



# AGENDA

**Ordinary meeting of the**

**Sports and Recreation Committee to deliberate on  
submissions to the Proposed Reserve Revocation  
– Emano East Reserve**

**Tuesday 9 May 2017  
Commencing at 1.30pm  
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**

Nil

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

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

**4. Confirmation of Minutes****5 - 9**

4.1 21 February 2017 – Hearing of Submissions

Document number R7614

Recommendation

***That the Committee***

***Confirms the minutes of the meeting of the Sports and Recreation Committee to Hear Submissions to the Proposed Reserve Revocation – Emano East Reserve, held on 21 February 2017, as a true and correct record.***

**5. Emano East Reserve Revocation - Deliberations Report****10 - 34**

Document number R7657

Recommendation

***That the Committee***

***Receives the report Emano East Reserve Revocation - Deliberations Report (R7657) and its attachments (A1715601 and A1750246); and***

**Receives two further submissions (12229 and 12239) (A1745390) that were not made available at the Hearing on 21 February 2017.**

Recommendation to Council

***That the Council***

**Approves that, having considered the community feedback, the proposed revocation of Emano East Reserve (Lot 1 DP4341) proceed to the Minister of Conservation for approval; and**

**Approves that, following revocation of the Emano East Reserve, a portion of the land is sold with the balance retained for a walkway.**

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**Minutes of a meeting of the Sports and Recreation Committee to  
Hear Submissions to the Proposed Reserve Revocation – Emano  
East Reserve**

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

**On Tuesday 21 February 2017, commencing at 9.08am**

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**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:** Councillor M Lawrey, Chief Executive (C Hadley), Group  
Manager Corporate Services (N Harrison), Property Parks and  
Facilities Asset Manager (A Petheram), Team Leader Property  
(P Hunter), Senior Property Officer (S Mathieson), and  
Administration Adviser (S Burgess)

**Apology:** Councillor K Fulton

**1. Apologies**

Resolved SPO/2017/010

***That the Committee***

***Receives and accepts the apology from Councillor  
Fulton.***

Barker/Her Worship the Mayor

Carried

**2. Confirmation of Order of Business**

The Chair summarised the process for the hearing and provided a brief  
background on the process to date of the proposed revocation of Emano  
East Reserve.

In response to questions, the Chief Executive, Clare Hadley, advised that  
the public notifications of the proposed revocation met the requirements  
of the Reserves Act 1977.

**Attendance:** The meeting adjourned from 9.12am to 9.13am.

M2344

**1**

Sports and Recreation Committee Minutes - 21 February 2017

It was noted that, although Councillor Lawrey resided near Emano East Reserve (the Reserve), he was able to be in attendance at the meeting on the proviso that he did not participate in asking questions of submitters.

Copies of a location map (A1715601) and newspaper advertisements (A1715631 and A1715636) were tabled.

#### Attachments

- 1 A1715601 - Emano East Reserve Map
- 2 A1715631 - Emano East Reserve Revocation first public notice
- 3 A1715636 - Emano East Reserve revocation second public notice Dec 2016

### 3. Interests

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

### 4. Hearing of Submissions to the Proposed Reserve Revocation – Emano East Reserve

Document number R7148, agenda pages 4 - 194 refer.

#### 4.1 Kate Zwartz (10595)

Ms Zwartz presented her submission in opposition to the proposed reserve revocation, asking the Committee to reject the proposal. She highlighted the wording in the Long Term Plan 2015-25 which classed reserves as a vital resource which should not be divested unless there were clear net benefits to the community.

Ms Zwartz suggested there should have been a background paper available during consultation on the matter, and she highlighted the importance of accessing Mahoe Street through the Reserve.

#### 4.2 Angus McIntosh (11053)

Mr McIntosh presented his submission highlighting key points of the perceived inadequacy of the consultation process, and the apparent conflict in the proposed reserve revocation versus statements in Council's planning documents. Mr McIntosh emphasised his desire that previous community volunteer work at the Reserve be built upon to fulfil the dream they were working towards.

#### 4.3 Annette Milligan (10691)

Ms Milligan presented her submission and highlighted key points relating to the health benefits of having the Reserve.

4.4 Jon Tidswell (10770) on behalf of Mrs H Tidswell

Mr Tidswell provided a handout (A1725219) with several images of reserves in the area. He raised points regarding consultation process, amenity value, balancing reserve numbers, the need to reference community needs in a reserve revocation proposal, and the lack of signage for the Reserve. Mr Tidswell suggested Council should be considering how to develop and promote the Reserve.

**Attachments**

- 1 A1725219 - Jon Tidswell Handout

4.5 Kate Malcolm (10816)

Ms Malcolm gave a presentation (A1725228) showing a map of the local area with a line marked from the Grampians hill to the sea. She presented her idea that the possibility should be kept open for a 'Grampians to the Sea' path, and suggested the reserve needed to be kept in order to keep this line complete. Ms Malcolm added that entrances to the Reserve were currently indistinguishable.

**Attachments**

- 1 A1725228 - Kate Malcolm Map Image

4.6 Duncan Davidson (10865)

Mr Davidson provided a handout (A1725216) which displayed the current track in the Reserve and a proposed zig-zag track. He spoke about accessibility and current usage of the Reserve, and highlighted the opportunity of working with volunteers to establish a more useable track. Mr Davidson said it was not up to the people of Nelson to give up a Reserve in order to address the housing crisis.

**Attachments**

- 1 A1725216 - Duncan Davidson Handout

4.7 Sara Burrage (10909)

Ms Burrage presented her submission and spoke about previous decisions relating to the Reserve, and volunteer time spent on tree planting. She highlighted it was a well-used Reserve with an abundance of bird life. Ms Burrage raised concerns regarding the consultation process used for the proposed reserve revocation. She supported the idea of creating a more useable track on the Reserve.

4.8 Carol McKie (10919)

Ms McKie presented her submission, highlighted key points, and suggested the consultation process had created confusion instead of engagement. She highlighted that there was still opportunity to create partnerships with the community.

