



AGENDA

**Ordinary meeting of the
Nelson City Council**

Community Services

**Tuesday 19 February 2013
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership:

His Worship the Mayor Aldo Miccio, Councillors Ian Barker, Ali Boswijk (Deputy Mayor), Gail Collingwood, Ruth Copeland, Eric Davy, Kate Fulton, Paul Matheson, Jeff Rackley (Co-portfolio Holder), Pete Rainey (Co-portfolio Holder), Rachel Reese, Derek Shaw and Mike Ward

Apologies

Opening Prayer

1. Conflicts of Interest

- 1.1 Updates to the Interests Register
- 1.2 Identify any conflicts of interest in the agenda

2. Public Forum

- 2.1 Friends of Nelson Library

Priscilla Wardell, Friends of the Library Treasurer, and Jill Blechynden, Friends of the Library Committee Member and Coordinator of Booksales, will present Council with a \$5000 donation, comprised of funds raised from speaker events and proceeds from the sale of the Libraries' cancelled collection items.

3. Confirmation of Minutes

1-16

20 November 2012

Document number 1412992

Recommendation

THAT the minutes of the meeting of the Nelson City Council – Community Services, held on 20 November 2012, be confirmed as a true and correct record.

4. Mayor's Report

5. Status Report – Community Services 17

Document number 1034860 v8

Recommendation

THAT the Status Report – Community Services (1034860 v8) be received.

6. Portfolio Holder’s Report

During this part of the meeting the Mayor will be joined by the Co-Portfolio Holder, Councillor Rainey.

7. Review of Tasman Nelson Environment Awards 18-55

Document number 1430196

Recommendation

THAT the Tasman Nelson Environment Awards Strategic Review 2012 be received;

AND THAT the recommendations of the Review be implemented;

- ***The Awards be held biennially from the 2013/14 year, in partnership with Tasman District Council;***
- ***The number of categories are reduced to schools, primary production, business, individual, group, sustainable design, and people’s choice; with prizes for these categories to be provided by sponsors;***
- ***The judging process is standardised and streamlined to involve a moderator, a councillor and a specialist for each category;***
- ***An improved higher value sponsor package is developed;***
- ***A marketing plan is developed to improve coverage about the Awards in the community subject to sponsorship;***

AND THAT the Tasman Nelson Environment Awards be reviewed in 2018.

REPORTS FROM COMMITTEES

- 8. Civil Defence Emergency Management Group – 23 November 2012** **56-57**

Document number 1420149

Recommendation

THAT the minutes of the meeting of the Civil Defence Emergency Management Group, held on 23 November 2012, be received.

- 9. Nelson Youth Council – 23 October 2012** **58-62**

Document number 1394073

Recommendation

THAT the minutes of the meeting of the Nelson Youth Council, held on 23 October 2012, be received.

- 10. Nelson Youth Council Update**

Petra Higgins and Blake Hornblow of the Nelson Youth Council will be in attendance, and will provide an update regarding Nelson Youth Council activities.

CROSS COUNCIL ITEMS

- 11. Framing Our Future – Draft Nelson 2060 Strategy Public Consultation** **63-66**

Document number 1436334

Note: Attachment 1, the Draft Nelson 2060 Strategy, is circulated as a separate document.

Recommendation

THAT the Draft Nelson 2060 Strategy (1452447) be approved for public consultation;

AND THAT the Framing Our Future Committee hear, consider and make decisions on submissions to the Draft Nelson 2060 Strategy;

AND THAT the Framing Our Future Committee recommend to the Council a final version of the Nelson 2060 Strategy for adoption;

AND THAT the members of the Mayoral Taskforce be invited to recommend to their respective organisations the adoption of the Strategy.

12. Adoption of the Dog Control Policy and Dog Control Bylaw No 221 67-105

Document number 1427076

Recommendation

THAT the Dog Control Policy (1191552) and the Dog Control Bylaw No 221 (1191826) be adopted, to take effect from 25 February 2013.

13. Local Alcohol Policy 106-115

Document number 1439024

Recommendation

THAT a draft Local Alcohol Policy be developed on the basis of the significant benefits, including:

- communities having a greater say on local alcohol licensing policy**
- guidance and greater certainty for all those involved in the liquor licensing process**
- a fit for purpose policy on the sale and supply of alcohol;**

AND THAT the scope of the draft Local Alcohol Policy should cover all of the matters permitted under s77 of the Sale and Supply of Alcohol Act 2012;

AND THAT Nelson City Council indicates a desire to work with other Councils on this policy and the Mayor be requested to seek agreement from the Mayors of Tasman District Council and Marlborough District Council to develop a Joint Alcohol Policy for the Top of the South Councils.

14. Council Submissions on 'Towards Better Regulation' and 'Building Seismic Performance' 116-156

Document number 1439006

Recommendation

THAT the following submissions are confirmed, subject to any amendments made by Council:

- ***Towards Better Regulation (1445682);***
- ***Building Seismic Performance (1441156).***

15. Proposed Changes to Nelson City Council's Annual Plan 2012/13 Work Programme 157-160

Document number 1385476

Recommendation

THAT the proposed changes to Nelson City council's Annual Plan 2012-13 Work Programme as detailed in document 1393829 be approved.

16. Plan Change 16 Inner City Noise Working Group 161-162

Document number 1437680

Recommendation

THAT Councillor _____ be appointed to the existing Plan Change 16 Inner City Noise Working Group consisting of Councillors Ward and Fulton to:

- ***consider the public feedback received,***
- ***recommend to the Council a draft Plan Change for public notification.***

PUBLIC EXCLUDED BUSINESS

17. Exclusion of the Public

Recommendation

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

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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Public Excluded Minutes – Nelson City Council Community Services – 20 November 2012 These minutes confirm the public excluded minutes of the Community Services meeting of 28 August 2012 and the Infrastructure meeting of 11 October 2012, and also contain information regarding:	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary:
	Marina Hardstand		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
	Regional Pipeline Upgrade Liquidated Damages		<ul style="list-style-type: none"> Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person
	Kahurangi Employment Trust – Council Relationships		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
	Natureland Expressions of Interest		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
2	Public Excluded Status Report – Community Services – 19 February 2013 This report contains information relating to:	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:

	Kahurangi Employment Trust – Council Relationships		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
	Natureland Expressions of Interest		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations

18. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Note:

- **Lunch will be provided at 12.30pm.**

Minutes of a meeting of the Nelson City Council – Community Services

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

On Tuesday 20 November 2012, commencing at 9.00am

Present: Councillors A Boswijk (Chairperson), I Barker, G Collingwood, R Copeland, E Davy, K Fulton, P Matheson, J Rackley, P Rainey, R Reese, D Shaw, and M Ward

In Attendance: Acting Chief Executive (R Johnson), Acting Executive Manager Community Services (R Ball), Acting Executive Manager Regulatory (M Bishop), Executive Manager Strategy and Planning (M Schruer), Executive Manager Network Services (A Louverdis), Executive Manager Support Services (H Kettlewell), Executive Manager Kaihautū/Community Relations (G Mullen), Manager Parking (K Robinson), Manager Monitoring and Research (M Workman), Youth Councillor (I O'Connor), Manager Capital Projects (P Hamblin), Senior Planner (S Solly), Nelson Harbour Master (D Duncan), Manager Administration (P Langley), Project Management Adviser (C Blythe), and Administration Adviser (L Canton)

Apologies: Apologies were received and accepted from His Worship the Mayor A Miccio

Opening Prayer

Councillor Davy gave the opening prayer.

1. Late Items

Document number 1408007, late item refer.

The Chairperson explained that late agenda items had been distributed and in accordance with section 46A(97) of the Local Government Official Information and Meetings Act 1987, a procedural resolution was required for the public and public excluded late items before those items could be considered at this meeting.

1.1 Public items

Resolved

THAT the items regarding:

- **Public Forum, and**
- **the minutes of a meeting of the Nelson City Council – Infrastructure, held on 11 October 2012, and**
- **the Status Report – Infrastructure, and**
- **the minutes of a meeting of the Nelson Regional Transport Committee, held on 18 October 2012, and**
- **the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 31 August 2012, and**
- **the discussion of public forum items**

be considered at this meeting, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987.

Boswijk/Reese

Carried

1.2 Public Excluded Items

Resolved

THAT the items regarding:

- **the minutes of a part of the meeting of the Nelson City Council – Infrastructure, held with the public excluded on 11 October 2012, and**
- **the Public Excluded Status Report – Infrastructure, and**
- **the minutes of a part of the meeting of the Nelson Regional Sewerage Business Unit, held with the public excluded on 31 August 2012,**

be considered in the public excluded part this meeting, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987.

Boswijk/Davy

Carried

- 1.3 Late Item: Update on Council's Bid to Fédération Internationale de Football Association Under 20s World Cup 2015

Resolved

THAT the item regarding an update on Council's bid to Fédération Internationale de Football Association Under 20s World Cup 2015 be considered at this meeting, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987.

Reese/Rainey

Carried

2. Conflicts of Interest

- 2.1 There were no updates to the Interests Register and no conflicts of interest were declared.

3. Public Forum

3.1 Queens Road Upgrade

Ms Gretchen Rasch gave a presentation (1410493). She outlined her concerns regarding the duration of the Queens Road upgrade, the inconvenience it had caused to residents, and the amount of parking available following the upgrade. She suggested that there was a need for the surveying of residents prior to planning works, improved communication between all parties involved, and improved project management for such works.

In response to questions, Ms Rasch said she and her neighbour had contacted Council staff with their concerns during the works.

3.2 Camping in Marsden Valley

Mr Craig Gass spoke about Mr Lewis Stanton camping in Marsden Valley. He said he had agreed to Mr Stanton camping in the area in the short term, but unacceptable issues had arisen, including that of Mr Stanton disposing of waste in the creek and burying waste, erecting an unauthorised long drop, and having additional campers on site.

In response to questions, Mr Gass said the toilets Mr Stanton had been asked to use in the cemetery were approximately 700 metres from his campsite. He added that if Mr Stanton had respected the conditions of his permit, he would not have any objection to Mr Stanton remaining in the area. He said that he did not believe Mr Stanton should be treated as a special case and that he should be required to abide by the same rules as other residents. He urged Council to address Mr Stanton's failure to meet his responsibilities in return for the right to camp in Marsden Valley.

3.3 Horse Rides from Tahunanui Beach Reserve

Mr Hugh Briggs tabled a presentation (1410806) which he spoke to. He outlined a number of issues with Mr Lewis Stanton operating horse rides from the Reserve in response for koha, without a concession and without meeting any health and safety requirements. He asked that Council apply the same rules to Mr Stanton as it did to other concession holders.

In response to questions, Mr Briggs said he was happy for Mr Stanton to operate at the Reserve but he should be required to comply with the same rules and regulations that other commercial operators were required to meet.

4. Public Forum Discussion

4.1 Queens Road Upgrade

The Executive Manager Network Services, Alec Louverdis, and the Manager Capital Projects, Philip Hamblin, joined the meeting.

Mr Louverdis offered apologies to all residents who felt upset about the works. He then outlined Council's community engagement objectives for construction projects, and said he believed these objectives had been fully met in the Queens Road upgrade. He said that it was Council's standard practice to carry out a review of works at the completion of a contract, and the issues that had been noted by Ms Rasch would be among those discussed in detail with the contractor.

There was general agreement that the finished upgrade represented a very good outcome and it was noted that the cost of the improvement was a significant investment for a suburban road. Councillors also acknowledged the unfortunate delays and associated disruption these had caused for residents.

Mr Louverdis noted that despite the consultation that occurred, not every resident received what they desired.

Attendance: Eric Davy left the meeting at 9.45am

In response to questions, Mr Hamblin explained the changes to parking on Queens Road as a result of the upgrade. He also said that staff had had regular contact with residents throughout the works and had reviewed any issues as they arose. He said that the delays had been unfortunate but unavoidable due to the complex nature of such works.

Mr Louverdis noted that he would consider seeking feedback from all residents on all future contracts relating to actual construction work.

4.2 Camping in Marsden Valley

Mr Louverdis confirmed that the agreement for Mr Stanton to camp in Marsden Valley did not include permission to bury waste, build a long drop, or have additional people camping overnight, and that that this had been communicated to Mr Stanton on numerous occasions. In response to a question, Mr Louverdis advised that Mr Stanton had admitted, to him personally and through his lawyer, to burying his waste rather than disposing of it in the toilets.

Mr Louverdis explained that a trespass notice had been prepared for Mr Stanton on the Friday prior to this meeting, but that Mr Stanton had chosen to leave Marsden Valley of his own volition before the notice was issued. However, he noted, if Mr Stanton was to return to Marsden Valley, the trespass notice would be issued.

In response to questions, the Acting Chief Executive advised that as Mr Stanton had chosen not to meet the conditions of his temporary permit to camp, should he wish to return to Marsden Valley, a decision about whether he would be allowed to do so must be made by the Council.

Councillors paid tribute to Mr Louverdis for the time and effort he had committed to attempting to reach a solution with Mr Stanton under extraordinarily trying circumstances. They considered that Council's attempts had been very reasonable and noted their extreme disappointment that Mr Stanton had not proven willing to meet the conditions of his permit. A further view was expressed that Council should give careful consideration to the best use of staff time and to staff welfare when making decisions such as the one that had required staff to attempt to reach an agreement with Mr Stanton.

In response to a question, Mr Louverdis confirmed that the consultation with affected residents on the four possible locations for a special permit with conditions for Mr Stanton to camp had been completed and that the feedback received was not favourable to Mr Stanton. He said that a report on this would come to the Council once the proposed Freedom Camping Bylaw review had been completed, to ensure consistency. It was noted that a new bylaw was still some way off.

It was noted that no Councillors had received an indication that any members of the public were willing to accommodate Mr Stanton on their own land. Some Councillors suggested that, as this was a problem for the community, the community may also have some solutions, and this was a chance for any landowners willing to accommodate Mr Stanton to come forward.

Attendance: Councillor Davy returned to the meeting at 10.45am.

4.3 Horse Rides from Tahunanui Beach Reserve

Mr Louverdis said he had informed Mr Stanton through his lawyer that in order to operate in the Tahunanui Beach Reserve, Mr Stanton was

required to have a license under the Trading in Public Places Bylaw and a concession under the Tahunanui Reserves Management Plan. Mr Louverdis explained that failure to secure either would result in an injunction being issued against Mr Stanton operating at the beach. Mr Stanton had indicated that he did not intend to apply for either a license or a concession, Mr Louverdis said.

Attendance: The meeting broke for morning tea from 10.55am to 11.10am.

5. Adoption of the Navigation Safety Bylaw 2012 (No 218)

Document number 1398986, agenda pages 56-134 refer.

Senior Planner, Susi Solly and Nelson Harbour Master, David Duncan, joined the meeting. Ms Solly presented the report and explained the various parts of the recommendation.

Councillors thanked staff for their work to complete the Bylaw and confirmed their preference to retain clauses 2.20(a) and 4.2(c) and 4.2(d), and to use the updated definitions of "Coastal Marine Area" and "Foreshore".

Resolved

THAT the Navigation Safety Bylaw 2012 (No 218) as amended in response to the submissions received and at this meeting be adopted;

AND THAT the Navigation Safety Bylaw 2012 (No 218) come into effect from 1 December 2012;

AND THAT on the coming into effect of the Navigation Safety Bylaw 2012 (No 218), the Recreational Marina Bylaw (No 195) and the Navigation Safety Bylaw (No 205) be revoked;

AND THAT clause 2.24(f) be removed;

AND THAT clause 2.24(a) be partially deleted;

AND THAT clause 2.24 (i) be deleted;

AND THAT the \$200 fine for failure to adhere to terms of a special events authorisation be confirmed;

AND THAT Council uses the updated definitions of "Coastal Marine Area" and "Foreshore" described under section 4.11 of this report.

Collingwood/Rainey

Carried

Attendance: Councillor Rackley left the meeting at 11.15am.

6. Confirmation of Minutes

6.1 Community Services – 28 August 2012

Document number 1362708, agenda pages 1-11 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council – Community Services, held on 28 August 2012, be confirmed as a true and correct record.

