - Network Tasman Easement Plan "B" - Nelson Airport (A1730653)



8. Network Tasman Easements - Railway Reserve, Nelson Airport and Highway Reserve - Attachment 3 - Network Tasman Easement Plan "C" - Highway Reserve (A1725412)



The map is an approximate representation only and must not be used to determine the location or size of items shown, or to identify legal boundaries. To the extent permitted by law, the Tasman District Council and Nelson City Council, their employees, agents and contractors will not be liable for any costs, damages or loss suffered as a result of the data or plan, and no warranty or representation of any kind is given as to the accuracy or completeness of the information represented. Top of the South Maps information is licensed under a Creative Commons Attribution 3.0 New Zealand License, and the use of any data or plan or any information downloaded must be in accordance with the terms of that license. Cadastral and NZTop50 related data is sourced from Land Information New Zealand.



The pole nearer to the camera is existing at the reserve/road boundary. The further away pole is located clear of the reserve. The lines haven't been strung yet. There will be no physical works required on the reserve land. The lines will be well elevated so should not cause any issue with access to the reserve. The lines will be strung when the easement is agreed however there will be a 14 day lag to arrange power shutdowns etc.