- 4.9 Grant Kitto (10924) (via phone)
- Mr Kitto said the Reserve was a part of the community which should be kept for the enjoyment of future generations. He said Council should be planning innovative ways to incorporate the Reserve into the community.
- 4.10 Dr Zoe Hilton (10925)
- Dr Hilton presented her submission and highlighted key points regarding usage of the Reserve, the value of reserve status, recreation and conservation values, and importance of the Reserve in linking the local reserve network. She spoke about air quality, self-sustaining trees, and the dangerous precedent in revoking reserve status.
- 4.11 Matthew Holland (10927)
- Mr Holland spoke about reserve references in Council policies, Nelson biodiversity, the perceived inadequacy of the consultation process, and the high number of submissions received. Mr Holland suggested that due to the lack of information received, all the community could do was oppose the proposal.
- 4.12 Christopher Skinner (10682)
- Mr Skinner presented his submission and highlighted key points.
- 4.13 Questions of officers**
- Councillors asked that officers provide the following information to the Deliberations meeting on 28 March 2017:
- Full details on the public notification process carried out
  - Details on what planting had taken place at the Reserve
  - Clarity on entranceways to the Reserve
  - Details on any consideration given to replicate the tracks and plantings used in Pipers Park
  - Investigation and conclusion information on the advantages of revoking the reserve status in terms of Council's policies, plans and strategies
  - Any information regarding what type of wildlife is in the Reserve and if the Reserve was used as a wildlife corridor and was therefore important for those species
  - An assessment regarding the stormwater and flood issues raised
  - Information on alternate uses of the Reserve, was it only housing? And could housing actually be built on that site? Also how did providing housing fit in terms of Council policies etc.



- An explanation as to why the reserve was considered surplus to requirements, which requirements were being referred to etc.
- Comments on submitter 10815 (Barry Malcolm) suggestions as to conditions in a sale agreement
- Comments on submissions seeking further investment in the Reserve in terms of walkways, fruit trees etc. How did this fit within asset management planning? Can anything be done now?

There being no further business the meeting ended at 10.47am.

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date

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## **Emano East Reserve Revocation - Deliberations Report**

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### **1. Purpose of Report**

- 1.1 To consider community feedback regarding the proposed revocation of the reserve status of the Emano East Reserve.

### **2. Summary**

- 2.1 On 8 September 2016 Council resolved that the Emano East Reserve was surplus to requirements and it was delegated to the Chief Executive to commence the process to remove the reserve status.
- 2.2 Submissions were received and hearings heard by the Sports and Recreation Committee on 21 February 2017.

### **3. Recommendations**

#### ***That the Committee***

***Receives the report Emano East Reserve Revocation - Deliberations Report (R7657) and its attachments (A1715601 and A1750246); and***

***Receives two further submissions (12229 and 12239) (A1745390) that were not made available at the Hearing on 21 February 2017.***

Recommendation to Council

#### ***That the Council***

***Approves that, having considered the community feedback, the proposed revocation of Emano East Reserve (Lot 1 DP4341) proceed to the Minister of Conservation for approval; and***

***Approves that, following revocation of the Emano East Reserve, a portion of the land is sold with the balance retained for a walkway.***

## 4. Background

- 4.1 The Emano East Reserve is located to the south-eastern side of Emano Street, close to the end of the formed road. The 7,664m<sup>2</sup> block consists of sloping land with a north-west aspect. The land is generally steeply graded (up to 30 degrees) with shallower grades present on the lower (north-western) and upper (south-eastern) extents of the property. There is an approximately 40m elevation difference over the site. The vegetation consists of mature gum trees on the upper slopes, additional mature trees flank the south-western boundary, an established area of shrubs/trees are on the north-eastern boundary, while the steeply graded ground in the centre is planted with young native trees and shrubs. An aerial view of the Reserve is Attachment 1.
- 4.2 Emano East Reserve was identified as potentially surplus in 1993. Legal advice was sought and a process to revoke the reserve status was commenced. A new Title was issued but the revocation did not proceed.
- 4.3 Emano East Reserve was again identified as potentially surplus in the Property Assets Review in 2015. The Commercial Subcommittee recommended, on 5 May 2015, that a more detailed assessment be undertaken of a number of properties, including the Emano East Reserve. Council subsequently resolved that four properties, including Emano East Reserve, undergo detailed assessment.
- 4.4 A business case was completed and the *Detailed Property Assessment: Emano* was presented to the Commercial Subcommittee meeting of 4 August 2016 in Public Excluded. The Reserve was not seen as fulfilling a recreational or environmental need in the area. Other, more developed and useable, Reserves were close by. The Subcommittee recommended to Council that the land be declared surplus and the process commence to revoke the Reserve status. This was to allow the land to be considered for other uses.
- 4.5 On 8 September 2016 the Council resolved that the Emano East Reserve was surplus to requirements and delegated the Chief Executive authority to commence the process to remove the reserve status.

## 5. Discussion

### Legislation

- 5.1 The process to revoke a reserve status is set out in section 24 of the Reserves Act 1977. The process requires;
  - 5.1.1 A decision to begin the revocation process
  - 5.1.2 Determination of -
    - whether the land is reserve subject to the Reserves Act,
    - whether the Council is the administering body, and

- whether, on revocation, the land would become Crown land or not.

5.1.3 Development of a proposal to revoke the reserve

5.1.4 A decision on whether to undertake any internal or external consultation prior to public notice.

5.1.5 Public notification of the proposal allowing 1 month for objections

5.1.6 A report to Council on the objections

5.1.7 Council resolution on the objections

5.1.8 Information on the process, objections and Council resolution provided to the Department of Conservation to seek the Minister's approval of the revocation.

5.2 Under the Reserves Act revocation process there is no requirement to consult with iwi. Before commencing the revocation process officers determined that the Reserve was not subject to a Statutory Acknowledgement. Under Treaty Settlements, Statutory acknowledgements are an acknowledgement by the Crown of the particular cultural, spiritual, historic, and traditional association of an iwi with each statutory site and area.

5.3 After consultation had been concluded officers informed iwi of the proposal and asked if they had any special interest in the land. No responses have been received to date. Further engagement with iwi will take place should Council decide to sell the land.

### **Consultation**

5.4 Public notification of the proposal to revoke the reserve status was initially intended to run from 9 November 2016 to 9 December 2016. A Public Notice was placed in the Nelson Mail on Wednesday 9 November 2016. A copy of the Notice and a plan of the Reserve were displayed in the Customer Service Centre at Civic House from the same date.