Davy/Collingwood

Carried

6.2 Meeting to hear submissions to the draft Dog Control Policy and Bylaw Review 2012 – 24 September 2012

Document number 1378766, agenda pages 12-20 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council to hear submissions to the draft Dog Control Policy and Bylaw Review 2012, held on 24 September 2012, be confirmed as a true and correct record, subject to the substitution of the word 'counsellor' for the word 'councillor' in point 3.18.

Barker/Fulton

Carried

6.3 Meeting to hear and consider applications for Community Assistance Funding 2012/13 – 10 September 2012

Document number 1370724, agenda pages 21-36 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council to hear and consider applications for Community Assistance Funding 2012/13, held on 10 September 2012, be confirmed as a true and correct record.

Boswijk/Rainey

Carried

7. Status Report – Community Services

Document number 1034860 v7, agenda pages 37 refer.

Resolved

THAT the Status Report – Community Services (1034860 v7) be received.

Boswijk/Matheson

Carried

8. Portfolio Holder’s Report

Community Services Co-Portfolio Holder, Councillor Rainey, gave a Portfolio Holder’s report, during which he congratulated staff on the completion of the sculpture at the lower end of Trafalgar Street.

CROSS COUNCIL ITEMS

9. Updated Expenses Policy for Elected Representatives

Document number 1398180, agenda pages 38-55 refer.

Executive Manager Support Services, Hugh Kettlewell, and Manager Administration, Penny Langley, joined the meeting.

In response to a question, Ms Langley explained that the Expenses Policy only provided for those resource consent expenses covered by the Local Government Elected Members (2012/13) (Certain Local Authorities) Determination 2012, although additional expenses may be allowed for under other regulations governing resource consent hearings.

In response to a question, Mr Kettlewell confirmed that pre-approval would be given for all travel that could be anticipated in advance, and that additional instances of travel that had not been pre-approved could be approved by Council. The Acting Chief Executive advised that the aim was to minimise the need for monthly approvals for travel.

Resolved

THAT the Nelson City Council Expenses Policy for Elected Representatives (document number 1385969, Attachment 3), as amended, be forwarded to the Remuneration Authority for approval.

Davy/Copeland

Carried

10. Update on Council's Bid to Fédération Internationale de Football Association Under 20s World Cup 2015

Document number 1410302, late item 2 refer.

Project Management Adviser, Chris Blythe, joined the meeting. Acting Executive Manager Community Services, Roger Ball, presented the report.

Mr Ball cautioned Councillors that they could not discuss information relating to this item that had previously been discussed in public excluded session. He explained that Council staff had received feedback from the Fédération Internationale de Football Association officials that Council's bid was less attractive than others in the same category. He said that staff now sought a decision from Council on whether they wished to maintain the current bid, increase the bid, or withdraw the bid altogether.

In response to a question, Mr Blythe advised that if Council were to proceed with the bid, the bid process would require another 40 to 60 hours of staff time.

In response to a further question, Mr Ball said that the reasons for not increasing the bid were confidential and had been provided to Councillors in the public excluded part of a previous Council meeting. He explained that any increase in the bid must be subject to public consultation through the Annual Plan process, and that this would require negotiation with the event organisers as it was outside of the bid deadline of 30 November 2012. Mr Ball added that such an agreement would be likely to include penalties for the Council should the outcome of consultation favour the withdrawal of the bid.

There was a discussion about Council's bid. Some Councillors were in favour of withdrawing the bid altogether. Others supported maintaining the current bid as it represented value for the City should it succeed at the current amount. It was suggested that the current bid could be enhanced by emphasising the non-financial benefits of Nelson as a host city, with particular reference to the City's proven ability in hosting the Rugby World Cup 2011, and the effectiveness of Nelson's volunteer community.

Councillor Copeland, seconded by Councillor Rainey, moved the following motion:

THAT Council proceeds with the bid of \$500,000 with an additional budget of \$300,000 to be consulted on and approved through the 2013/2014 Annual Plan process;

AND THAT and that Fédération Internationale de Football Association be advised that the additional amount of \$300,000 is contingent on approval through the 2013/2014 Annual Plan consultation.

Councillors discussed the proposed motion. It was suggested that Council seek an indication from the event organisers of their expectations before the amount of any increase was decided. The motion was put and lost.

The meeting returned to consider the recommendation in the staff report (1410302), incorporating an emphasis on the non-financial aspects of Nelson as a host city.

The motion was put and it was passed.

A division was called.

Councillor	
Councillor Barker	No
Councillor Boswijk	Yes
Councillor Collingwood	Yes
Councillor Copeland	No
Councillor Davy	Yes
Councillor Fulton	Yes
Councillor Matheson	No
Councillor Rackley	Absent
Councillor Rainey	Yes
Councillor Reese	Yes
Councillor Shaw	Yes
Councillor Ward	Yes
His Worship the Mayor	Apology

Resolved

THAT Council proceeds with the previously agreed bid of \$500,000, including staff time, to be a host city for the Fédération Internationale de Football Association Under 20s World Cup 2015, and emphasises the non-financial benefits it can offer as a host city.

Ward/Reese

Carried

REPORTS FROM COMMITTEES

11. Nelson Youth Council Update

Nelson Youth Councillor, Izzy O'Connor, gave an update on Youth Council activities. She said that the Youth Council had now concluded for the year and departing Youth Councillors would be farewelled at the upcoming Youth Council camp, which would also welcome new Youth Councillors and prepare them for the coming year. She thanked the Council for the ongoing support of the Youth Council. Councillors also acknowledged Ms O'Connor for her contribution to the Youth Council.

12. Nelson Youth Council Minutes

12.1 27 September 2012

Document number 1379015, agenda pages 135-137 refer.

Resolved

THAT the minutes of a meeting of the Nelson Youth Council, held on 27 September 2012, be received.

Rainey/Collingwood

Carried

12.2 22 August 2012

Document number 1359397, agenda pages 138-142 refer.

Resolved

THAT the minutes of a meeting of the Nelson Youth Council, held on 22 August 2012, be received.

Rainey/Collingwood

Carried

LATE ITEMS

13. Confirmation of Minutes – 11 October 2012

Document number 1387094, agenda pages 1-13 refer.

Resolved

THAT the minutes of the meeting of the Nelson City Council – Infrastructure, held on 11 October 2012, be confirmed as a true and correct record.

Collingwood/Fulton

Carried

14. Status Report – Infrastructure

Document number 1034781 v5, late item pages 1-13 refer.

Recommendation

THAT the Status Report – Infrastructure (1034781 v5) be received.

Boswijk/Collingwood

Carried

15. Regional Transport Committee – 18 October 2012

Document number 1395372, late item pages 16-20 refer.

Resolved

THAT the minutes of a meeting of the Regional Transport Committee, held on 18 October 2012, be received.

Matheson/Collingwood

Carried

16. Nelson Regional Sewerage Business Unit – 31 August 2012

Document number 1368994, late item pages 21-30 refer.

Resolved

THAT the minutes of a meeting of the Nelson Regional Sewerage Business Unit, held on 31 August 2012, be received.

Boswijk/Davy

Carried

Attendance: The meeting adjourned for lunch from 12.45pm to 1.18pm.

17. Exclusion of the Public

It was noted that the recommendation to exclude the public also referred to the public excluded late items detailed in the memo to Councillors dated 15 November 2012, titled Council – Community Services Agenda – 20 November 2012 – Late Items (document number 1408007).

Recommendation

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

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under

section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	<p>Public Excluded Minutes – Nelson City Council Community Services – 28 August 2012</p> <p>These minutes confirm the public excluded minutes of the Council meeting of 19 July 2012 and also contain information regarding:</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p>
	<p>Options relating to the proposed purchase of land for a road reserve</p>		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
	<p>An information update on the review of the Boulder Bank Culvert agreement</p>		<ul style="list-style-type: none"> • Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person • Section 7(2)(i) To carry out negotiations
2	<p>Kahurangi Employment Trust – Council Relationship</p> <p>This report contains information regarding the Council's relationship with, and funding of, the Trust.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
3	<p>Natureland Expressions of Interest</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(b) To protect information that may disclose a trade

		good reason exists under section 7	secret or the commercial position of a person <ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(j) To prevent improper gain or advantage
Public Excl. late item 1	Nelson City Council – Public Excluded Infrastructure Minutes – 11 October 2012 These minutes confirm the public excluded minutes of the extraordinary Council meetings – Earthquake Prone Buildings, held on 4 September and 21 August 2012, and also contain information regarding:	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary:
	Boulder Bank Culvert Agreement, including information regarding the negotiation of a Heads of Agreement regarding the use of a Council owned asset.		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
	Marina Hardstand		<ul style="list-style-type: none"> • Section 7(2)(i) To carry out negotiations
	Public Excluded minutes of the Nelson City Council/ Tasman District Council Joint Shareholders Committee meeting of 14 September 2012, including information regarding Directors’ rotation and fees for Council Controlled organisations and Council Controlled Trading Organisations.		<ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations

	Statement of Proposal – Gambling Policy, including legal advice relating to the Statement of Proposal Draft Class 4 Gaming Venue Policy 2012, Draft New Zealand Racing Board Venue Policy 2012		<ul style="list-style-type: none"> Section 7(2)(g) To maintain legal professional privilege
Public Excl. Late Item 2	Public Excluded Infrastructure Status Report – 22 November 2012 This report contains a brief update regarding progress on the following:	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:
	Airlie Street Slip Repairs		<ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons Section 7(2)(i) To carry out negotiations
	Boulder Bank Culvert Agreement		<ul style="list-style-type: none"> Section 7(2)(c) To protect information that is subject to an obligation of confidence Section 7(2)(i) To carry out negotiations
	Marina Hardstand		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
Public Excl. Late Item 3	Public Excluded Nelson Regional Sewerage Business Unit meeting – 31 August 2012 These minutes confirm the minutes of the public excluded Nelson Regional Sewerage Business Unit meeting held on 22 June 2012, and information relating to:	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:

	Regional Pipeline Upgrade Consultancy Fees, including information regarding negotiations relating to the total fees payable for the regional pipeline upgrade project		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
	Regional Pipeline Upgrade Liquidated Damages, including information regarding the ability of the Nelson Regional Sewerage Business Unit to recover liquidated damages relating to the regional pipeline upgrade		<ul style="list-style-type: none"> Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person

Boswijk/Rainey

Carried

The meeting went into public excluded session at 1.18pm and resumed in public session at 2.20pm.

18. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Boswijk/Collingwood

Carried

There being no further business the meeting ended at 2.20pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

COMMUNITY SERVICES STATUS REPORT – 19 FEBRUARY 2013

No	Meeting Date	Document Number	Report Title/Item Title	Officer	Resolution or Action	Status
1	5/6/2012	1279540	Camping Bylaw Review 2012	Sarah Yarrow/ Chris Ward	<p><u>THAT</u> the resolution to approve the proposed Nelson City Camping Bylaw 2012 (Bylaw 220) for public consultation be left to lie on the table until a working party had reformulated the Statement of Proposal.</p> <p><u>THAT</u> a working party comprising Councillors Davy, Fulton, Shaw, and Ward be established to consider the wording of the draft Nelson City Camping Bylaw 2012 (Bylaw 220) and the draft Statement of Proposal and make recommendations back to Council.</p>	19/2/2013 Councillor Working Party will review legal opinion and determine if a new bylaw is required.
2	20/11/2012	1410302	Update on Council's Bid to Federation Internationale de Football Association Under 20s World Cup 2015	Roger Ball	<u>THAT</u> Council proceeds with the previously agreed bid of \$500,000, including staff time, to be a host city for the Federation Internationale de Football Association Under 20s World Cup 2015, and emphasises the non-financial benefits it can offer as a host city.	19/2/2013 Reformulated budget submitted to NZ Soccer together with letter from Mayor underlining non-financial benefits. Completed.

Review of Tasman Nelson Environment Awards

1. Purpose of Report

- 1.1 To consider the staff review carried out of the Tasman Nelson Environment Awards, and the decision made by Tasman District Council to implement the recommendations of the review.
- 1.2 To decide on implementation of the review recommendations.

2. Recommendation

THAT the Tasman Nelson Environment Awards Strategic Review 2012 be received;

AND THAT the recommendations of the Review be implemented:

- ***The Awards be held biennially from the 2013/14 year, in partnership with Tasman District Council;***
- ***The number of categories are reduced to schools, primary production, business, individual, group, sustainable design, and people's choice; with prizes for these categories to be provided by sponsors;***
- ***The judging process is standardised and streamlined to involve a moderator, a councillor and a specialist for each category;***
- ***An improved higher value sponsor package is developed;***
- ***A marketing plan is developed to improve coverage about the Awards in the community subject to sponsorship;***

AND THAT the Tasman Nelson Environment Awards be reviewed in 2018.

- 2.1 The Environment Awards were set up in 2001 to encourage people to improve their environmental practices and to showcase to others what they have achieved. These have been held annually ever since, and in partnership with Tasman District Council for the years 2009, 2010 and 2011.
- 2.2 During 2012, Tasman District and Nelson City Council staff conducted a review of the Tasman Nelson Environment Awards in response to the following questions:
- Does the current Environment Awards format deliver positive behaviour change by:
 - Promoting and recognising the range of good sustainability-focused projects in the region?
 - Celebrating good environmental practice?
 - Encouraging new behaviours by making it easier for other people to follow the examples promoted by the Awards?
 - Are there better ways of achieving these objectives other than the use of Awards?
- 2.3 The key findings from the review were that:
- In principle the awards remain an effective way of achieving Council's objectives, but the awards in their previous format were not necessarily reaching as broad a target audience as anticipated. This means that some changes could result in better outcomes around creating positive behaviour change, and are worth investigating further.
 - Moving the awards to a biennial format would allow more time for projects to develop.
 - Any changes should not incur the use of additional Council resources other than those already allocated under their respective Long Term Plans.
- 2.4 Tasman District and Nelson City Council staff have undertaken further investigation into a number of aspects and are recommending that:
- The Awards be run biennially.
 - Categories are reduced to schools, primary production, business, individual, group, sustainable design, with the introduction of a new category: people's choice.
 - The judging process is streamlined to involve a moderator (subject to a suitable candidate being available), a Councillor and a specialist (staff or otherwise) for each category.

- A higher-cost and better sponsor package is on offer.
- More extensive and intensive promotion is undertaken, subject to available sponsorship.

3. Discussion

Tasman District Council

- 3.1 Tasman District Council considered the review report and staff recommendations at its Environment and Planning meeting of 13 December 2012. At that meeting, Tasman District Council resolved:

THAT the Environment and Planning Committee receives the Tasman Nelson Environment Awards Review REP12-12-08; and

Approves the following format for undertaking the Environment Awards that:

- *the Awards will be undertaken biennially*
- *the number of categories are reduced to schools, primary production, business, individual, group, sustainable design, people's choice*
- *the judging process is standardised and streamlined to involve a moderator, a councillor and a specialist (staff or otherwise) for each category*
- *an improved higher value sponsor package is developed*
- *a marketing plan is developed to improve coverage about the Awards in the community in line with the recommendations contained in this report*
- *the Awards be run jointly with Nelson City and will be reviewed in 2018; and*

Notes that the review is still to be discussed by Nelson City Council; and

Notes that the proposed changes are subject to securing additional sponsor funding.

- 3.2 In passing this resolution, Tasman District Council is supporting the recommendations of the review.

Review Recommendations

- 3.3 Timing - The Awards are proposed to be delivered on a biennial basis to allow more time for projects to develop.
- 3.4 Categories – It is proposed to return to basics with a smaller number of categories. These would be:
- Schools
 - Primary Production (previously 'Rural')
 - Business
 - Individual (previously 'Environmental Leadership')
 - Groups
 - Sustainable Design
 - A new People's Choice category, with the finalists from the other categories as candidates, and a media campaign will encourage members of the public to vote for their top choice out of all the nominees.
- 3.5 It was recommended that the Heritage category be removed and become part of Heritage Week activities, which is seen to be a more appropriate context for Heritage Awards.
- 3.6 Delivery - Changes are proposed to the way the Awards are delivered to the community. It is suggested that a changed format for schools and primary production categories involving presentations at assemblies and rural field days be explored, subject to resourcing and sponsorship.
- 3.7 Judging – It is proposed, to provide more consistency, that the sponsor representative on the panel be replaced by a moderator, subject to a suitable candidate being available.
- 3.8 Sponsors - Sponsors will be encouraged to contribute at a higher level every second year and new sponsors will be sought for some category awards. This is also intended to provide increased funding for advertising and promotion.