5.5 Council also placed the Notice in a range of printed publications and on the Council's website and Facebook page -

- NCC Website (information and generic feedback form) - 9 November 2016
- NCC Facebook page post - 24 November 2016
- NCC Website (information and specific feedback form) - 24 November 2016
- Our Nelson - 29 November and 14 December 2016
- Nelson Weekly - 6 December 2016
- Nelson Mail - 7 December 2016

- The Nelson Leader - 8 December 2016

- 5.6 Copies of the Notice and a plan of the Reserve were hand delivered to all properties bordering the Reserve on 18 November 2016. (Copies of the Notices are Attachment 2.)
- 5.7 In response to concerns that the proposal had not been sufficiently visible to the community, the notification period was extended in early December until 27 January 2017.

### **Submitter feedback**

- 5.8 128 submissions were received by the closing date of 27 January 2017. Two further submissions were not included in the Submissions presented on 21 February 2017 as they had been sent to officers uninvolved in the revocation process. Neither of these submitters asked to have their submission heard. The two submissions are attached as Attachment 3.
- 5.9 On 21 February 2017 the Sports and Recreation Committee heard oral presentations from 12 submitters.
- 5.10 Of the 130 total submissions 121 objected to the revocation of the reserve status while three supported the revocation and a further six conditionally supported the revocation. It should be noted that the Reserves Act calls for objections to any revocation and that under section 24 (2)(h) –

*any person who does not lodge an objection in accordance with this subsection shall be deemed to have assented to the change of classification or purpose or the revocation of reservation set forth in the public notification.*

- 5.11 A number of broad themes were common across the 130 submissions –

Social contract between the community and Council to retain Emano East Reserve	11
Importance as a walking or cycling link	90
Community plantings	41
Biodiversity values – trees, birdlife/wildlife corridor	58
Stormwater issues – existing and potential if developed	21
Protect or increase Reserves and green spaces	48
Unsuitability for housing (due to slope and drainage)	23
Adequate privately held land available for housing	13
Current or potential children's play area	16

Notification process inadequate	13
Additional funding required for signage, track and maintenance (whether revocation goes ahead or not)	31

- 5.12 **Social contract.** Eleven submitters made mention of a social contract between the community in the vicinity of Emano East Reserve and Council for the on-going care and maintenance of the Reserve. This seems to date from the 1993 revocation process and community response. Several submitters were residents at that time and spoke or wrote of their understanding that the Council would assist with resources to beautify the Reserve in perpetuity.
- 5.13 Council has assisted with plants and labour to beautify the Reserve on a number of occasions since the 1990s. There are no records of a formal arrangement with the Emano Street community regarding the Reserve.
- 5.14 **Walking or cycling link.** The vast majority of submitters, 90 of 130, mentioned that the Reserve was used for walking or cycling, was a link to other Reserves and should be maintained, and enhanced, to provide walking access across the city. It was also cited as a dog walking area.
- 5.15 Some of the submissions may have been referring to Emano West Reserve which merges into Pipers Reserve as the activities described are hard to imagine happening on Emano East Reserve.
- 5.16 The current track in Emano East Reserve is a semi-formed 4 wheel drive track from Emano Street created to enable installation of stormwater drains or slip mitigation works. Access to the Reserve from Mahoe Street is via a 3m wide fenced access way with a small retaining structure and stairs providing the connection to the road surface. Access from Matipo Street is unformed and submitters described accessing the Reserve either via the private driveway at number 19 Matipo or down the concrete flume of the Matipo Street stormwater outlet.
- 5.17 The estimated cost to create a real link through the Reserve is in the region of \$60,000 - \$80,000 (see 5.41 below).
- 5.18 **Community plantings.** 41 of the submitters referenced the community investment in planting and maintaining the Reserve or mentioned that the community could look after it.
- 5.19 Council records show that support was provided in plants or labour in 2001, 2002, 2012 and 2013. There are no budget commitments to this Reserve in the current LTP.
- 5.20 **Biodiversity.** 58 submitters mentioned the importance of the Reserve as a bird or wildlife habitat or corridor or the fact that it contained mature trees.
- 5.21 Emano East Reserve is not a formal component of any current biodiversity plan or strategy.

- 5.22 Other uses of the land would not preclude retention of existing vegetation.
- 5.23 **Stormwater issues.** 21 submitters mentioned that the site has had stormwater issues, evidenced by slips, making it unsuitable for development or that the local stormwater system would be further overloaded if six residential Lots were developed on the land.
- 5.24 An assessment was undertaken of the site by MWH, geotechnical and civil engineering consultants, in July 2016, during development of the Business Case. Key deliverables included;
- assessment and advice on development potential and limitations.
  - feasibility of adding a dwelling / building – preferred location and indicative costs for ground works.
  - indicative costs required for development of up to six residential units (or number that is feasible given ground conditions).
- 5.25 MWH concluded that as long as stormwater and subsurface drainage controls are implemented, and conventional engineering processes (ensuring founding on underlying Port Hill Gravels) are undertaken, that from a geotechnical perspective there are no factors that suggest the land is not suited to residential development.
- 5.26 Council has allocated budget for stormwater/ flood protection works in the Emano and Murphy Street catchments in the current LTP with design programmed to begin in 2022/23.
- 5.27 **Maintain and expand reserve lands.** Nearly half of the submitters, 48, mentioned the importance of Reserves and green spaces to the community. References were made to 'green lungs' for the city and how with increased development public green spaces became more important to residents.
- 5.28 The two Murphy Street Reserves, Emano West Reserve and Pipers Reserve are all in relative proximity to Emano East Reserve and will continue to be available to residents.
- 5.29 Council has a policy of requiring neighbourhood reserves within new subdivisions. The number and quantum of reserve lands within the city will therefore continue to grow as developments take place. This requirement will apply if and when the vacant private land in the vicinity of Emano East Reserve is developed.
- 5.30 **Unsuitability for housing.** 23 submitters stated that the land was too steep, wet or unstable to be used for housing.
- 5.31 The MWH assessment referred to previously indicated that development of the site was possible. However, the methodology used was theoretical and not that of a developer.