Resourcing

- 3.9 There are some implications in terms of time to organise the additional school and primary production activities, as well as the changes to the Awards ceremony. However, if the Awards move to a biennial format the net result should be less overall staff hours.

- 3.10 Currently Council has allocated a budget of \$10,000 per year which is included in the Long Term Plan 2012-2022. However in 2013/14 Tasman District Council is allocating \$3,000 plus additional in-kind support to the value of \$4,000 for administration and marketing of the Awards. This includes design, printing and advertising costs. It is proposed that Nelson City Council's contribution is limited to a maximum of \$7,000 per Awards. Expenditure is reconciled at the end of each Awards process to ensure that support for the Awards is allocated on an equitable basis.
- 3.11 As preparation and staging of the Awards occurs across two financial years, the expected budget would be \$2,000 for 2012/13 and \$5,000 for 2013/14, with an ongoing budget of \$5,000 on Awards years and \$2,000 on alternate years. The \$2,000 on alternate years is to fund the earlier stages of the process prior to July in each Awards year.
- 3.12 It may take more than one Awards cycle to implement the proposed changes fully, including establishing new processes for school and primary production categories. The time taken to get these new processes established will be dependent on available resources. Increased marketing and promotion are dependent on increased sponsorship levels which have yet to be agreed with both existing and potential new sponsors.

Timeframes

- 3.13 If approved to implement the changes, the proposed timeframe in the Awards year (calendar year) would be as follows:
- March: Open 'Primary Production'
 - June: Open 'Schools'
 - May and August: Field day and school assemblies
 - September: Open 'Business', 'Individual', 'Group', 'Sustainable Design'
 - November: Open 'People's Choice'
 - December: Awards Ceremony

4. Conclusion

- 4.1 Staff are satisfied that the Awards have the potential to achieve the stated objectives as listed in clause 3.2.
- 4.2 The proposed changes can result in an effective and professional showcase for our region, and create a legacy to be proud of. These are expected to result in an improved level of achievement of the objectives, and influence behaviour change in the wider community more effectively.

- 4.3 It is important to be aware that some of these changes are subject to securing sponsor support, in particular the increased marketing and promotion, and presentation of the primary production award at an agricultural field day. Should this sponsorship not be forthcoming, these aspects will be reduced, but the Awards will still be able to deliver to a good standard on a biennial basis.
- 4.4 Tasman District Council has resolved to support the changes recommended in the review.

Kath Inwood
Manager Community Development

Attachments

Attachment 1: [Tasman Nelson Environment Awards Strategic Review 2012 1343530](#)

Supporting information follows.

Supporting Information

1. Fit with Purpose of Local Government

The Environment Awards provide recognition for local initiatives taken by groups, businesses and individuals to increase sustainability. By showcasing these initiatives the provision of quality local services, both public and private, is encouraged to improve. This cross-sector acknowledgement of good environmental practice would not be provided by any private entity. This initiative also supports community alignment with regulatory functions through community engagement.

The proposed new format for the Environment Awards is more cost effective than the existing format as the overall budget is smaller, the judging process has been streamlined, and the categories have been reduced in response to stakeholder consultation on how to make the awards more efficient and effective.

2. Fit with Community Outcomes and Council Priorities

HEALTHY LAND, SEA, AIR, AND WATER – We protect the natural environment:

We treasure, protect and restore the special places, landscapes, native species and natural ecosystems of Nelson. The whole community is educated and involved in caring for the environment.

Council Priorities:

2. Sustainability, particularly environmental sustainability
3. Sustainable economic development
4. Nelson as a centre for arts creativity
7. Regional programmes, working co-operatively with Tasman District Council

3. Fit with Strategic Documents

The Environment Awards are consistent with Framing Our Future.

4. Sustainability

The review and recommendations are presenting an alternative solution to better meet the needs of the community and the objectives of the Awards, which uses fewer resources.

5. Consistency with other Council policies

The Environment Awards process is not inconsistent with any other Council policies. This programme is operated in partnership with Tasman District Council, and recognises community actions which are in alignment with both Councils' environmental and sustainability goals.

<p>6. Long Term Plan/Annual Plan reference and financial impact 4514 4342 1251: Environment Awards – currently \$10,000 per year budgeted in the Long Term Plan 2012-2022. Would reduce to \$5,000 per Awards year and \$2,000 alternate years if the recommendation is approved.</p>
<p>7. Decision-making significance This is not a significant decision in terms of the Council’s Significance Policy.</p>
<p>8. Consultation The Review included wide consultation including entrants, Councillors, sponsors, staff and other community members.</p>
<p>9. Inclusion of Māori in the decision making process N/A</p>
<p>10. Delegation register reference 7.1 Community Services Portfolio</p> <ul style="list-style-type: none"> • Community programmes • Environmental programmes

TASMAN NELSON ENVIRONMENT AWARDS STRATEGIC REVIEW Nelson City Council & Tasman District Council

Table of Contents

1. REVIEW SUMMARY
2. BACKGROUND OF THE AWARDS
3. REASON FOR THE REVIEW
4. METHODOLOGY USED TO REVIEW AWARDS
5. FINDINGS AND DISCUSSION
6. STAFF RECOMMENDATIONS

APPENDICES

- A – Environment Awards Review Data
- B – Relevant Council Strategies and Plans
- C – Review of Other Council Award Events
- D – Literature Review of Awards, Award Frameworks and New Zealand Culture
- E – Environment Awards Timeline – 2013

Review Objectives

- To establish if the Environment Awards in their current form are effective at creating positive behaviour change and promoting best environmental practice in the community.
- To identify options for improving the Awards format, if required.

1. REVIEW SUMMARY

The Review asked whether the current Environment Awards format 'delivers' positive behaviour change by:

- Promoting and recognising the range of good sustainability-focused projects in the region.
- Celebrating good environmental practice.
- Normalising sustainable practices in the region.

The review also considered whether there are better ways of achieving these objectives other than through the use of Awards.

A number of different ways were used to engage with stakeholders and others in the Tasman/Nelson communities. The data from stakeholders is described in Appendix A.

The following is a brief summary of the findings:

- The event provides recognition and celebration of projects in our region. Most respondents, to our online survey, said that the Awards were a positive experience; former entrants felt affirmed and appreciated for the effort they were making, and that they also felt inspired about other projects that they learned about through the Awards process.
- The Awards have an attractive and recognisable brand. However, feedback suggests that this brand may serve to 'silo' award activities into a 'green' niche. There is concern that the Awards primarily reach the participants and the 'early adopters' of sustainability rather than the wider community.
- There could be improvement in making all participants feel recognised within their community.
- The Awards do support council objectives including a range of best practices as promoted in the Resource Management Act.
- In terms of raising awareness of the Awards, promotion has taken place consistently within Council media channels. However, it has been difficult to access similar promotion of the Awards and winning projects in mainstream media.
- Holding the Awards on an annual basis has not allowed sufficient time for new projects to develop and mature, resulting in 'shoulder-tapping' to secure entries.
- Should the Awards be retained, improvements to be considered, included; running the Awards every second year, 'decentralising' the Awards, developing some independent input on criteria, and reviewing the judging process.

Conclusion

The Awards provide some excellent outcomes with many people in the community happy and engaged with the process. However, in their current format, the Awards do not appear to be consistently supporting the normalisation of good sustainable practice to the level intended in both Councils' objectives.

A high proportion of feedback suggested that the Awards continue, with changes.

"It's great to celebrate and reward environmental initiatives but I'm not sure that the Awards have a high enough profile to really actively promote positive behaviour change"

"I think the Awards are good, they need to get more exposure to a wider audience, not just those that are already committed to good environmental practices"

Research shows that the best chance to engage people in new sustainable behaviours is when they get to 'do it for themselves' (eg, making decisions themselves rather than those decisions being implemented through infrastructure, regulation or other top-down mechanisms).

To make the Awards more engaging and relevant to the wider community and to capture mainstream interest and recognition, it may well be more effective to develop a new delivery format which takes the Awards to the community, rather than expecting the community to come to the Awards. This format includes developing support activities, which have longevity and deliver engagement for all stakeholders, including entrants, Councils, sponsors and the wider community.

Staff recommendations are given at the end of this report.

2. BACKGROUND OF THE AWARDS

The Environment Awards are a joint initiative of Nelson City Council (NCC) and Tasman District Council (TDC). They recognise and celebrate people and organisations who have demonstrated the use of good environmental practice and enhanced regional sustainability. The Awards have been running since 1999 and, since 2009, have been run jointly with both Councils.

The partnership between the two Councils for the Awards has added value both in terms of communicating and supporting each Council's objectives, and in offering a genuinely regional opportunity to our community.

What is meant by sustainability?

Sustainability relates not only to environmental factors, but also economic, social and cultural factors. Over the years this has been reflected in the varied entries which have contributed not only to environmental outcomes but also engaged our community and helped to weave care for our environment into our social, economic and cultural community values.

Entries over last five years

2007 - 27 entries.

2008 - 36 entries.

2009 - 87 entries (first year of joint Awards).

2010 - 81 entries.

2011 - 59 entries.

The number of entrants has increased significantly since Nelson City re-joined the Awards, with both areas represented evenly. There was a drop of entries in 2011 from both areas. This may be because of the annual frequency of the Awards, and/or a reflection of the time and resource that people in our community are willing to expend through the Awards process.

Categories in 2011

- Rural.
- Schools.
- Community Groups.
- Commercial.
- Urban Design.
- Best Use of Renewable Energy.
- Environmental Leadership.
- Heritage (culture).
- Heritage (built).

Sponsors

There have been good and enduring sponsors for the event. The sponsors, listed below, have provided an award to the value of \$1000 for each category they sponsor, except Heritage categories with \$500 each:

- Sealord.
- Nelson Pine Industries.
- Cawthron Institute Trust Board.
- Radio Nelson.
- NZ Historic Places Trust.
- Landcare Research.
- EECA.
- Irving Smith Jack.
- Parkes Automotive.
- Wakatu Inc.
- Ngati Rarua Atiawa Iwi Trust.
- Arrow International.
- Resene Paints.

Entry process and criteria

- A timeframe of approximately 6 weeks is allowed from opening the Awards for entries to be submitted.
- On-line and paper entry forms are provided.
- Criteria are reviewed by specialist staff.

Judging

- A judging panel is assembled comprising a Councillor; a staff specialist and a sponsor where available.
- The judges are responsible for creating a shortlist of typically three entrants, and then carrying out field visits, as appropriate, for the shortlisted entrants before deciding on a final winner.
- The recognition levels include 'entrant'; 'finalist' and 'winner'.

The Awards Ceremony

- The initial Awards ceremonies were held in community halls.
- In 2009 and 2010, the Awards ceremonies were held at the Woollaston Estates and gained a higher media profile.
- In 2011, the Awards ceremony was held at the Theatre Royal, a previous Award recipient.
- In recent years, a professional MC has been hired.

Messaging

The Environment Awards 'brand' in this region belongs to, and is associated with, both Councils. The Awards continue to provide a clear message from both Councils on values relating to the environment and sustainability, and provide an important platform for both community and Councils to 'walk the talk'.

The Environment Awards 'brand' is well established through some sections of the community, enabling the promotion of sustainability in a positive and engaging way. However, the flip side of the brand strength is the possibility that it is also creating a silo between what are judged to be sustainable and every-day non-sustainable behaviours.

Promotion

A key objective of the Awards activity is to make behaviours visible, thus supporting the creation of new norms. Promotion takes place through Council newsletters, press releases, local radio and TV interviews. In addition, an amount of networking 'spreads the word'.

Financial background

The total cost for the Awards in 2011 was \$17,124.13. This includes sponsor contributions to the value of \$8000. The cost has varied each year depending on the number of categories and venue costs, with 2011 being the most expensive event to date.

The financial level of support from sponsors, providing all of the prizes, means that the Awards, in its current form, is a cost effective way for the Councils to engage with the community.

3. REASON FOR THE REVIEW

The reason for undertaking this Review is that as the Awards have been running for a number of years and staff consider that it is best practice and opportune to periodically review the programme to see if it is aligned with both Councils' objectives.

In addition, Tasman District Councillors have requested a Review through the Long Term Plan process.

4. METHODOLOGY USED TO REVIEW AWARDS

Stakeholders approached for this review comprised entrants; councillors; sponsors; staff and other community members, to test awareness of the Awards outside of direct participants.

The methodology was as follows:

- Online survey for stakeholders and broader community to which 45 people responded (see Appendix A)
- SWOT analysis by staff (see Appendix A)
- Focus group of Councillors, Council staff and broader community members (see Appendix A)
- Review of other Awards programmes and activities around the country (see Appendix C)
- Literature review of behaviour change drivers (see Appendix D)

5. FINDINGS AND DISCUSSION

The following key factors have been chosen to connect stakeholder feedback and suggested format changes with the literature, practices from other councils (see Appendix C) and achievement of both Councils' objectives.

a. Recognition and celebration

Most respondents agree that the Awards recognise and celebrate positive environmental efforts in the community. Feedback received from former entrants said the Awards were a positive experience; they felt affirmed and appreciated for the effort they were making, and that they also felt inspired about other projects that they learned about through the Awards process.

"It was our first time – but yes, we thought it was a great celebration of many amazing achievements of many groups in the Nelson/Tasman area"

"The Awards are an opportunity to recognise the efforts of 'behind the scene people, especially volunteers'"

b. Behaviour change

In their current format, the Awards do not appear to be consistently supporting the normalisation of good sustainable practice to the level intended in both Councils' objectives. Research tells us that change will emanate most effectively, rapidly and last longest if it originates from a trusted person/group. The community likes having information that is 'easy to understand, specific to me, and easy to do'. In the case of the Awards feedback strongly supported the notion that we like seeing examples from like-minded people, people we trust and respect. However the awareness of

these examples remains limited to the people directly participating in the event.

"It's great to celebrate and reward environmental initiatives but I'm not sure that the Awards have a high enough profile to really actively promote positive behaviour change"

c. Into the community

Feedback suggested it may well be more effective to develop a new delivery format which takes the Awards to the community, rather than expecting the community to come to the Awards.

"Awards are great for recognising commitment. But also good to have activities to encourage others to look after their environment"

"Consider decentralising the Awards ceremony and bringing them to recipients in person at appropriate community, school, or business gatherings"

"I think their needs to be more kudos given to them by linking them to a bigger event such as Ecofest or for businesses, the Chamber of Commerce Business Award"

d. The 'brand'

The Awards have an attractive and recognisable brand. Research has shown that the common factor amongst successful brands was the 'provision of stories that were relevant to the brand and that resonated with participants'. However, feedback suggesting that this branding can serve to 'silo' award activities into a 'green' niche is contrary to the Councils' objective to encourage sustainable behaviours that anyone can do.

e. Literature Review

The literature review (see Appendix D) confirms the strong culture New Zealand has of 'team' rather than focusing only on leaders, and a sense of fair play which demands that everyone receive recognition. Effective leadership 'needs to place emphasis on motivating and inspiring, be team oriented and focus on the work at hand'. It's important for this reasons that the awards appear inclusive and acknowledge as wide a range of input as possible.

"I think acknowledgement of all nominated persons would be good"

"I would like to see each youth group who enters get a token monetary gift-\$50 voucher?, as this would help them keep going and acknowledge their efforts are worth something even if they are not the winner"

f. Council objectives

The Awards do support a range of best practices as promoted in the Resource Management Act 1991. The Awards are also an excellent example of partnership between the two Councils, which in itself is a valuable message. See Appendix B for a list of relevant Council plans and strategies.

g. Promotion

Most feedback recommended more promotion of the Awards. A higher profile, especially if mainstream media was employed, could lead to attract more entrants and normalise sustainable actions. The use of social media was suggested as a way of engaging with particular areas of the community e.g. youth. With the use of additional resources to build relationships with external media networks, promotion could be improved to make the awards more visible and inspiring to the broader community.