- 5.32 **Other land availability.** 13 submitters mentioned that there was other residential zoned land available for development and that the Reserve had greater value as a reserve than could be provided by 6 residential lots. Several submitters stated that future developments in the area would increase the importance of the Reserve as a green space for the community.
- 5.33 There is considerable vacant private land in the vicinity of Emano East Reserve that is zoned residential and could be developed in the future. The timing of any development of that land is not in Council's control. If the reserve status was lifted from Emano East Reserve the land would revert to fee simple land in the residential zone. Council could therefore make an immediate, albeit small, contribution to housing supply for the city.
- 5.34 **Children's play area.** 16 submitters stated that they had used the Reserve with their families or that children enjoyed the rough nature of the land and that the steep slope provided opportunities for adventurous play.
- 5.35 The Parks and Reserves Asset Management Plan 2015 – 2025 (PRAMP) sets the level of service for formed playgrounds (three or more pieces of equipment). While Emano East Reserve does not meet that standard and submitters mentioned the value of the rough land for more adventurous play the PRAMP does set criteria for assessing the need for a new playground. Amongst the criteria are;
- is the proposed playground within 800m of another playground, or,
  - are there natural areas within 800m which provide alternative play options.
- 5.36 The Emano West Reserve and Pipers Reserve are natural areas within 800m of Emano East Reserve. The Murphy North Street Reserve, which is also within that distance, has playground equipment.
- 5.37 **Process.** 13 submitters stated that they found the notification process unsatisfactory. Issues raised included; timing, lack of publicity, lack of details and the short time frame. Two submitters suggested that Council had failed to follow the correct process.
- 5.38 Section 24 of the Reserves Act 1977 requires Council to give public notice of a proposed revocation and allow one month for receipt of objections. The process and timeline is set out above. Council met all statutory obligations.
- 5.39 In response to questions around iwi consultation not having occurred during the notification period all eight mana whenua organisations were informed of the proposed revocation on 17 March 2017. Further consultation will take place if the site becomes available for other uses.
- 5.40 **Additional funding.** 31 submitters mentioned a need for greater Council investment in the Reserve to ensure that it was useable by the



public to undertake the activities that they, and other submitters, wished to undertake there. Some submitters offered to help maintain the Reserve.

- 5.41 Formation of a gravel track linking either Mahoe or Matipo to Emano Street has been estimated to cost approximately \$60,000 - \$80,000, with some ongoing costs for maintenance. An allowance for planting of \$5,000 per financial year for the next five years would also be required. Signage at each entrance is estimated to cost \$1,500 to \$2,000 depending on content, style and size.
- 5.42 Due to the Emano East Reserve being considered surplus, enhancement of the Reserve does not feature in the current Parks and Reserves Asset Management Plan.

### **Support for revocation**

- 5.43 Three of the submitters supported the revocation and a further six conditionally supported the revocation. All nine supportive submissions had provisos that included retention of access between Mahoe or Matipo to Emano Street while some required a portion of the housing be low-cost or affordable and one also wanted an area of planting to be retained.
- 5.44 The most detailed conditional support (submission 10815) involved sale conditions of –
- retaining the access path from Mahoe with a walkable 3 metre wide extension to the new road edge (or Emano Street) be provided by the developer,
  - retaining a public right of way over this path (and any road section down to Emano Street) and
  - land surplus to the road formation in this parcel, and to small sections fronting Emano Street, be gifted back to Council as reserve contribution.
- 5.45 Partial development of the site would allow for caveats to be imposed on any sales in order to meet some of the submitters conditions.

## **6. Options**

- 6.1 There are a number of options available to Council. Option 2 is the recommended option.

<b>Option 1: revoke status and retain as fee simple</b>	
Advantages	<ul style="list-style-type: none"> <li>• Community relationship maintained</li> <li>• Land remains accessible to the community</li> </ul>

	<ul style="list-style-type: none"> <li>• Link between other reserves maintained</li> <li>• No further disposal costs incurred</li> <li>• Retention of current vegetation/wildlife habitat</li> </ul>
Risks and Disadvantages	<ul style="list-style-type: none"> <li>• Retention of underutilised asset</li> <li>• Ongoing maintenance costs</li> <li>• Resolution of any future land issues remains with Council</li> </ul>
<b>Option 2: revoke status, sell a portion and retain balance</b>	
Advantages	<ul style="list-style-type: none"> <li>• Potential for additional housing to be developed</li> <li>• Potential for additional rating units to be created</li> <li>• Sales proceeds available, reducing debt</li> <li>• Reduced maintenance expenditure</li> <li>• Community relationship maintained</li> <li>• Link between other reserves maintained</li> <li>• Retention of some vegetation/wildlife habitat</li> </ul>
Risks and Disadvantages	<ul style="list-style-type: none"> <li>• Negative perception of asset sales</li> <li>• Possible low market interest</li> <li>• Costs exceed sales revenue</li> <li>• Ongoing maintenance costs</li> <li>• Loss of some or all current vegetation/wildlife habitat</li> </ul>
<b>Option 3: revoke status and sell land</b>	
Advantages	<ul style="list-style-type: none"> <li>• Potential for additional housing to be developed</li> <li>• Potential for additional rating units to be created</li> <li>• Sales proceeds available, reducing debt</li> <li>• Reduced maintenance expenditure</li> </ul>
Risks and Disadvantages	<ul style="list-style-type: none"> <li>• Negative perception of asset sales</li> <li>• Possible low market interest</li> <li>• Loss of green link between retained reserves</li> <li>• Loss of some or all current vegetation/wildlife habitat</li> </ul>
<b>Option 4: status quo – retain Emano East Reserve as it is</b>	

Advantages	<ul style="list-style-type: none"> <li>• Community relationship maintained</li> <li>• Reserve remains accessible to the community</li> <li>• Link between other reserves maintained</li> <li>• No further disposal costs incurred</li> <li>• Retention of current vegetation/wildlife habitat</li> </ul>
Risks and Disadvantages	<ul style="list-style-type: none"> <li>• Retention of underutilised asset</li> <li>• Ongoing maintenance costs</li> <li>• Resolution of any future land issues remains with Council</li> </ul>
<b>Option 5: retain and upgrade</b>	
Advantages	<ul style="list-style-type: none"> <li>• Community relationship maintained</li> <li>• Reserve remains accessible to the community</li> <li>• Link between other reserves maintained</li> <li>• No further disposal costs incurred</li> </ul>
Risks and Disadvantages	<ul style="list-style-type: none"> <li>• Retention of underutilised asset</li> <li>• Capital investment required</li> <li>• Increased ongoing maintenance costs</li> <li>• Resolution of any future land issues remains with Council</li> </ul>

## 7. Conclusion

- 7.1 The recommended option is to proceed to request the Minister of Conservation to revoke the reserve status, Council to sell a portion and retain the balance. A public right of way could be developed as a walking track on the retained land using the sale proceeds.

Peter Hunter  
**Team Leader Property**

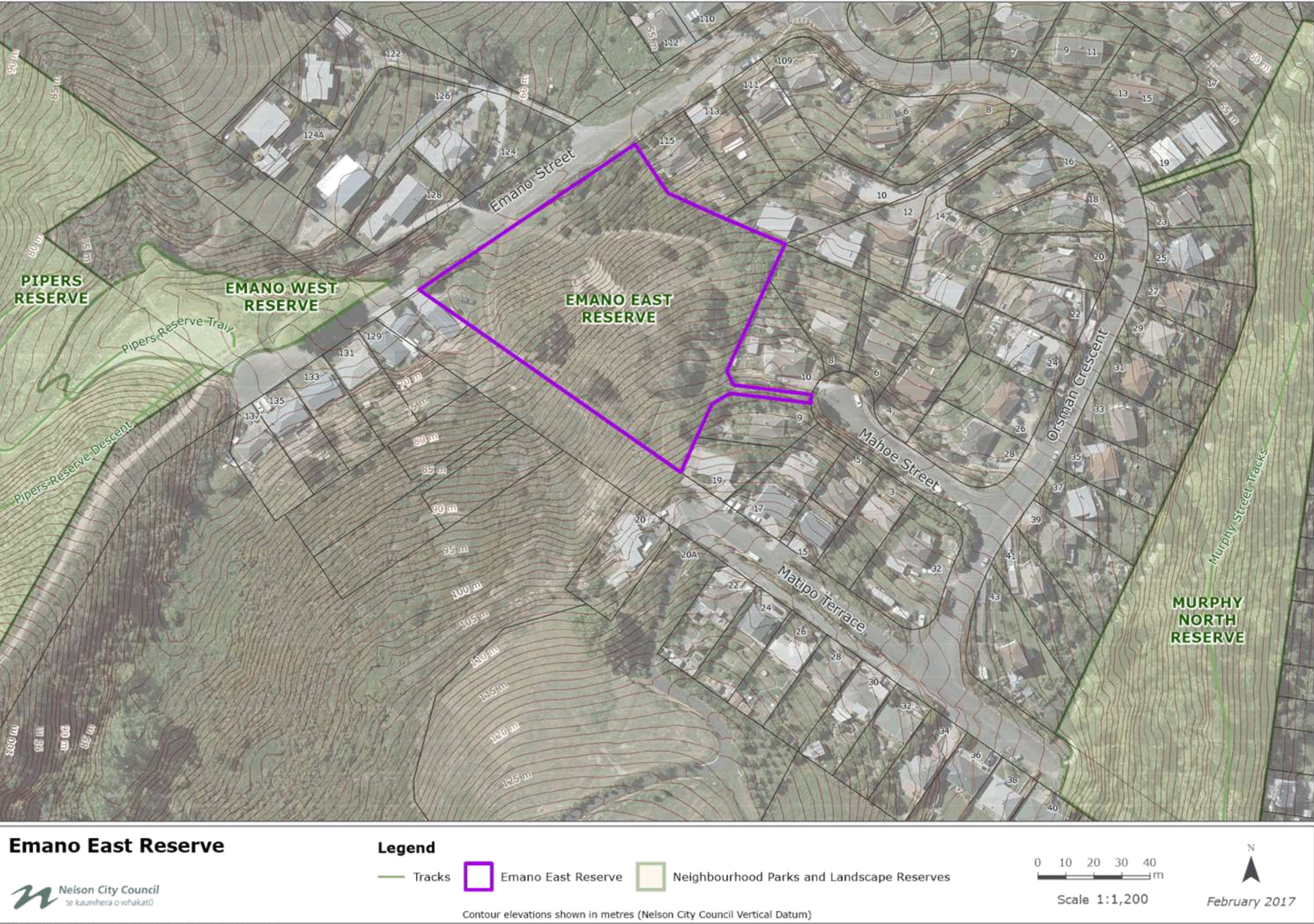
### Attachments

- Attachment 1: A1715601 - Emano East Reserve location diagram [↓](#)
- Attachment 2: A1750246 - Emano East Reserve Revocation Notices and advertising [↓](#)
- Attachment 3: A1745390 - Emano East Reserve Revocation - further submissions [↓](#)



<b>Important considerations for decision making</b>	
<b>1. Fit with Purpose of Local Government</b>	This decision addresses management of Councils Reserves where a more efficient use of assets could have greater benefit to the community.
<b>2. Consistency with Community Outcomes and Council Policy</b>	The decision supports the community outcome "Our infrastructure is efficient, cost effective and meets current and future needs."
<b>3. Risk</b>	There is a risk that the Minister of Conservation may decline to revoke the Reserve status.
<b>4. Financial impact</b>	The proposal will deliver unbudgeted revenue for Reserve development as well as additional rateable units.
<b>5. Degree of significance and level of engagement</b>	This matter is of medium significance due to community interest in the Reserve. Consultation has been undertaken using the Reserves Act 1977 process.
<b>6. Inclusion of Māori in the decision making process</b>	Iwi have been made aware of the proposal.
<b>7. Delegations</b>	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.





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 Nelson City Council, its 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 of any kind is given as to the accuracy or completeness of the information represented. Nelson City Council information is licensed under a Creative Commons Attribution-NonCommercial 3.0 New Zealand License. Nelson City Council data must not be sold without prior written consent. For more information please contact us. [www.nelsoncity.govt.nz](http://www.nelsoncity.govt.nz)





<b>ADVERTISING PROOF</b>	<b>CUSTOMER</b>	NELSON CITY COUNCIL	<b>PUBLISHING</b>	09/11/16
	<b>SALES REP</b>	M. JACKSON	<b>PUBLICATION</b>	NELSON MAIL
	<b>DESIGNER</b>	OUTSOURCER	<b>SECTION</b>	NOTICES & SERVICES
	<b>PROOFED</b>	3/11/2016 6:58:22 a.m.	<b>SIZE</b>	6.6X19
	<b>AD ID</b>	CH-7471358AA (100%)	<b>FAX</b>	

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### **Proposed Reserve Revocation – Emano East Reserve**

Nelson City Council proposes to revoke the reserve status of the land described below.