'Don't just use council communication vehicles to promote it - are you directly contacting groups, using sponsor's own networks and newsletters, community newspaper articles etc'

'I think more needs to be done to promote great environmental projects to achieve positive behavioural change in our community'

'...especially the subsequent promotion opportunities for good practice examples around the regions'

'It would be nice to get a paragraph about each of the projects/people that are nominated written up in the council newsletter before the prize giving and the finalists have a more in depth article later as well'

h. Frequency of Awards

Support was strong for a change to make the Awards a biennial event.

'Running the Awards biennially may help increase the number of entries'

'Consider holding these Awards every two years rather than annually; this may result in more entries and would also be addressing concerns regarding council spending'

'Two-yearly cycle for Awards so they have more bite and businesses have more to offer'

i. Format

Many improvements to the Awards process and format were offered for consideration including:

- Provision of 'field-days' to showcase environmental entrants/projects
- Incorporate Awards with another event, like Ecofest
- Promote ongoing engagement throughout the year
- Separate the schools section
- Have people's choice as well as judging panels
- The Awards themselves could benefit from a graphic design upgrade for each category
- Provision of photo boards of the nominees or winners' projects on the day of Awards ceremony
- Developing some independent input on criteria
- Review the judging process

j. Sponsorship

In the Review of other environmental Awards events (refer Appendix C), all three Council environmental events looked at had bigger budgets and more resources to operate than the Tasman Nelson Awards. One Council's costs, in particular, were considerably more and included significant promotional expenditure. Where Sponsors are the main financial supporters, their financial contribution has been used to fund both prizes, and the running of the Awards event.

Discussion Conclusion

The Awards remain a valued and recognised vehicle in engaging our community.

The intent of the Environment Awards is for the people of Tasman and Nelson to:

- Be inspired to act through great examples of sustainable practices
- Be inspired to act, because 'it's the way we do things round here'
- Be inspired to act through celebration of environmental projects

The following suggestions would support the achievement of the Environmental Awards goals:

- By making projects and activities viable and visible to all
- By making Awards relevant to communities of interest as well as cultural, social and geographic communities
- By celebrating endeavour and success
- By inspiring and informing
- By showing that we 'walk the talk'

5. STAFF RECOMMENDATIONS

The provisional staff recommendation is that the Awards continue as a joint Council sponsored activity for the period 2013 - 2017 (three programmes on a biennial basis), after which it should be reviewed again.

Staff request approval in principal for the following investigations to take place, with a view to putting a final proposal in front of both Councils for sign-off in November 2012.

Subject to approval, the new format Awards would be run in 2013.

The proposed list of changes to be investigated:

- Investigate implications of having the Awards as a biennial event and spreading the Awards over the calendar year to make them relevant to communities of interest – eg, heritage week; fitting in with school planning, etc (see Appendix E - proposed timeline to run Awards in 2013)
- Investigate linking Awards to mainstream activities such as the Chamber of Commerce Awards for business (subject to approval by the board of any organisation approached).
- Facilitate greater engagement between the wider community and the Awards through field days, workshops and presentations of best environmental practices
- Develop active promotion of all entrants by acknowledging all entries, and using a range of community media
 - Generally, more promotion needs to occur to raise the profile, and attract more entrants, particularly through mainstream media, sponsor's and community networks
- Develop a year book for the Awards to inspire and inform our community on an ongoing basis. This will provide recognition for all entrants and sponsors and funded, at least in part, by sponsors.
- Develop an improved sponsor's package.
- Refine the number of categories to best match Council priorities and community engagement.
- Develop improved criteria and judging process.
- Assess financial implications and present new financial framework for a joint Council Awards programme.

Report Authors

Karen Lee, Sustainability Adviser, Nelson City Council

Rob Francis, Environmental Education Officer, Tasman District Council

APPENDIX A ENVIRONMENT AWARDS REVIEW DATA

A.1 Internet Survey: Summary of Feedback

(Forty-five people participated, a mix of former entrants, Sponsors, Councillors and Council staff, other stakeholder and community members)

1.1 Suggested Adaptations

a. Entering - Promotion

- Mentoring by previous winners or relevant experts to help with entry
- Better clarity around the categories
- Better prizes for youth
- But need broader publicity to raise awareness in the community
- Don't just use council communication vehicles to promote it - are you directly contacting groups, using sponsor's own networks and newsletters, community newspaper articles etc.
- FB, Twitter for youth most definitely. An event at Victory Square/School is always good.
- for business the Chamber of Commerce could help
- For iwi, get Tiakina Te Taiao to identify nominees including cultural and commercial iwi ones;
- for youth maybe Glen Lauder and Phil could do some promotion;
- greater advertising to increase awareness
- I would like to see each youth group who enters get a token monetary gift-\$50 voucher?, as this would help them keep going and acknowledge their efforts are worth something even if they are not the winner.
- if they got greater promotion
- It might be useful to get a prominent person in the community to act as an Awards "ambassador" or "sponsor" during the promotion phase,
- More business entries could be encouraged by checking with consent planners for new businesses that have started up
- More invitations by those who know about potential nominees & ask someone else to nominate them rather than more work for nominated group/individuals
- more public event, advertise it for general attendance or run it in conjunction with (and at) Ecofest
- Needs to be seen to be worth the time - appropriate recognition/profile in return
- Perhaps earlier notice of the timeframe for the Awards. Use e-mail and contacts as the cheapest most direct form of communication.
- Promote directly through their own links (as per above) For business use e.g. Richmond Unlimited, Our Town Motueka, Uniquely Nelson, Chamber of Commerce, sponsors own newsletters etc.
- Promote through other avenues, not just Council ones e.g. business networks, service organisations.
- Promotion amongst community organisations
- Promotion of the Awards (pre and post) needs to be enhanced.
- Push through Youth Council? Schools? Shoulder-tap potential nominees.
- Recognition/promotion - they also need to be seen to be professionally run and worth their time
- Staged entry with easy expression of interest application followed by more detailed entry?
- talk to them 1st e.g. teachers forum, Whakatu Incorporation, Commerce Nelson

- use Facebook
 - Perhaps come out and speak to students in schools who may be interested early in the year.
 - Running the Awards biennially may help increase the number of entries.
- b. Judging
- Focus on sustainability and environment not business success
 - MORE AWARD EMPHASIS ON SUSTAINABILITY OF THE PRODUCTIVE SECTOR
 - Needs be picked up by all community and business groups – may be more face to face briefings
 - Restricting entries to projects that fit criteria only
 - Separate school section
- c. Ceremony
- acknowledge all nominations
 - Also should stick to a single winner for the prize money, splitting it up reduces the incentive.
 - It would be nice if the winner only gets \$750 and the runner-up gets \$250 as again this helps keep the projects going.
 - live local music with nibbles
 - More advance warning of whether a winner
 - top guest speaker,
 - Up to a point as some really great projects miss out in publicity as they are not the 'winners'
 - Yes –make sure that all entries are acknowledged and a certificate given
 - Nominees putting forward own multi media presentation
- d. Audience
- Always followed with lots of positive media coverage will help
 - Better payback for the winners in terms of publicity.
 - Could be more public to acknowledge those who have been selected in the top few.
 - especially the subsequent promotion opportunities for good practice examples around the regions
 - For business give them more incentives, eg an advertising package around their win
 - get it on the local TV
 - I think more needs to be done to promote great environmental projects to achieve positive behavioural change in our community.
 - I think the Awards are good, They need to get more exposure to a wider audience, not just those that are already committed to good environmental practices.
 - It would be nice to get a paragraph about each of the projects/people that are nominated written up in the council newsletter before the prize giving and the finalists have a more in depth article later as well.
 - More coverage (advertising features? Articles) in local papers
 - More publicity for their business either due to entering or as a winner/runner up
 - Needs more publicity
 - Opportunity for profiling and promotion. Advertising as part of prize package?
 - Perhaps do a feature on the nominees – they are then more likely to promote

you

- Positive media reports and promotion of winners will gain buy-in
- Promotion of the Awards (pre and post) needs to be enhanced.
- Talks at the Suter if the wins are interesting, and especially do-able for small businesses, schools and in the homes.
- The business seen as an environmentally sound practice business winners acknowledging more.
- They would want to see some benefit and business advantage in it. This may mean more public recognition of award winners is needed.
- Think the Awards do well. Some photo boards of the nominees or winners projects would be a great addition on the day
- Use Facebook
- Use local weekly papers with profiles of nominees
- Yes but I think, for my area, farming, this could be improved.
- Everyone who is nominated must be better than not doing anything so worth publicising

1.2 Suggested Approaches

a. Ceremony

- Attaching the Awards ceremony to an event or locality which demonstrates good practice
- Two-yearly cycle for Awards so they have more bite and businesses have more to offer.
- Consider holding these Awards every two years rather than annually; this may result in more entries and would also be addressing concerns regarding council spending.
- Decentralise and bring Awards to recipients to their community, school or business gathering
- Perhaps it could just be a celebration of involvement in community based environmental projects and only a couple of prizes for extra special endeavours. A person could speak who had done an inspirational project.

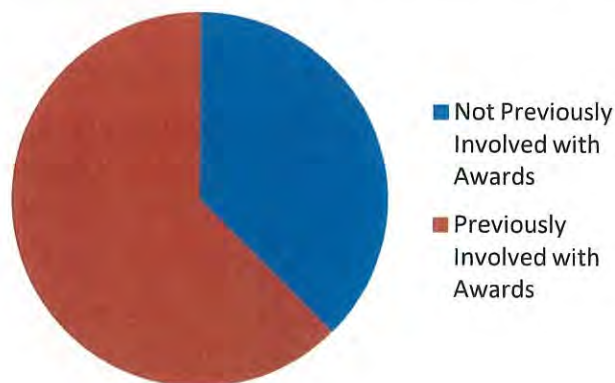
b. Audience

- Forum for environmental groups as per Nelson Heritage Advisory Group which is an umbrella organisation
- Free publicity. Awards, money or things. How about an on-going small article in the NCC newspaper?
- Have farming sector join FEA trust
- How about more publicity through the year not just at Awards time.
- I suggest greater use and promotion is made of the winning projects and the concepts or behaviour they represent
- I think their needs to be more kudos given to them by linking them to a bigger event such as Ecofest or for businesses, the Chamber of Commerce Business Awards.
- If the Awards were run in parallel with the Chamber of Commerce business Awards
- If they are accommodating, tours of the winning facilities, if it's something that can be seen? It doesn't have to be elaborate - just 5 min talk and 5 min tour during lunch?
- It's all down to the promotion and how it is targeted. You may need different messages for different audiences e.g. schools versus businesses
- Maybe need to get Federated Farmers or Fonterra involved to encourage more farmers to enter.

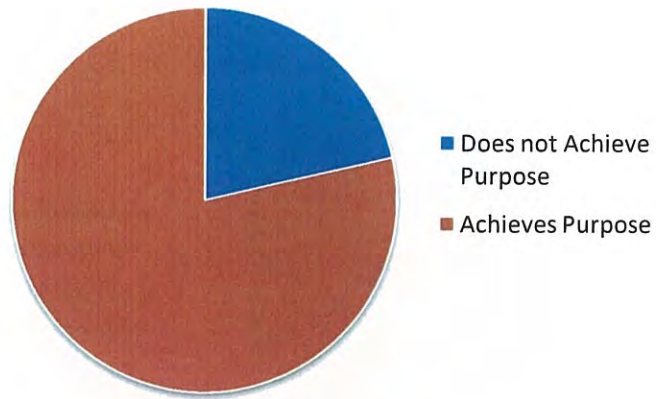
- More link-up with the groups they sponsor - e.g. my sponsor was interested in our Weed busting project, but I would like to see if they followed up on it in their business life!
- Needs a critical mass of nominees to make it an award worth using for promotion - could link business Awards with the Nelson-Tasman sustainability profile i.e. businesses committed to that Nelson Inc concept
- News stations or a current affairs programme involved
- Not sure but could they be appended to or linked with the business Awards?
- A celebrity dinner?
- Opportunity to visit projects / properties that receive Awards - if owners are willing
- Would it be possible to have Field days to the winning sites?
- The Awards themselves could benefit from a graphic design upgrade for each specific to the category

1.3 Environmental Awards Review Internet Survey Graphs

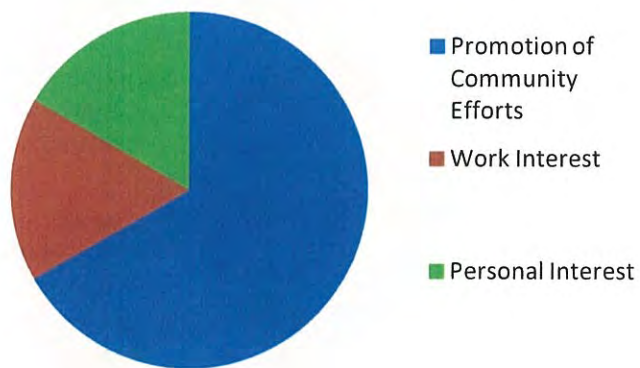
1. Have been involved in the Awards as a sponsor or nominee?



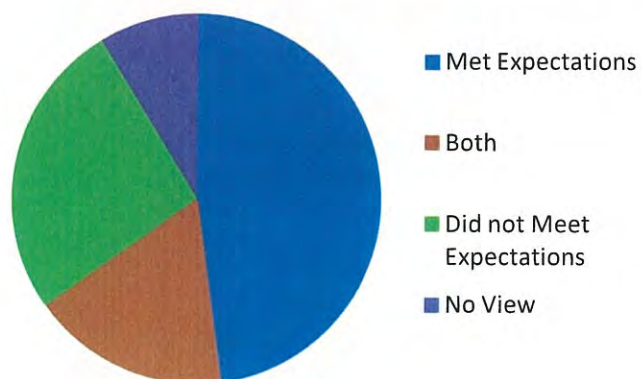
2. The purpose of the Awards is both to celebrate and reward great environmental projects and to create and support positive behaviour change in our community. Do you think the Awards do this?



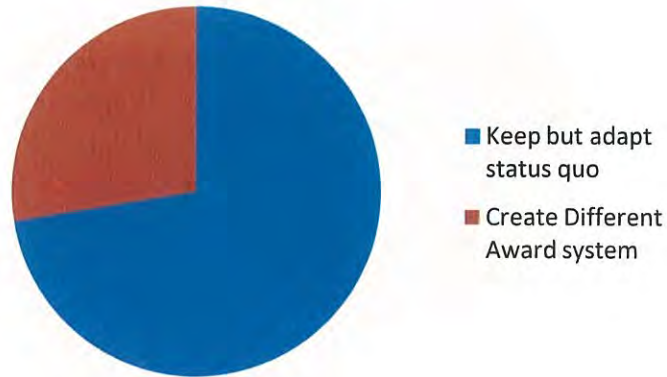
3. Motivation to become involved in Awards



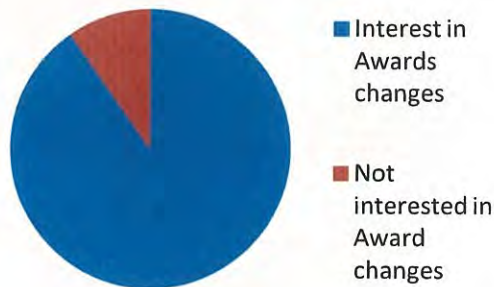
4. Did the Awards meet your expectations?



5. Is there an alternative activity which you would prefer to see rather than Awards?



6. Would you like to be kept up to date on future news about the Environment Awards and other environmental projects?



A.2 Focus Group Ideas Summary

- Reward everyone rather than judging
- Engage in an enjoyable way
- Get into the mainstream
- Pecha kucha winners/fun/entertainment
- Public acknowledgement
- Coming together/sharing
- Rolling focus
- Ongoing engagement - throughout year
- People's choice as well as/instead of judging panels
- Align with sectors
- Biennial
- Access to information
- Norms created by shared behaviours made visible
- Connectivity
- Take modelled behaviours to the community

Environmental Awards Focus Group Brainstorm 22-May-12	Blue Dot own group priority choice	Green Dot all group priority choice
FUN - social interaction	9	2
Examples from like-minded people, people we trust and respect	8	14
Having information that is easy to understand and specific to me and easy to do and implement	8	7
Incentives (\$avings) and punitive measures	7	3
Demonstrably improve the environment AND practically achievable for me	7	3
Real people, real stories, practical examples	6	3
Repetition to encourage normalising of behaviour	6	2
On going showcasing of success stories lots e.g. through Facebook, connect to other sites rather than from TDC Facebook page	6	2
Whanau and family, children's development and well being, financial incentive, savings	6	0
Rewards/environmental credits/brownny points for good behaviour that can be turned into cash or benefits	5	3
Seeing people enjoying themselves and having fun	5	0
Everyone in NZ be given the technology/equipment free to generate their own electricity	4	4
Seeing how easy it can be	4	0
Applicability to your life - realistic	4	0
Change has to be easy to do, simple, attractive, cost effective & time efficient	3	1
Personalise to specific sector groups e.g. Farmers at Field Days	3	0
Knowledge of how to do something	2	1
Inspirational examples	2	0
Has associated benefits e.g. Getting fit, saving \$	2	0
That what we do will improve environment - make it beautiful	2	0
What other people think of me	2	0
Traditional practices and cultural values	1	2
Follow up support	1	1
Recognition for changing behaviour	1	0
Important that all change levers are able to be implemented	1	0
Comfort zone - okay being open to new ideas	1	0
Projects and practices	1	0
Business challenge	1	0
Everyday choices	1	0
Others be inspired by my/our modelled behaviour	0	0
Examples of people you like, doing something you respect e.g. Taking the bus	0	0
Community Gardens of good size in every community	0	0
Being reminded of the absurdity of your behaviour can lead to change	0	0
New innovations inspire e.g. Glass crusher creates sand	0	0
Advantages of doing something	0	0
Has to be fashionable for some people e.g. Teenagers	0	0

Part of who I am - values	0	0
Fear motivation - exposure	0	0
Waka to work	0	0
Carrot Mob support to recognise environmentally friendly businesses	0	0
Text Flash Mob	0	0
Business - number of people visiting linked to environmental outcome or project	0	0
Ambassadors - e.g. Cyclist	0	0

A.3 Environment Award SWOT Analysis

Thursday, 1 March 2012

Katie Greer, Jo Reilly, Karen Lee and Rob Francis

Strengths:

- Showcase for regional success
- Recognizes and rewards success
- Stand out entries
- Networking
- Raising awareness
- Joint Council participation across whole region Sponsors/ funders goodwill
- Brand/certificate
- Increase in entries from Nelson City
- Quality of entries
- Only environmental Awards in region
- Goodwill
- 'Feel good' event
- Sponsors have endured and new sponsors have joined

Weakness:

- Not enough time to develop projects on an annual basis Awards not big enough
- Platform to really learn about winners; Pigeon-holes people
- Categories too inflexible
- This year's venue, not intimate
- Over-the-top catering

Awards not relevant to a large percentage of our community,
siloing Awards

Under council brand

Preaches to the converted

Had to 'twist arms' to gain the number of entries in 2011

Small number of rural entries

Entrants find the entry forms time-consuming

'Siloing' the Awards under the council brand

Opportunities:

Develop a by-line for the event e.g. 'little changes, big difference',
'let the environment love you back',

'Saving the environment, one step at a time'

Iwi - make something relevant

Awards field days

Link to people's needs to make more relevant, eg field days/open
days

Incorporate with Ecofest?

Develop projects with sponsors

Tell the story of wine, food and venue

Develop brand/by-line

Make entering easier/online?

Reduce costs thru venue & catering

Adding Awards to mainstream Awards? - Community Awards,
Business Awards, School Awards, Heritage week

Individual school Awards built into prize-giving

Take the Awards out into the community

Do better on post event feed back

Have one permanent venue

Timing - time of year, week, evening?

Run every 2 to 3 years

Everybody rewarded/supported, rather than just winners

Threats:

Demotivating, if entering to make up numbers

Lack of media interest

Loss of sponsors

Lack of entrants

Entry form seen as barrier/perception of too much time & not worthwhile

A. 4 Other interviews were conducted, including with Tasman Councillors, Judene Edgar and Martine Bouillir, and members of the Nelson Youth Council

APPENDIX B

Relevant Council strategies and plans:

B.1 Nelson City Council

- Long term plan 2012-22
- Framing Our Future Sustainability vision and strategy
- Biodiversity Strategy
- Social Wellbeing Policy

1. Nelson Community Plan 2012-22

Environmental Advocacy/Education: The continued development and implementation of Council's community engagement programmes, events and activities will support key environmental outcomes, including a reduction in greenhouse gas emissions, waste minimisation and better use of resources.

2. Sustainability Policy

Nelson 2060 – The Vision

Nelson 2060 is an inclusive city, with a diverse range of residents who can connect easily to each other and to the beautiful place we call home. Our inclusive leadership style supports our unique approach to living, which is boldly creative, ecologically exemplary, socially balanced and economically prosperous.

B.2 Tasman District Council

Community Outcome

Our communities enjoy access to a range of cultural, social, educational and recreational services.

Our communities respect regional history, heritage and culture.

How the activity contributes:

By promoting involvement in activities like the Environment Awards, Sea Week, Enviroschools, and Ecofest which allows different sections of the community to participate, learn and teach each other about matters relating to community well-being.

By promoting an appreciation of culture and heritage through running an Environmental Awards programme and targeting funding to heritage and related projects.

Activity Goal:

The Environmental Management activity goal is to:

Effectively promote the sustainable management of the District's natural and physical resources by:

(1 -5 not relevant)

6. Educating communities and providing information to enable sustainable, resilient and productive communities within the District.

Principal Objectives:

The principal objectives of the Environmental Management activity to advance the goal of the activity are to:

Work with, and disseminate to, the community, information about good environmental practices and behaviours.

The purpose of the Local Government Act 2002 highlights the need for local authorities to play a broad role in promoting social, economic, environmental and cultural well-being with Section 3(d) specifically requiring local authorities to take a sustainable development approach in their choices and activities.

This requires local authorities to undertake planning and decision-making that is genuinely long-term in scope and integrated in nature. The Act places the onus on councils to not only consider future generations, but also actively pursue expertise in understanding what the future needs may be.

The purpose of the Resource Management Act is to promote the sustainable management of natural and physical resources.

The Tasman Resource Management Plan has been prepared by the Tasman District Council under the Resource Management Act 1991 (the Act). The purpose of the Plan is to assist the Council to carry out its functions in order to achieve the purpose of the Act. The purpose of the Act is to promote the sustainable management of natural and physical resources.

APPENDIX C

Review of Other Council Award events

1. Auckland City Council (Contact: Tracy Tristram)

The Awards were established in 2000 by the Auckland Regional Council to support the council's mission of "working in partnership with our regional community to achieve social, economic, cultural and environmental well-being". The aims of the 2007 Sustainable Environment Awards were to:

- Raise the profile and perception of value of the ARC
- Create profile for environmental achievements
- Recognise, celebrate and value people doing great things for the environment
- Raise the profile of environmental action to ARC's key partners and stakeholders
- Create opportunities to strengthen and establish new partnerships

Project Brief and Communication Aims – 2007 – Environment Awards	Achieved?	Measure
Raising Profile		
Raise the profile of the ARC	Yes	X positive media stories recorded
Raise the positive perception of value of the ARC	Unknown	(X NZ Herald, X community newspapers, X specific magazines, 2X TV One coverage evening and breakfast)
Raise the profile of environmental action in the region	Yes	A high % of positive feedback about the Awards from staff and applicants
Recognise, celebrate and value people doing great things for the environment	Yes	
Raise the profile of environmental action to ARC's key partners and stakeholders	Partially	Over 120 people attended the Awards ceremony
Celebrate, recognize and reward environmental initiatives in the Auckland region	Yes	

<p>Successful promotion of the event</p> <p>Successful promotion of the Awards event</p> <p>encourage free publicity and positive media coverage of the Sustainable Environment Awards – from call for entries to publishing details of the event and the winners.</p>	<p>Partially</p> <p>Partially</p>	<p>Small number of entries to the Awards, but very successful media coverage of the applicants</p> <p>Paid and free publicity were used to encourage entries and to publicise winners</p> <p>Overall more effective promotion needed to encourage more applications</p> <p>Overall continue to use the media/communications plan to promote the winners as this was so successful</p>
<p>Strengthen and build partnerships</p> <p>Strengthen relationships with existing partners</p> <p>encourage staff, councillors and politicians to support the Sustainable Environment Awards and spread the word</p> <p>facilitate community leadership, building trust, developing collaborative solutions and engaging the community at all levels</p> <p>create an opportunity to establish new partnerships</p>	<p>Partially</p> <p>Partially</p> <p>Unknown</p> <p>Partially</p>	<p>Key partners such as Honda, MFE & Team Solutions involved in judging panels. Need a specific partnership plan to be further developed in future projects</p> <p>Overall staff promoted Awards through their networks effectively, but it was identified that more staff needed to be engaged in the project</p> <p>New partnerships were established through the project on the judging team and over 80% of applicants to the Awards were first time entries. The challenge for the project is how to maintain these relationships</p>
<p>Participation in the Awards</p> <p>Increased participation in the Awards</p> <p>Applications to a high quality</p>	<p>Partially</p> <p>Yes</p>	<p>Significant decrease in the number entries received as compared to previous years</p> <p>Applications received were to a high standard</p>

2. Kapiti Greenest Street Award (Contact: Jake Kroos)

Objective:

To promote environment using practical support both within community and through services provided by Council such as garden support, etc. Outcomes are also around community resilience and cohesion.

- How:

Sustainable neighbourhood coordinator works with networks, green newsletter, limited advertising, etc to secure entries (typically small number around 2 or 3). This area appears to be a challenge. Street participants do before and after carbon footprint measurement, and then range of practical initiatives driven by them, eg, growing food, composting, reducing transport footprint, etc. Judging criteria are varied and include carbon footprint, social, etc.

- Prize:

\$3000 but people appear to be more motivated by social and environmental outcomes.

- Resources:

0.25 fte plus \$10,000 – possibly \$15,000 this year.

Comments:

Working with New Zealand Footprinting this year to promote outcomes

Other comments:

From conversations with Jake it appears to be quite hard to ensure there are sufficient entrants.

3. Marlborough District Council Environment Awards:

- Contact: Nicky Eade
- Marlborough objective:

To promote sound environmental management as good business

- Do they achieve this?

Yes. Run every second year for a long period.

- Categories:

'Farming', 'Forestry' and Winegrowing/horticulture. Plus 'habitat enhancement', 'landscape' (amenity, building, plantings), 'efficiency' and 'innovation'

Separate schools Awards runs parallel – four Awards (july/December)
Ceremony at Council – tea and ceremony with Mayor

- Prizes: \$1000 from sponsor

- Sponsors: One for each category. \$1500 (\$1000 as prize plus \$500 towards cost of running Awards. Council puts up \$10,000 for main Awards plus Annie finds funds for schools Awards).
- Judging: judging teams of three for each category – expert, previous winner or similar, council staff – depends.. Judges are paid \$50 per half day.
- Sponsored supreme award of \$2000
- Ceremony: presentation dinner with guest speaker – reasonably formal. Big organisation/expensive – funded out of \$10,000 (free tickets sponsors and entrants limited – pay extra)

Comments:

Didn't feel Ballance model works for them – glad they didn't get involved – wrong shape for what happens in region plus didn't want to run annually
Field Days open to everyone – each category has a workshop or visit or seminar for each winner.

Publicity: employs coordinator to help run Awards, journalism skills for media releases, paid advertising.

Marlborough committed to continuing with Awards. Advocacy outcomes supported as not active in other advocacy areas.

APPENDIX D

Literature review of Awards, award frameworks and New Zealand culture

(Please note that some of these articles have been summarised by K Lee (ref: KL)

Community Engagement for Waste Minimisation in the Nelson and Tasman Regions

L Apmt and S Bridgman (2012)

Change will emanate most effectively, rapidly and last longest if it originates from a trusted person/group. The main reason for this is because the trusted person/group will give the example of how the behaviour works easily.

Leaders exist throughout the region but will come about on their own (they cannot be appointed). Natural leaders can be supported or trained

Reputation is a key leader for change, with communities recognising alpha personalities but perhaps finding the „quiet achievers“ more influential.

Different approaches are key to different communities, which may be geographic (Nelson/Tasman villages) or ethnic (e.g. a large British community, Iwi, etc)

Rewarding Excellence: An International Study into Business Excellence Award Processes

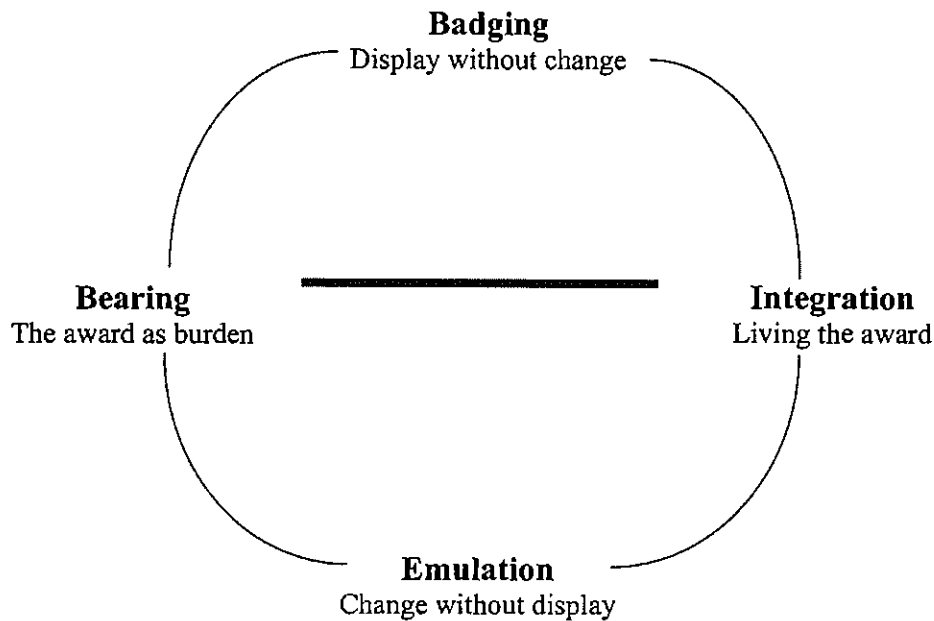
Grigg, N., & Mann, R. (2008). Rewarding excellence: An international study into business excellence award processes. *The Quality Management Journal*, 15(3), 26-40.

Summary of findings

The primary objective of the international scheme is to enhance national levels of quality, but the complexity of the process was also proving to be a barrier. This combined with a move towards the process of the Awards framework becoming the prime focus of the custodians to the detriment of raising awareness about business excellence. An outcome of the study was to simplify the process and extend the range of Awards and develop activities to raise awareness such as site visits to previous winners and on-line tools for self-assessment. (KL)

Nonprofit's Use of Awards to Improve and Demonstrate Performance: Valuable Discipline or Burdensome Formalities?

Paton, R., & Foot, J. (2000). Nonprofit's use of Awards to improve and demonstrate performance: Valuable discipline or burdensome formalities? *Voluntas*, 11(4), 329-353.



This model is interesting as it shows how the award may impact on recipients in different ways, with the aim eventually of achieving the desired target of integration-living the award (KL).

This study looks primarily at the internal impact within organisations of going for Awards. Essentially it recognises that the desire to confirm to a standard is a social construction which is subject to considerable uncertainty and ambiguity. Different meanings, purposes, politics and cultures affect how these standards are enacted, and how they evolve. This leads to a certain level of unpredictability in the delivery and outcomes of the Awards.(KL)

The egalitarian leader: A comparison of leadership in Australia and New Zealand: APJM

Trevor-Roberts, E., Ashkanasy, N. M., & Kennedy, J. C. (2003). The egalitarian leader: A comparison of leadership in australia and new zealand. *Asia Pacific Journal of Management*, 20(4), 517-540.