#### **Schedule**

Nelson City Council Lot 1 DP 4341 0.7664 hectares NL10B/0165

The steep contour of the property limits its ability to be utilised as a park and there are already a number of alternatives located within close proximity – Pipers Reserve, Emano St West and Murphy North Reserve.

The property consists of 7,664m<sup>2</sup> with steep contours, rising from the Emano Street frontage. The land is grassed and planted with trees and shrubs with potential for up to 6 lots provided sufficient land stabilising solutions are completed.

A plan showing the property is available for viewing at Nelson City Council, 110 Trafalgar Street.

Objections to the proposal, giving grounds for objections and if the objector wishes to be heard, must be made in writing by any person claiming to be affected and addressed to;

Senior Property Officer,  
Nelson City Council,  
PO Box 645, Nelson 7040.

Such objections must be received by Council no later than **Friday 9 December 2016**.

A1715631

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<b>ADVERTISING PROOF</b>	<b>CUSTOMER</b>	NELSON CITY COUNCIL	<b>PUBLISHING</b>	07/12/16
	<b>SALES REP</b>	M.JACKSON	<b>PUBLICATION</b>	NELSON MAIL
	<b>DESIGNER</b>	OUTSOURCER	<b>SECTION</b>	NOTICES & SERVICES
	<b>PROOFED</b>	6/12/2016 12:14:15 a.m.	<b>SIZE</b>	10X18
	<b>AD ID</b>	CH-7511861AA (100%)	<b>FAX</b>	

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### Date extension - Proposed Reserve Revocation of Emano East Reserve

The date for feedback on this proposal has been extended until **Friday 27 January 2017**.

Nelson City Council proposes to ask the Minister of Conservation to remove the reserve status of the Emano East Reserve, as described below.

#### Schedule

Nelson City Council Lot 1 DP 4341 0.7664 hectares  
NL10B/0165

The steep contour of the property limits its ability to be utilised as a park and there are already a number of alternatives located within close proximity – Pipers Reserve, Emano St West and Murphy North Reserve.

The property consists of 7,664m<sup>2</sup> with steep contours, rising from the Emano Street frontage. The land is grassed and planted with trees and shrubs with potential for up to 6 lots provided sufficient land stabilising solutions are completed.

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Senior Property Officer, Nelson City Council, PO Box 645,  
Nelson 7040.

Such objections must be received by  
Council no later than Friday 27 January 2017.

Clare Hadley  
Chief Executive

A17156 36

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## Proposed Reserve Revocation – Emano East Reserve

*Council proposes to ask the Minister of Conservation to remove the reserve status of the Emano East Reserve, as described below.*

### Schedule

Nelson City Council Lot 1DP4341 0.7664 hectares NL10B/0165

The steep contour of the property limits its ability to be utilised as a park and there are already a number of alternatives located within close proximity – Pipers Reserve, Emano St West and Murphy North Reserve.

The property consists of 7,664m<sup>2</sup> with steep contours, rising from the Emano Street frontage. The land is grassed and planted with trees and shrubs with potential for up to six lots provided sufficient land stabilising solutions are completed.

A plan showing the property is available for viewing at Nelson City Council, 110 Trafalgar Street.

**Submissions have now closed.**



**Nelson City Council**

Published by Nelson Smith [?] · 24 November 2016 · 

Council proposes to ask the Minister of Conservation to remove the reserve status of the Emano East Reserve. It is a very steep area that has limited ability to be used as a park and there are others reserves nearby. You have until 9 December to let us know if you have any objections to the proposal. Get more info here. <http://nelson.govt.nz/.../proposed-reserve-revocation-eman0-.../>



3,126 people reached

Boost post

 Like

 Comment

 Share





## NATURE'S HERO



Welcome to the first of our monthly Nature's Hero awards – a series recognising and rewarding people who go the extra mile to do their bit for Nelson's nature.

In the few years since Denis Blomquist moved to Nelson, he has dedicated his untiring efforts to many conservation activities including planting, weeding, trapping, track building, and rubbish collection.

Recently, Denis started another project at the Haven Holes, to create a habitat for ground dwelling coastal birds. Denis also regularly collects rubbish on the site.

Through his involvement with Friends of the Maitai, Denis is often found planting, weeding, and trapping among the native trees at Groom Creek.

Denis believes that with a few people working together, great

progress can be made.

"The wonderful thing about this work," says Denis, "is that you can plant a tree and in a year or two see it grow and provide habitat for wildlife."

Both Nelson Nature and Project Maitai would like to congratulate Denis on being our Nature's Hero for November. His commitment helps make Nelson an even better place.

To nominate someone for a Nature's Hero award, email [susan.moore-lavo@mcc.govt.nz](mailto:susan.moore-lavo@mcc.govt.nz) with their name, contact details and the reason why you think they deserve to be a Nature's Hero.

## Don't forget to sign up for 'rates by email'

You still have the chance to win travel with rates by email. Just choose to receive your rates and water accounts by email now and go in to win a \$350 travel voucher.

Sign up to pay by direct debit at the same time and the total prize increases to a \$500 travel voucher!

Remember you need to do it by 2 December to make sure you are in to win.

If you already get your rates notice via email then you are already in to win the \$350 voucher. Complete a direct debit form now

and that prize goes up to \$500. It's easy to do – get it all started online at Council's website, [nelson.govt.nz/rates-by-email](http://nelson.govt.nz/rates-by-email).

Please note: The competition is open to Nelson City Council ratepayers only. Councilors and Council staff are not eligible to enter. The winner will be drawn on 20 December and notified by email. The prize cannot be exchanged for cash.

[nelson.govt.nz/rates-by-email](http://nelson.govt.nz/rates-by-email)

## Emano East Reserve revocation

Council proposes to ask the Minister of Conservation to remove the reserve status of the Emano East Reserve.

The steep contour of the property limits its ability to be used as a park and there are already a number of alternatives located nearby.

The property consists of 7,664m<sup>2</sup> with steep contours, rising from the Emano Street frontage.

You have until 9 December to let us know if you have any objections to the proposal. More information and a feedback form is available from the Council office or online at [nelson.govt.nz](http://nelson.govt.nz) (search = Emano East)



[nelson.govt.nz](http://nelson.govt.nz) Search = Emano East

## Maitai Forks Bridge replacement

The bridge at Maitai Forks that gives access to the Maitai Dam is to be replaced. Access will be closed from 1 to 22 December while the old bridge is removed and the new bridge is put in place.

The road has been the alternative route for mountain bikers while the pipeline section of the Dun Mountain Trail remains closed due to slips. They will need to plan a different route for the three weeks of the closure. Those who want to use the Maitai Dam car park as a base for walks or picnics will also need to make other arrangements.

The bridge is being constructed off site to make the replacement process as speedy as possible. This is not related to recent earthquake activity but is a planned upgrade to improve safe access for all vehicles, including logging trucks. Areas of Council owned forest are due to be harvested in the January/February and the new bridge will improve access for this work.

## Have your say on Nelson's environment

What do you think about Nelson's environment?

We are running a survey to find out how people feel about our environment, what needs to improve, and how we can help people to get involved. The survey will be available online from Thursday 1 December to Thursday 8 December, at [surveymonkey.com/nelson\\_environment\\_survey](http://surveymonkey.com/nelson_environment_survey), or through Council's website. By taking part you will go in the draw to win one of five \$50 grocery vouchers from Fresh Choice Nelson.



[surveymonkey.com/nelson\\_environment\\_survey](http://surveymonkey.com/nelson_environment_survey)



## Date extension – Proposed Reserve Revocation of Emano East Reserve

The date for feedback on this proposal has been extended until Friday 27 January 2017.

Nelson City Council proposes to ask the Minister of Conservation to remove the reserve status of the Emano East Reserve.

The property consists of 7,664m<sup>2</sup> with steep contours, rising from the Emano Street frontage.

The steep contour of the property limits its ability to be utilised as a park and there are already a number of alternatives located within close proximity – Pipers Reserve, Emano St West and Murphy North Reserve.

Get more details on the Council website [nelson.govt.nz](http://nelson.govt.nz) (search = Emano East) and give your feedback by Friday 27 January 2017.

[nelson.govt.nz](http://nelson.govt.nz)

Search = Emano East

## 2016 Annual Residents' Survey results

The annual residents' survey has been completed for 2016.

Each year, Council undertakes a survey to elicit resident feedback on Council performance, with a major survey being completed every three years. This is an interim year, and as such the survey is shorter.

The main results are as follows:

- 98 per cent of library users were satisfied with Council library service.
- 86 per cent of residents were satisfied with parks and recreation activities – including gardens, sports grounds, sports venues, pools and reserves.
- 65 per cent of residents were satisfied with the provision of recreation opportunities for people of all ages and abilities
- 44 per cent of residents were satisfied with transport in Nelson, with a further 41 per cent of

residents neither satisfied nor dissatisfied.

- 37 per cent of residents were satisfied with opportunities to provide feedback and take part in Council's decision-making. Similarly, 37 per cent felt informed about Council and its services.

The most positive feedback was received about Council's good recreation facilities, while the main areas for dissatisfaction include congestion, access to information and ability to provide feedback.

The survey was conducted by an independent research company, with the margin of error +/- 4.8 per cent at the 95 per cent confidence interval.

Council would like to thank those residents who took part in the survey.

For more information go to [nelson.govt.nz](http://nelson.govt.nz) (search = residents survey).

[nelson.govt.nz](http://nelson.govt.nz)

Search = residents survey

## Tahunanui cycleway project

In February 2017, the community will be invited to provide their views as part of the Tahunanui cycleway project.

Nelson City Council has been investigating how to improve cycling facilities through Tahunanui. The Tahunanui cycleway project aims to provide a safe and enjoyable cycling alternative between the existing shared paths from the airport to the Tahunanui Beach area.

Initial public consultation for the project has been done and analysed. During the first project phase in 2014, three routes, including a preferred route, were identified for further investigation. Since that time, Council has completed the required analysis on the three routes. The initial preferred route has now been amended, making it shorter, more direct, safer and more enjoyable for cyclists.

In February 2017, the community will be invited to provide their

views on this preferred route, and potential cycleway designs of how it will look and function if built.

Two open days will be held in February, providing an opportunity for the Tahunanui community to ask questions about the route and designs.

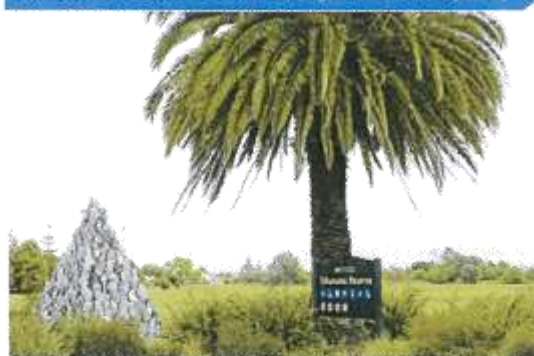
### Open days

- Tuesday 7 February, 3.30–6.30pm at Tahunanui Primary School Hall, Muritai Road.
- Sunday 12 February, 1–4.30pm at Tahunanui Community Centre, Muritai Road.

At the Sunday open day, Council will also hold a ride-through, so that people can experience the route first-hand.

For more information please go to [nelson.govt.nz/tahunanui-cycleway](http://nelson.govt.nz/tahunanui-cycleway).

[nelson.govt.nz/tahunanui-cycleway](http://nelson.govt.nz/tahunanui-cycleway)



## New traffic signal outside fire station

A new traffic signal is being installed outside the Nelson Fire Station on St Vincent Street.

The traffic signal will flash red to stop traffic in the southbound direction only (heading towards Victory Square), when activated by the Fire Service. This is to reduce the risk of a crash when emergency vehicles exit the station.

The signal will only hold the traffic for around 45 seconds to give emergency vehicles time to exit safely.

Northbound traffic (heading into the CBD) will not be stopped by the traffic signals. However, they must show courtesy and let emergency vehicles into the northbound traffic stream when required, as usual.

Expected driver behaviour at emergency vehicle traffic signals (also referred to as red flashing

signal) is given in the Road Code as follows: "Red flashing signals outside a fire station or airport mean you must stop and remain stopped until the lights stop flashing".