This study highlighted that whilst New Zealand shares some leadership traits and egalitarian principles with other cultures, there are nevertheless some leadership culture differences pertinent specifically to New Zealand.

Of note is a strong team orientation in New Zealand culture. New Zealand leaders need to place emphasis on motivating and inspiring, be team orientated and focus on the work at hand. An effective leader in New Zealand must be able to lead a team to achieve the goals they have set (KL)

Experiences of brands and national identity: AMJ AMJ

Bulmer, S., & Buchanan-Oliver, M. (2010). Experiences of brands and national identity. *Australasian Marketing Journal*, 18(4), 199-205.

The objectives of this qualitative study in New Zealand were to determine how national identity is experienced in brands and to identify which brands make people feel the way they do about their own national identity in the New Zealand context. The study found that frequently advertised local and multinational brands were identified as brands that make people feel the way they do about their own national identity. Heritage brands, that do little advertising or whose marketing communications could not be recalled, also contributed strongly to national identity. The common factor amongst all these brands was the provision of stories that were relevant to the brand and that resonated with participants. From a practitioner perspective the study provides evidence of a link between brands and national identity and points to the importance of brand owners understanding how their brand stories affect consumer usage and purchase of brands, and impact on brand value – summary by KL

Tall Poppy Syndrome: Implications for entrepreneurship in New Zealand

Kirkwood, J. (2007). Tall poppy syndrome: Implications for entrepreneurship in New Zealand. *Journal of Management and Organization*, 13(4), 366-382.

The Tall Poppy Syndrome (TPS) of knocking high achievers is often described as being ingrained in New Zealand's culture. This study interviews 40 entrepreneurs to explore how TPS impacts on entrepreneurs. Internationally, New Zealand is considered to be a highly entrepreneurial country. Thus TPS and an entrepreneurial culture appear to co-exist. Over half of the participants had experienced TPS in their role as entrepreneurs and their individual strategies for managing its impact included 'staying under the radar', not telling people they owned a business and not 'flaunting' their wealth.

Secondly, people who have experienced a business failure may be reluctant to establish another business because of the public reaction to their 'fall' (as exemplified by reluctance of Golden Bay farmers to be publicised? KL)

A second suggestion is to promote entrepreneurs who the general population can relate to as role models. Prior research has shown that the perceptions of tall poppies emerge from their personality and behaviour, therefore examples of entrepreneurs who have favourable personalities and whose behaviour is seen as positive may assist in the public perception of entrepreneurs.

Educating the general population about the qualities of entrepreneurs may be a slow and difficult task but could be vital to improving the perception of entrepreneurs in New Zealand and hence reducing the impact of TPS.

APPENDIX E

PROPOSED DE-CENTRALISED ENVIRONMENT AWARDS TIMELINE – 2013

Categories:

School, Primary Production, Business, Heritage, Sustainable Design, Individual leadership, Group leadership and People's choice

*Business not in timeline yet

JAN Awards promotion	FEB Open Heritage Award	MAR Judge Heritage Award Open Primary Production Award
APR Heritage Week Awards	MAY Judge Primary production Award	JUN Open School Award Primary production Award Field Day
JUL Open Individual and Group Awards	AUG School Award School Award Open Day Open Sustainable Design Award	SEP Judge Individual and Group Award
OCT Individual Award Group Award Open People's Award Judge Sustainable Design Award	NOV People's Award Ceremony at Saxton Launch of Year book (present Individual, Group and People's Awards, Sustainable Design Award plus celebrate other wins thru year)	DEC Awards promotion

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

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

On Friday 23 November 2012, commencing at 3.30pm

Present: His Worship the Mayor of Nelson A Miccio (Chairperson), His
Worship the Mayor of Tasman R Kempthorne, Deputy Mayor of
Nelson Councillor A Boswijk, Deputy Mayor of Tasman
Councillor T King

In Attendance: Chief Executive Tasman District Council (L McKenzie), Acting
Chief Executive Nelson City Council (R Johnson), Acting
Manager Nelson Tasman Emergency Management Office (D de
Geus), Acting Executive Manager Community Services Nelson
City Council (R Ball), Executive Manager Network Services
Nelson City Council (A Louverdis), Administration Adviser
Nelson City Council (L Canton)

Apologies: There were no apologies.

1. Conflicts of Interest

There were no updates to the Conflicts of Interest Register indicated, and
no conflicts of interest with items on the agenda were identified.

2. Confirmation of Minutes – 27 July 2012

Document number 1346512, agenda pages 1-3 refer.

Resolved

***THAT the minutes of the meeting of the Nelson
Tasman Civil Defence Emergency Management
Group, held on 27 July 2012 be confirmed as a
true and correct record.***

Boswijk/King

Carried

3. Minutes of the Nelson Tasman Civil Defence Emergency Management Co-ordinating Executive Group (CEG) Meeting – 31 October 2012

Document number 1399250, agenda pages 4-10 refer.

Resolved

THAT the minutes of the Nelson Tasman Civil Defence Emergency Management Co-ordinating Executive Group (CEG) meeting, held on 31 October 2012, be received.

Boswijk/Kempthorne

Carried

4. Report of the Emergency Management Office

Document number 1394166, agenda pages 11-16 refer.

Acting Manager Nelson Tasman Emergency Management Office, Debbie de Geus joined the meeting.

Ms de Geus gave a brief update on the new Emergency Management Office project. She said that an agreement between the developer, Nelson City Council, and Tasman District Council had now been signed and design work was now underway.

Resolved

THAT the report of the Emergency Management Office (1394166) be received.

Miccio/Kempthorne

Carried

There being no further business the meeting ended at 3.38pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Minutes of a meeting of the Nelson Youth Council

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

On Tuesday 23 October 2012, commencing at 1.02pm

- Present: Costa Simpson (Chairperson), Petra Higgins, Connor Ward, John Gibson, Travis Mills, Carla Lindley, Tomas Burns, Isabella O'Connor, Kaimana Gallop, Allie Tonks, Kassianna Barrett-Hemi, Wade Phillips, Leonard Kelly, Azdein Amberger-Chergui, Samantha Stephens
- In Attendance: Councillors Kate Fulton and Pete Rainey, Social Wellbeing Adviser (Rachael Large), Community Services Cadet (Jackie Scott), and Administration Adviser (E-J Ryan)
- Apologies: Catherine Thomas, Allister Meffan, Nathan Munro and Mitchell Newcombe

1. Confirmation of Minutes

27 September 2012

Document Number 1379015, agenda pages 1-3 refer.

Resolved

THAT the minutes of a meeting of the Nelson Youth Council, held on 27 September 2012, be confirmed as a true and correct record.

Ward/Gibson

Carried

2. Youth Event

Michaela Blackman joined the meeting and spoke about the Youth Event following the Masked Parade on Friday 19 October 2012. She said the event had been very successful, with a record turn-out of people, and with excellent crowd behaviour. She said that there had been very few arrests, and that the Nelson Police had been pleased with the way the event had run.

Ms Blackman asked for feedback from Youth Councillors regarding how the event could be improved next year. A suggestion was made that

signage could be improved so that participants knew where different aspects of the event were taking place.

2.1 Event Feedback

It was noted that particularly successful aspects included the mobile basketball hoops provided by The Truck (formerly The New Hub), the photo booth and face painting/makeovers. However, it was also noted that several Youth Councillors who had volunteered with area set-ups had not been utilised efficiently, and were kept much longer than anticipated.

There was general agreement that the performances by H'Sao, Tahuna Breaks and New Vinyl were particularly excellent, and that the location of the stage on the Cathedral steps was good.

A suggestion as made that, as the event grows, a second stage could provide for 'family friendly' entertainment, or acts which would appeal to 10-12 year olds immediately following the conclusion of the masked parade.

2.2 Masked Parade Feedback

There was a discussion around the Masked Parade itself, and it was noted that there was some difficulty in identifying some of the group and individual entries. It was suggested that an 'entry identification' role could be added to the list of Youth Council jobs for next year's event.

It was also suggested that there could be further clarification around the judging rules, consideration of the possibility of including a Youth Councillor judge, and an increased number of school awards for next year's parade. Ms Blackman also encouraged Youth Councillors to promote the Masked Parade at their schools to encourage more high school entries.

2.3 Acknowledgments

Ms Blackman explained that the Festivals team would like to thank each of the high schools for the excellent behaviour demonstrated by young people attending the event. It was agreed that sending a letter to each school would be the best way to do this, as school assemblies were very busy at this time of year. It was also agreed that Youth Councillors would pass the Festivals team's thanks around their peer groups, and would include a post on the Youth Council Facebook page.

2.4 Police and Security Presence

There was a discussion around the Police and security presence at the event. Several Youth Councillors considered that the Police and security presence had been excellent, whereas other Youth Councillors commented that the Police had appeared heavy-handed when making arrests and in dispersing the crowd at the end of the night.

It was explained that the Police planned to make a point of any arrests made to encourage good crowd behaviour, and a suggestion was made that this could be emphasised at school assemblies ahead of time. It was agreed that having school assembly visits during the week leading up to the parade itself helped to clarify and reinforce the behaviour expected at the event.

Resolved

THAT the Nelson Youth Council express their thanks to the Nelson Police for their security and crowd control work, that lead to a safe environment for young people during and following the 2012 Masked Parade and Sonic Youth Event.

Mills/Ward

Carried

Travis Mills volunteered to write a letter to Inspector Stephen Greally and Sergeant Stu Koefoed of the Nelson Police to express Youth Council's thanks.

3. Youth Parks

Britta Hietz joined the meeting and gave an update regarding the proposed Tahunanui and Stoke Youth Parks.

3.1 Tahunanui Youth Park

Ms Hietz noted that the initial timeframe for the Tahunanui Youth park was for construction to be completed prior to Christmas, but that it was now likely to be constructed in early 2013. She explained that once the costings had been received some elements had had to be adjusted to meet the project budget, but that the main elements of the park were still included.

3.2 Stoke Youth Park

Ms Hietz explained that while Isel Park had been singled out as the preferred location, a heritage assessment had been carried out, and this had concluded that including a youth park within the grounds was likely to damage the integrity of Isel Park. She said that this conclusion made it unlikely that Isel Park would be the location of the youth park.

Ms Hietz explained that, given the budget for the project, it was now likely that the Greenmeadows corner site would be re-visited. She said that Council staff were now engaging with members of the community who were previously opposed to the Greenmeadows site. She suggested that Youth Councillors continue to keep advocating for the park, and suggesting as many ideas as possible. The importance of having the Stoke community on board to back the project was emphasised.

There was a discussion around the park name, and it was noted that it should officially be known as the Stoke Plaza.

4. Proposal for Youth Council Art Project

Ms Large said there was a possibility of the 2013 Youth Council coordinating a large mural near the city centre. She said that this would involve youth involvement in putting designs forward, painting the undercoat, working with artists and painting, and that the entire project would be youth driven. In response to a question, she described some possible locations for the mural, and said the deadline for completion would be around mid-2013. She added that funding was already in place for this project.

Youth Councillors discussed the idea and there was general agreement that the 2013 Youth Council could explore this project further. It was raised that this would be a good way to promote Youth Council, which is a current Youth Council objective. It was agreed that the idea should be discussed at the Youth Council camp in December.

5. Recruitment

Ms Large spoke about recruitment for 2013. She said she had received over 50 applications for the 2013 Youth Council, from the various high schools, youth groups, Rangatahi Maori and Nelson Marlborough Institute of Technology. She said she was short listing applicants, and would be interviewing and making decisions by mid-week.

6. Youth Council Evaluation

Isabella O'Connor handed out evaluation forms and asked Youth Councillors to give honest feedback regarding the workload they had experienced over the year, and the level of support they considered Youth Council required.

7. Youth Council Feedback

Jackie Scott spoke about each of the Youth Councillors and the various contributions they had made to the 2012 Youth Council. She highlighted the strengths of each of the Youth Councillors and the positive impacts each had had on the Youth Council activities for the year.

Youth Councillors noted the huge amount of support they had received from Ms Large over the course of the year, and presented her with some flowers.

Ms Large also thanked Ms Scott for her fantastic contribution to Youth Council over 2012, and said she would be sorely missed in 2013. Youth Councillors and Councillors Fulton and Rainey joined Ms Large in wishing Ms Scott all the very best for the future.

8. General Business

8.1 Tahunanui Youth Park Art Project

Ms Large asked for further volunteers to meet with the artist regarding the Tahunanui Youth Park Art Project.

8.2 Students Against Drunk Driving

Ms Large asked Youth Councillors to check their emails with reference to opportunities with Students Against Drunk Driving.

8.3 Tomorrow Leaders Today

It was noted that the Reference Group meetings in November and March were unlikely to take place.

8.4 End of Year Letter

Ms Large asked Youth Councillors to check their list of activities for the end of year letter to ensure that these were correct.

There being no further business the meeting ended at 2.24pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Framing Our Future - Draft Nelson 2060 Strategy Public Consultation

1. Purpose of Report

- 1.1. To approve the Draft Nelson 2060 Strategy for public consultation.

2. Recommendation

THAT the Draft Nelson 2060 Strategy (1452447) be approved for public consultation;

AND THAT the Framing Our Future Committee hear, consider and make decisions on submissions to the Draft Nelson 2060 Strategy;

AND THAT the Framing Our Future Committee recommend to the Council a final version of the Nelson 2060 Strategy for adoption;

AND THAT the members of the Mayoral Taskforce be invited to recommend to their respective organisations the adoption of the Strategy.

3. Background

- 3.1. In 2010 the Council resolved to lead the development of a Sustainability Strategy for the Nelson community using the Natural Step strategic planning framework. This process has been called "Framing our Future".
- 3.2. Over the last two years several phases have been completed to develop a draft Strategy including; an initial stocktake of sustainability for Nelson; a community visioning exercise; an expert review; and further community engagement activities to develop priorities for action. A Mayoral Taskforce was also established to oversee the development of the Strategy.
- 3.3. A workshop of the Framing Our Future Committee on 5 December 2012 provided feedback to staff on a very early draft of the Strategy. Feedback was also sought through December 2012 from a wide range of people and groups who have been supporting the development of the Strategy and from the Mayoral Taskforce.
- 3.4. This feedback has been used to finalise the Draft Nelson 2060 Strategy which is in Attachment 1.

Supporting Information

1. Fit with Purpose of Local Government

The Nelson 2060 Strategy provides a planning and decision making framework that will help Council to make decisions on how best to deliver infrastructure and public services that meet the current and future needs of the Nelson community. It will do this by asking specific questions that directly ensure Council is meeting the purpose of Local Government in relation to good quality and cost effectiveness.

2. Fit with Community Outcomes and Council Priorities

The Nelson 2060 Strategy is consistent with all of Nelson's community outcomes. Council priorities in the Long Term Plan 2012-2022 were aligned with the Nelson 2060 Vision.

3. Fit with Strategic Documents

It is expected that the Nelson 2060 Strategy, once finalised, will set the direction for the Council's other strategic documents, including the Nelson Development Strategy and the next review of the Regional Economic Development Strategy.

4. Sustainability

The Nelson 2060 Strategy is aimed at creating a sustainable future for Nelson, looking 50 years out.

5. Consistency with other Council policies

Over time, Council's policies will need to be reviewed and aligned with the vision and direction set in the Nelson 2060 Strategy.

6. Long Term Plan/Annual Plan reference and financial impact

The Council adopted the Nelson 2060 Vision in the Long Term Plan 2012-2022 and Council has advised that a Nelson 2060 Strategy will be produced in 2012/13. The priorities in the Long Term Plan 2012-2022 were also aligned with the Vision. The Long Term Plan 2012-2022 also signals that the Nelson Development Strategy will be a key tool for Council to implement the Strategy. There is no financial impact associated with this report. It is expected that a resourcing plan will need to be developed to inform the next Long Term Plan 2015-2025.

7. Decision-making significance

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

8. Consultation

The contents of the Draft Nelson 2060 Strategy is the culmination of an extensive community engagement process over two years.

9. Inclusion of Māori in the decision making process

There is iwi representation on the Mayoral Taskforce. Kotahitanga nominated Kerensa Johnston to provide expert review from a Te Ao Māori perspective.

10. Delegation register reference

Full Council

- Approve draft Strategy for public consultation.
- Adopt final Strategy.

Framing Our Future Committee

- Consider community feedback on the draft Strategy and recommend a final Strategy to Council for adoption.
- Consider options for implementing the Strategy.

Adoption of the Dog Control Policy and Dog Control Bylaw No 221

1. Purpose of Report

- 1.1 To adopt a dog control policy and bylaw.

2. Recommendation

THAT the Dog Control Policy (1191552) and the Dog Control Bylaw No 221 (1191826) be adopted, to take effect from 25 February 2013.

3. Background

- 3.1 A special consultative procedure has been carried out on the July 2012 dog control proposal. Final decisions (1424792) on changes to the draft Dog Control Policy and Dog Control Bylaw No 221 were made by Council on 13 December 2012 at the Policy and Planning Council meeting (Attachment 1)
- 3.2 The Council's decisions are reflected in the attached Dog Control Policy (1191552) and Dog Control Bylaw No 221 (1191826) which are shown in Attachments 2 and 3 respectively.

4. Conclusion

- 4.1 Adoption of the Dog Control Policy and Dog Control Bylaw No 221 concludes the Council's consideration of the July 2012 dog control proposal.

Debra Bradley
Planning Adviser

Attachments

Attachment 1: Dog Control Policy and Bylaw Review – Decisions and Reasons Adopted by Council on 13 December 2012 [1424792](#)

Attachment 2: Dog Control Policy [1191552](#)

Attachment 3: Dog Control Bylaw No 221 [1191826](#)

Supporting information follows.

Supporting Information

1. Fit with Purpose of Local Government

Adoption of the Dog Control Policy and Bylaw fits with the purpose of the Local Government because it enables the performance of regulatory functions. Development of the Policy and Bylaw was carried out by staff rather than external consultants as this was deemed to be the most cost effective way of performing this regulatory function.

2. Fit with Community Outcomes and Council Priorities

Community outcome:

Kind, healthy people – we are part of a welcoming, safe, inclusive and healthy community.

Council priorities:

Easy access to an active lifestyle

The natural environment

3. Fit with Strategic Documents

The Dog Control Policy and Bylaw are aligned with the dog-related policies in the Esplanade and Foreshore Reserve Management Plan, particularly through the inclusion of Paremata Reserve in the list of dog prohibited areas (as recommended on page 17 of the Plan).

The Policy and Bylaw are consistent with the Conservation and Landscape Reserves Management Plan 2009 in the following ways:

Prohibition of dogs in the Roding Water Reserve, Maitai Water Reserve and Brook Conservation Reserve, except where authorised for management purposes

There is no policy about dogs for the other reserves (including Grampians Reserve, Tantragee Reserve, Botanical Hill, Sir Stanley Whitehead Park) in the reserve management plan, and the Dog Control Bylaw allows for dogs to be off lead in these areas.

The Dog Control Policy and Bylaw are inconsistent with the Conservation and Landscape Reserves Management Plan 2009 in relation to Marsden Valley Reserve. The decision to allow dogs to be off lead on the formed tracks (only) in Marsden Valley Reserve east of Barnicoat Walkway is partially inconsistent with page 51 of the Conservation and Landscape Reserves Management Plan 2009. This Plan includes the following policy for Marsden Valley Reserve: *"Allow dogs within exotic plantation forest areas of the reserve only, provided they are under control, or where authorised for reserves management purposes."*

This inconsistency will be addressed during the next review of the management plan, which is due in 2019/20.

4. Sustainability

The decisions made on the July 2012 dog control proposal aim to protect and support biodiversity by excluding dogs from wildlife habitats such as

<p>Paremata Reserve, Sand Island and Wakapuaka Swamp. It promotes exercise by dogs and their owners by retaining a large number of areas and pathways as off lead exercise areas.</p>
<p>5. Consistency with other Council policies</p> <p>The Dog Control Policy and Bylaw are consistent with the Nelson and Tasman Physical Activity Plan outcome of "active and healthy communities in Nelson-Tasman through more people being more active, more often, lifelong."</p>
<p>6. Long Term Plan reference and financial impact</p> <p>(page 127 of the LTP) Regulatory Compliance – sources of funding: general rates, fees and charges, grants, fines.</p> <p>Some changes to the dog registration fee structure will be required to implement the new Good Dog Owner policy. This will be addressed in a separate report.</p>
<p>7. Decision-making significance</p> <p>This is not a significant decision in terms of the Council's Significance Policy.</p>
<p>8. Consultation</p> <p>Consultation on the July 2012 Statement of Proposal for the dog control policy and bylaw has been carried out using the Special Consultative Procedure (section 83 of the Local Government Act). Submissions were received from 27 July to 27 August 2012, and a hearing was held on 24 September 2012. Councillors met to consider submissions at a workshop on 6 November 2012, and adopted decisions at a Council meeting on 13 December 2012.</p>
<p>9. Inclusion of Māori in the decision making process</p> <p>Consultation with Māori has not been specifically included, but has been provided for through the special consultative procedure.</p>
<p>10. Delegation register reference</p> <p>The decision to adopt a Dog Control Policy and Bylaw sits with Council.</p>

DOG CONTROL POLICY AND BYLAW REVIEW

Decisions and Reasons Adopted by Council on 13 December 2012

1. Horticultural Parks

Decision: Dogs should be on a lead, with the exception of the less cultivated part of Isel Park, which begins beside Main Road Stoke and extends to the Isel Park entrance gate, as well as the area south of the access road beyond the Isel Park entrance gate. Off lead status for this area only applies when events are not being held in Isel Park.

Reasons: A high number of submissions (33) requested that these parks have on lead status. The main reasons were:

- These are places lots of families go, and are places to relax and picnic.
- To protect the substantial investment by Council in planting and beautifying these areas (so dogs do not dig in these gardens).
- Having the option to exercise small dogs in areas where dogs are on-lead.
- Horticultural parks are used for lots of children's activities and public activities, as well as organised events such as Isel in Bloom, Broadgreen Rose Day, Miyazu Blossom Festival, weddings, school and kindergarten picnics, Anzac Day Parade in Anzac Park and others. They are also used for informal activities such as children feeding the ducks in Queens Gardens, and lunchtime picnics for office workers.

In addition, dogs could cause significant damage to the bedding displays, rose displays and the water lily ponds in Miyazu Japanese Gardens.

The variation to this approach for Isel Park reflects that this park is larger than the other horticultural parks and includes a wilder, grassy area that does not contain planted flower beds.

2. Cemeteries

Decision: Dogs should be on a lead in all cemeteries.

Reasons: A high number of submissions (19) opposed dogs being allowed off lead in cemeteries. The main reasons were:

- To maintain privacy and avoid hassle for families visiting cemeteries as these are often places of contemplation or family sadness.
- To avoid dogs digging around grave sites and toileting on and around sites and headstones.

3. State Highways/Urban Streets

Decision: Dogs can be off lead (if under control) beside state highways, and on other urban streets and footpaths.

Reason: A number of submitters opposed dogs being allowed off lead on urban streets beside busy roads, particularly state highways. However, the Council's view is that the decision about whether a dog should be on a lead or not is best made by the dog's owner. They know best whether their dog can safely be under control off lead or not.

4. Delaware Estuary

Decision: Dogs should be on a lead on the sand and mudflats of Delaware Estuary.

Reasons: To protect the birds in this area. This decision also recognises that the Delaware mudflats front the Paremata Flats restoration area. One of the main purposes of the Paremata Flats restoration project is to offer greater habitat for the banded rail and fern birds which nest on the Delaware Estuary margins.

5. Maitai Walkway

Decision: Dogs should be on a lead from the river mouth upstream to the Collingwood Street Bridge, and may be off lead upstream from the Collingwood Street Bridge.

Reasons: The area between Trafalgar Street Bridge and Collingwood Street bridge is a high use shared space where many people eat their lunch. The walkway is narrow in the area from the river mouth up to Trafalgar Street Bridge. Future investment in this area is likely to encourage increased numbers of people to use the area.

An educational approach is preferred to manage the interaction between dogs and other users of the shared pathway. Signs will encourage dog owners to avoid taking their dogs into the reserve during peak commuter hours.

6. Around Playing Fields

Decision: Dogs should be on a lead on sports grounds other than the playing area of Council sports grounds (where they are prohibited) when games or training sessions are occurring. At other times dogs may be off lead on sports grounds other than the playing area of Council sports grounds.

Reasons: To avoid the risk of dogs running onto the field while games are in play, but to enable dogs to exercise off lead around playing areas at other times.

7. Marsden Valley Reserve (East)

Decision: Dogs are permitted to be off lead on the formed cycling and walking tracks within Marsden Valley Reserve, including Involution Trail. However, they are prohibited from being in the bush areas (off the tracks) in the part of Marsden Valley Reserve to the east of the Barnicoat Walkway.

Reasons: To balance the value of the tracks in this area to dog owners and dogs (providing access to a natural bush environment) with protection of the wildlife values in this area, including weka and kea. This decision recognises the excellent work of the Marsden Valley trapping group in this area, which is bringing birds back to the area. It also recognises that dogs are one of several risks to weka, including ferrets.

Implications of decision: Allowing dogs to be off lead on the tracks (only) in Marsden Valley Reserve east of Barnicoat Walkway is partially inconsistent with page 51 of the Conservation and Landscape Reserves Management Plan 2009. It includes the following policy for Marsden Valley Reserve:

"Allow dogs within exotic plantation forest areas of the reserve only, provided they are under control, or where authorised for reserves management purposes."

As required by section 80 of the Local Government Act 2002 the Council must clearly identify:

- The inconsistency (as outlined above).
- The reasons for the inconsistency (as listed in the reasons above).
- Any intention of the local authority to amend the Conservation and Landscape Reserves Management Plan 2009 to accommodate the decision.

The Conservation and Landscape Reserves Management Plan 2009 will be amended to accommodate this decision during the next review of the Management Plan which is due in 2019/20. Earlier amendment of this Plan is not proposed due to the time and resources required to make an amendment to a management plan developed in accordance with the Reserves Act 1977.

8. Wakapuaka Swamp

Decision: Dogs should be prohibited from this area.

Reason: Department of Conservation administers this land, and Department of Conservation staff requested that this change to prohibited status be included in the policy and bylaw.

9. Wolfe Reserve and Betsy Eyre Park

Decision: Dogs are permitted to be off lead in Wolfe Reserve and Betsy Eyre Park.

Reasons: There were seven submissions in support and two in opposition to Wolfe Reserve being an off lead area. The playground within this neighbourhood park will continue to be a dog prohibited area.

There were four submissions in support and none in opposition to Betsy Eyre Park being an off lead area.

10. Boulder Bank

Decision: Retain the approach in the July 2012 proposal, which is: for the area from the Cut towards Boulder Bank Drive for 4 kilometres – prohibited from October to February, and off lead from March to September.

Reason: Department of Conservation administers this land, and Department of Conservation staff requested this change to prohibited status be included in the policy and bylaw.

11. Maitai Swimming Holes and Picnic Areas

Decision: Retain the approach in the July 2012 proposal, which is: prohibited status only applies from December to March each year. Dogs are prohibited in Dennes, Sunday and Maitai Camp swimming holes and adjacent picnic areas; and prohibited in the picnic area and true right bank beside Black Hole. Dog swimming is allowed in Black Hole and Girlies Hole.

Reason: Most submissions supported or did not oppose this approach, which was outlined in the July 2012 proposal.

12. Saxton Field Special Facilities

Decision: Prohibit dogs from the special facilities, which are the Saxton Field Cricket Oval and the Athletics Track and the Saxton Field Hockey and Softball areas.

Reason: There were very few submissions opposing the proposed approach to Saxton Field.

13. Railway Reserve

Decision: Off lead at all times, and that signs encourage dog owners to avoid taking their dogs into the reserve during peak commuter hours.

Reasons: Submitters on the July 2012 proposal were two thirds (138) in support of the Railway Reserve being an off lead area, and one third (70) in support of this being an on lead area.

An educational approach is preferred to manage the interaction between dogs and other users of the shared pathway.

14. Atawhai Shared Pathway

Decision: Off lead at all times, and that signs encourage dog to avoid taking their dogs onto the pathway during peak commuter hours.

Reasons: This approach is consistent with the approach being taken for the Railway Reserve.

Another factor considered was that a number of submitters opposed dogs being allowed off lead on urban streets beside busy roads, particularly state highways. However, the Council's view is that the decision about whether a dog should be on a lead or not is best made by the dog's owner. They know best whether their dog can safely be under control off lead or not.



DOG CONTROL POLICY

February 2013

CONTENTS

1 INTRODUCTION 1

2 DOGS IN PUBLIC PLACES 1

3 REGISTRATION FEES..... 2

4 BARKING DOGS..... 3

5 MENACING AND DANGEROUS DOGS 3

6 ENFORCEMENT 4

7 OWNER EDUCATION..... 5

8 NUMBER OF DOGS 6

9 CO-OPERATION WITH OTHER ORGANISATIONS..... 7

10 BYLAWS 7

SCHEDULE ONE 9

SCHEDULE TWO 12

SCHEDULE THREE 13

MAP OF THE NELSON URBAN AREA 15

1 Introduction

- 1.1 Nelson is known as a place that welcomes dogs, recognising the role they play in:
- Encouraging people to exercise, as they take their dogs for a walk or run.
 - Enhancing social wellbeing, as dog owners interact with others while exercising their dogs.
 - Providing companionship for many people. This is particularly important for people living on their own, which is an increasing trend.
- 1.2 The Council is also mindful of the need to minimise adverse impacts of dogs on the community. The Dog Control Act 1996 (the Act), amended by the Dog Control Amendment Acts 2001, 2003, 2004, 2006 and 2010, places an obligation on the Council to adopt a policy about dogs, and to adopt a bylaw to give effect to this policy. In adopting a policy under section 10 of the Dog Control Act, the Council must have regard to:
- the need to minimise danger, distress, and nuisance to the community generally; and
 - the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
 - the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
 - the exercise and recreational needs of dogs and their owners.

2 Dogs in Public Places

- 2.1 Some areas have been set aside as where dogs are not allowed to go at all where there are important recreation, conservation or human safety values to be protected.
- 2.2 There are high concentrations of people in Nelson's central business district, and the Stoke and Tahunanui shopping centres. For this reason, it is safer to require dogs to be on a lead in these areas.
- 2.3 Neighbourhood parks are generally relatively small and are commonly used by children. To avoid risks to children, dogs should be on a lead in these areas. There are some exceptions to this, where neighbourhood parks are larger and there are no children's playgrounds within them. Examples are Grampian Oaks Reserve and Andrews Farm Reserve.

- 2.4 In all public places where dogs are not prohibited or required to be on a lead, dogs must be under the control of their owner at all times. Some owners are able to control their dogs using voice commands, and others will need to have their dogs on a lead to achieve adequate control. It will be the responsibility of the dog owner to decide how best to ensure they are in control of their dog's movements and actions.
- 2.5 A working dog, as defined in the Dog Control Bylaw 2013, may be exempted from clauses 2.2, 2.3 and 2.4, subject to conditions, while it is engaged in or being used for its working purpose.

Dogs Prohibited

- 2.6 No person shall allow any dog of which they are the owner to enter upon or remain on any part of any public place or area specified in Schedule One.

Dogs Permitted on a Lead

- 2.7 No person shall allow any dog of which they are the owner to enter upon or remain on any part of any public place or area specified in Schedule Two unless the dog is at all times controlled on a lead.

Dogs in all other Public Places

- 2.8 In all public places where dogs are not prohibited or required to be on a lead, dogs must be kept under control by the owner. It is the responsibility of the owner to decide whether this control can be achieved off lead or on a lead. Nothing in this clause absolves the owner from the obligation to carry a lead at all times while he or she is with the dog in a public place.
- 2.9 Every person, while exercising any dog, shall ensure that at all times the dog is under an appropriate degree of control which will ensure that the dog does not cause a nuisance to any other person using the area, or rush at or startle any person in a manner that causes that person to be injured or endangered, or causes any property to be damaged or endangered.
- 2.10 The ability to exercise dogs without a lead does not absolve owners from their obligation under the Dog Control Act 1996 to ensure that their dog is kept under control, and to carry a lead at all times while with the dog in a public place.
- 2.11 Keeping a dog under control includes the obligation to ensure that the dog does not stray on to any private property.