Drivers are asked to be aware of the new signal and be patient with drivers as this will be new to Nelson so some adjustment will be required.

The New Zealand Fire Service (NZFS) is pleased to be working with Nelson City Council on road safety improvements.

Des Irving, Assistant Area Commander for Tasman-Marlborough says "The intersection of St Vincent/Gloucester Streets and Washington Road has a high volume of cyclists and vehicles. Adding to this traffic volume, the NZFS and St John's emergency vehicles exit the station to attend emergencies under lights and siren seven days a week/24 hours a day.

"The new flashing lights will greatly aid in making it safer for our appliances leaving the station to respond to emergency situations," Des says.

## MEETINGS

The following meetings of the Nelson City Council have been scheduled.

Council meeting – the meeting schedule for 2017–2019 will be agreed to at this meeting  
9am 15 Dec

### Notes:

1. Unless otherwise shown, the meetings will be held in the Council Chamber, Civic House, Trafalgar Street, Nelson.
2. A public forum is held during the initial period of the Committee/Council meeting. Anyone wishing to speak at this public forum is asked to give prior advice to an Administration Adviser on 546 0200.
3. Agendas will be available for perusal at the Customer Service Centre in Civic House, or at Nelson Public Libraries, two days prior to the meeting.
4. Agendas and minutes for Council meetings can be viewed on Council's website [nelson.govt.nz](http://nelson.govt.nz).

[nelson.govt.nz/meetings](http://nelson.govt.nz/meetings)

Dear Occupant

**RESERVE REVOCATION**

As a neighbouring property owner, I am writing to advise you of Council's proposal to revoke the reserve status of Emano East Reserve.

Please see the details in the enclosed public notice and the plan showing the property. If you have any objections to the proposal please outline these in writing, (including whether or not you want to speak about your objection at a hearing) and send it to;

Senior Property Officer, Nelson City Council, PO Box 645, Nelson 7040.

Submission forms are available from the Council Offices. The closing date for applications is Friday 9 December 2016.

Yours sincerely



**Susan Mathieson**  
Senior Property Officer



**Nelson City Council**  
te kaunihera o whakatū

**Proposed Reserve Revocation  
– Emano East Reserve**

Nelson City Council proposes to revoke the reserve status of the land described below.

**Schedule**  
Nelson City Council Lot 1 DP 4341 0.7664 hectares NL10B/0165

The steep contour of the property limits its ability to be utilised as a park and there are already a number of alternatives located within close proximity – Pipers Reserve, Emano St West and Murphy North Reserve.

The property consists of 7,664m<sup>2</sup> with steep contours, rising from the Emano Street frontage. The land is grassed and planted with trees and shrubs with potential for up to 6 lots provided sufficient land stabilising solutions are completed.

A plan showing the property is available for viewing at Nelson City Council, 110 Trafalgar Street.

Objections to the proposal, giving grounds for objections and if the objector wishes to be heard, must be made in writing by any person claiming to be affected and addressed to;

**Senior Property Officer,  
Nelson City Council,  
PO Box 645, Nelson 7040.**

Such objections must be received by Council no later than **Friday 9 December 2016.**

03-2770900

6. Emano East Reserve Revocation - Deliberations Report - Attachment 2 - A1750246 - Emano East Reserve Revocation Notices and advertising







12229

23A Atawhai Drive  
The Wood  
Nelson 7010

5/12/2016

Dear Sir/ Madam,

I am writing to express our extreme disapproval of your intention to revoke the reserve status of the Emano Street reserve. We do not live near the reserve but were shocked to read 2 notices, on boards on the roadside near the reserve, of your intention.

Many years ago when our daughter and son-in-law lived in a house next to the N.E corner of the reserve, we helped the locals, and others, several times to plant many native trees in the reserve and on other occasions to weed around them. We also cleared around the trees near the top of the reserve leading to Matipo Terrace which at that stage could be accessed from the 4WD track running up from Emano St. Now our daughter and son-in-law live in a house directly opposite the reserve and can see the fantastic growth of those trees but also the slippage that has occurred further round due to storm water.

We understand you intend to build housing there but consider it much too steep for housing. Since we are now in our late 70's/ early 80's, it is unlikely we will be able to walk up there again but it is a lovely reserve and should be kept as such. It would be almost criminal to fell the trees which we and the others planted many years ago.

It is unfortunate that DOC and/or NCC have not maintained the track up the reserve. It can be quite steep but would maintain easier access to the upper reserve and we consider it quite unsuitable for housing.

Finally, we think you gave too little consideration to obtaining Nelson residents' opinion of the revocation and the deadline of November 9th is far too early for closing off submissions.

for Pat and Don Burrage

Don Burrage

RECEIVED  
06 DEC 2016  
NELSON CITY COUNCIL  
Customer Services

12239

**Nelson City Council Public Consultation Submission form**

The Nelson City Council wants your opinion.  
Please tell us what you think.

Please type or print clearly. Remember to read the submission writing guidelines (over) before starting.

Office Use Only			
		Submission Number	
File Ref		INITIALS	

Name Laure Browning

Daytime phone 021 202 8601

Address 13 Thompson Terrace, Nelson

Organisation represented (if applicable) -

Do you wish to be heard in support of your submission? ☐ YES ☒ NO # of pages

       If you do not tick a box we will assume you do not wish to be heard.

**Public information**

Submissions to Council consultation are public information. Your submission will be included in reports, which are available to the public and the media.

My submission is: Proposed Reserve Revocation Emano Street Ew Reserve

I object to the proposed reserve revocation.

This area is part of the birdlife corridor from Brookborough. Pipes Reserve is a great example of what can be achieved when encouraging use of reserve.

There is plenty of privately owned land that I am assuming will be the day used for housing, which therefore remains important to keep our reserves.

This particular reserve has many stormwater problems already - is it really ideal for housing?

A clearly signed well developed path would encourage even more use of this reserve.

Date 23/2/17 Signature L Browning

Help with making a submission overleaf... although as discussed. Originally handed in 13/1/17.



**Nelson City Council**  
te kaunihera o whakatū

PO Box 645 • Nelson • 03 546 0200  
www.nelsoncitycouncil.co.nz

1063272 • March 2011