3 Registration Fees

- 3.1 The Council has adopted a fee structure which recognises the following types of dogs:
- Urban Dogs.
 - Rural Dogs. Note: Dogs and their owners are classified as Rural if they reside on a property which has an area in excess of 1 hectare.
 - Dogs on the Good Dog Owner scheme (refer Clause 7.4).

- Police dogs, Search and Rescue Dogs and any disability assist dogs.
 - Dogs classified as dangerous.
- 3.2 The Act requires that all money received from registration fees or other charges levied under the Act are to be applied only for Dog Control purposes. The Council acknowledges that good dog owners tend to subsidise the cost of activity related to irresponsible owners and to this end will encourage owners to take responsibility for their dogs to ensure that fees can be kept as low as possible.
- 3.3 Dog owners who do not act responsibly or maintain adequate control over their dogs may be penalised to ensure that they meet the costs of the additional work. In addition the Council will endeavour to operate the Pound on a cost recovery basis so that as far as possible Council operates a user pays system.

4 Barking Dogs

- 4.1 Section 55 of the Dog Control Act 1996 authorises Council Dog Control Officers to issue an abatement notice to any person who owns a dog which the Officer considers is causing a nuisance by persistent and loud barking or howling. Non compliance with this notice will result in enforcement action.
- 4.2 Section 56 authorises the Officer to remove the dog from the property if the owner takes no action, or the nuisance is continuing and causing distress to any person.
- 4.3 The Council will continue to implement these provisions on complaint.

5 Menacing and Dangerous Dogs

- 5.1 The Act contains a number of provisions which enable the Council to require specific control action to be taken in respect of menacing and dangerous dogs.
- 5.2 A menacing dog is one which has not been classified as a dangerous dog, but which the Council considers may pose a threat to any person, stock, poultry or domestic animal or protected wildlife because of observed or reported behaviour or any characteristics typically associated with the breed or type.
- 5.3 The Council must classify a dog as a menacing dog if it believes that the dog belongs wholly or predominantly to a breed or type prohibited under Section 30A of the Act.
- 5.4 Section 30A of the Dog Control Act 1996 states that no person may import into New Zealand any dog that belongs wholly or predominantly to one or more breed or type of dog listed in Schedule 4 of the Act (listed below).
Breed of dog:
- Brazilian Fila.
 - Dogo Argentino.

- Japanese Tosa.
- Perro de Presa Canario.

Type of dog:

- American Pit Bull Terrier.

- 5.5 A dangerous dog is one which the Council has, on sworn evidence attesting to aggressive behaviour by the dog, reasonable grounds to believe it constitutes a threat to the safety of any person, stock, poultry or domestic animal or protected wildlife, or the owner has admitted in writing that the dog constitutes such a threat, or has already been convicted of an offence relating to the dog attacking a person or an animal.
- 5.6 Sections 31 to 33 of the Act outline the reasons why, and the manner in which, a dog may be classified as dangerous, and the obligations which this imposes on an owner which includes having the dog on a lead and muzzled when in public and compulsory neutering of the dog.
- 5.7 Sections 33A to 33EC of the Act contain similar provisions relating to menacing dogs. These dogs are also required to be on a lead and muzzled when in public but neutering of these dogs is at the discretion of the Council. As a matter of policy the Council will require all dogs classified as menacing to be neutered.
- 5.8 The Council will require the neutering of any dog of the breed or type to which section 30A of the Act applies, and will require any other dog to be neutered when the classification is confirmed.

6 Enforcement

- 6.1 The Act provides that the Council may issue Infringement Notices which provide an instant fine for a number of offences. As the Council's aim is to promote owner responsibility, an education and advisory approach will generally be taken. However, enforcement action may be taken against repeat offenders. Infringement Notices may be preceded by a written warning. In those instances where the actions of the owner amount to a wilful disregard for the safety or convenience of any person or animal, or a fraudulent or deliberate attempt to circumvent the requirements of the Act or the Dog Control Bylaw 2013, an infringement Notice is likely to be issued without warning.
- 6.2 Where a written warning is ignored, or the offence is repeated within two years, or the behaviour is seen to be becoming habitual the appropriate Infringement Notice may be issued.
- 6.3 Any dog found at large in any public place at any time, in contravention of the Dog Control Bylaw 2013, may be seized and impounded by any Dog Control Officer, Dog Ranger or other person authorised by the Council. Consideration will be given to reducing impounding fees on a case by case basis, if the dog owner carries out an assessment of their property and rectifies any fencing inadequacies. Council will assist in assessment of properties if requested.

- 6.4 The Council will enforce the requirement for owners to remove their dog's faeces and the Dog Control Bylaw 2013 will require persons to have a bag with them when exercising any dog.
- 6.5 Where the offence relates to a failure to register a dog, the action which generally will be followed is for the Council to seize and impound the dog.
- 6.6 Section 42 of the Dog Control Act 1996 authorises a Dog Control Officer to enter any land or premises (except a dwelling house) occupied by the owner of the dog for the purpose of seizing and impounding an unregistered dog.
- 6.7 The Council will also make use of the provisions of the Act relating to Probationary Owners and Disqualification of Owners to, over time; improve the level of owner responsibility or to bar irresponsible persons from future ownership or control of any dog.
- 6.8 The enforcement policy will be communicated to all owners at the time of registration.

7 Owner Education

- 7.1 The Council carries out the following initiatives to encourage responsible dog ownership. These are:
- The Doggy Do project.
 - The Good Dog Owner Policy.
 - Information for dog owners, and the wider community.
 - Patrols by Dog Control Officers

The Doggy Do Project

- 7.2 The Council provides dispensers for plastic rubbish bags as a convenience for people exercising their dogs in a number of areas within the city. The presence of these is one way the Council can encourage owners to pick up their dog's faeces.
- 7.3 However, the main focus will continue to be on the owner's personal responsibility to remember to take a bag and to pick up after their dogs. The provision of dispensers is limited to high use sites only. Dog owners will also be encouraged to make use of bags which are readily available from other sources such as recycled bread bags and plastic shopping bags.

Good Dog Owner Policy

- 7.4 A new Good Dog Owner policy takes effect from July 2013:
- Substantial Good Dog Owner discount applies on an annual basis for meeting the following three conditions:
 - Having no more than one minor, proven complaint/impounding;
 - and

- Having adequate fencing or other means of containing their dog on the property, and complying with standard welfare requirements for water, shelter and food (spot checks will apply); and
 - Paying registration fees on time.
 - Ongoing discount applies for any dog that is either neutered, or for dogs registered as members of the New Zealand Kennel Club.
 - One voucher will be available per dog, for all dog owners towards attending a recognised training course or 1:1 training to address a behavioural issue (only payable by Council, if it is redeemed with an approved provider).
- 7.5 Those on the current Good Dog Owner scheme will automatically transfer to the above Good Dog Owner discount.

Publicity Material

- 7.6 The Council will provide information to owners and carry out periodic publicity of dog control matters.
- 7.7 The Council will produce pamphlets and website information that includes maps clearly identifying dog prohibited areas and areas where dogs are required to be on a lead. Guidance will also be provided on:
- What dog owners can do to avoid conflicts with other people in the community, including respecting the space around other people (particularly children) when exercising dogs.
 - Locking extendable dog leads where there is a risk of tripping cyclists and pedestrians.
 - Dog training options.
- 7.8 The Council will also provide signage in high use areas which will include the contact details for Dog Control.

Dog Control Officers

- 7.9 One important education tool is the advice and assistance which Dog Control Officers can provide to dog owners and to the general public. Dog Control Officers will be readily visible to the public through patrols aimed at assisting dog owners using the more popular public places to understand the obligations imposed on them by the Act and the Council's Dog Control Bylaw 2013.

8 Number of Dogs

- 8.1 No more than two dogs can be kept on any property in the urban area without written permission from the Council. (The extent of Nelson's urban area is shown on the map attached to both the Dog Control Policy and Dog Control Bylaw 2013.) Puppies up to three months old are exempt from this limit.

- 8.2 There will be a one-off additional charge for keeping more than two dogs on an urban property, to cover the costs of reviewing the suitability of the property for more than two dogs. Assessment, and any conditions imposed on the dog owner, will be focused on all reasonable steps being taken to ensure that the dogs will not cause a nuisance to any person or be likely to be injurious to the health of any person.
- 8.3 Dog owners who have more than two dogs in February 2013 will have an "existing use right" to continue to own their existing dogs, until the end of the dogs' lives. Written permission will be required for ownership of any additional dogs after this date.
- 8.4 This approach will increase the Council's ability to control the effects of multiple dogs without generating high administration costs.
- 8.5 There are no limits on the number of dogs that may be kept on a property which is not within the urban area

9 Co-operation with Other Organisations

Ministry of Agriculture

- 9.1 The Ministry of Agriculture now has responsibility for the control and eradication of true hydatids and sheep measles under the provisions of the Biosecurity Act 1993.
- 9.2 There is no requirement for people to dose their dogs for hydatids or sheep measles. However, Council publicity material will explain the benefits of general worming of dogs and it will be up to the dog owner to talk to their vet about the best worming regime for their dog.

Society for Prevention of Cruelty to Animals

- 9.3 The Council will work in conjunction with the Society for Prevention of Cruelty to Animals where possible to promote dog welfare.
- 9.4 The Council will periodically review its assistance to the Society for Prevention of Cruelty to Animals in respect of euthanasia of unwanted dogs or other services to ensure that this represents an appropriate benefit to the community.

Interest Groups

- 9.5 The Council will continue to liaise with relevant interest groups.

10 Bylaws

- 10.1 The Council is required to introduce a bylaw to give effect to this policy.
- 10.2 The approach of the Dog Control Bylaw 2013 is to ensure as far as possible that:
- Dog owners are not penalised for owning a dog.

- Members of the public are able to make use of the public areas within the city without intimidation or inconvenience brought about through the actions of dogs or their owners.
- The welfare of dogs kept within the city is preserved and/or enhanced.
- Irresponsible owners are penalised and required to carry their share of the cost of dog control.
- Dogs do not pose threats to rare or protected wildlife.

Dog Control Bylaw 2013 Provisions

10.3 The Dog Control Bylaw 2013 makes provision for the following matters:

- Specifying areas where dogs are prohibited.
- Specifying areas where dogs are required to be on a lead.
- Requiring persons controlling a dog to remove its faeces from property other than that occupied by that person.
- Impounding of dogs.

10.4 The Council will operate a pound for the temporary confinement of any dog which is seized by a Dog Control Officer pursuant to the provisions of the Dog Control Act 1996. This includes:

- Wandering dogs.
- Barking dogs causing distress.
- Dogs attacking persons or animals.
- Dogs rushing at persons, animals or vehicles.
- Dogs in the vicinity of protected wildlife.
- Unregistered dogs.

10.5 All impounded dogs will be retained in the pound for at least the required time in order to give the owners an opportunity to reclaim them. Unless reclaimed, and all fees and charges paid, the dogs will be disposed of.

Neutering of Dogs

10.6 The Act enables the Council to neuter menacing and dangerous dogs.

SCHEDULE ONE

Dogs Prohibited Areas

Dogs are prohibited from the following areas for the reasons as set out:

1. Nelson Airport (unless transporting dogs for air lift in or out of Nelson; or dogs securely restrained in the owner's vehicle). This is for safety reasons.
2. Eastern two thirds of Tahunanui Main Beach. This is an important beach providing seaside recreation/swimming for a large number of residents and visitors to enjoy, free from nuisance or inconvenience. In addition the setting aside of the western end of the beach and the back beach area for dogs provides adequate opportunity for swimming, beach exercise and socialising.
3. The playing area of any Council sports grounds. The exception is Maitai Cricket Ground, for which the prohibition only applies from October to March each year.

Playing areas of sports fields used for active recreation – dogs are not compatible with active recreational pursuits and owners need to ensure that their dogs are kept off the marked playing fields. However, dogs are allowed to exercise around the edges of these areas. The exception is Maitai Cricket Ground, for which the prohibition only applies from October to March each year.

4. Children's playgrounds - the section of the reserve set aside for playground equipment. One of the main areas of concern in respect of children's interaction with dogs is that they are generally instantly attracted to animals. This coupled with the pack instincts of adult dogs can lead to instances of biting and other injurious behaviour. In addition, the bark surfaces of playgrounds mean that faeces left by dogs can be overlooked.
5. Nelson City Council Water Reserves (without Council permits):
 - Maitai Valley
 - Roding

In order to preserve the integrity of the city water supply and the natural environment of the catchments, dogs are not permitted within the Maitai and Roding Water Reserves. However, permits may be given for dogs to be used in these areas for specific feral animal control purposes.

6. Brook Conservation Reserve. This area is being developed as a wildlife sanctuary and dogs are not compatible with this aim. However, permits may be given for dogs to be used in this area for specific conservation purposes.

7. Any public building owned or controlled by the Council (except in respect of the Trafalgar Centre or Stoke Hall when a function involving dogs is being held).
8. Trafalgar Park.
9. Saxton Field Cricket Oval and the Athletics Track.
10. Saxton Field Hockey and Softball Areas.

(This reason applies to 7, 8, 9 and 10): It is not appropriate for dogs to be brought into facilities where people are undertaking recreational pursuits or leisure time activities, or engaged in business. Any disability assist dogs or dogs used by the Police or other agencies are exempt from this prohibition. The prohibition excludes approved dog shows at the Trafalgar Centre and Stoke Hall.

11. Haulashore Island. This island provides important wildlife habitats which need to be protected from predatory animals.
12. Oyster Island. This island provides important wildlife habitats which need to be protected from predatory animals.
13. Haven Holes Reserve. The area is being developed as a wading bird habitat.
14. The following Maitai River swimming holes and the listed picnic areas:
 - The picnic area and river bank beside Black Hole (true right side of the river only).
 - Dennes Hole and the adjacent picnic area.
 - Sunday Hole and the adjacent picnic area.
 - Maitai Camp Hole and the adjacent picnic area.

(This prohibition only applies from 1 December to 31 March each year.) The Maitai swimming holes and adjacent picnic areas are important and highly popular recreation and swimming spots for large numbers of residents and visitors of all ages. The high numbers of families frequenting these areas during summer months can lead to potential conflict between children and dogs. Further, because the spaces are confined the potential approach and movement of dogs through people's picnics can be intimidating for some members of the public. When use is high there is also increased potential for conflict between dogs. In addition, any dog faeces left uncollected becomes a health risk. The nature of the river bank means that detection and clean up of faeces is more difficult and can be easily overlooked by owners. The setting aside of the river bank and picnic area on the true right side of Black Hole, whilst retaining the option for dogs to swim in this hole by accessing it from the true left side (the side with the Maitai walkway), still

provides dogs with ample exercise and swimming opportunities. There are also picnic tables on this side of the river, allowing people to picnic with their dogs. Dog owners are still able to park their cars on the true right hand side of the river near Black Hole and walk across the nearby bridge to access the true left side of the river. The high levels of cyanobacteria detected immediately upstream of Dennes Hole means that this swimming hole is not suitable as a dog swimming area during summer months.

15. Dogs are prohibited from land administered by the Department of Conservation that is not foreshore and sea bed unless the owner has specific authorisation, for example a dog control permit from the Department of Conservation; or the reserve has Department of Conservation signage identifying where a dog may be taken without a permit. (Dogs are permitted on foreshore and sea bed administered by the Department of Conservation unless it is an area listed in this Schedule.)
16. The beaches and estuary flat of Nelson Haven bounded by the Boulder Bank Scenic Reserve (to the west) and Boulder Bank Drive (to the east) for a distance of 500 metres along each of those boundaries. This area provides important habitat, roosting and nesting sites for endangered wader birds and needs to be protected from dog disturbance.
17. The Boulder Bank Scenic Reserve, from the Cut towards Boulder Bank Drive for 4 kilometres, from October to February, to protect nesting birds.
18. Whakapuaka Raupo Swamp. It potentially has high biodiversity values as a bird sanctuary as the wetland improves, creating habitat for rails and crakes.
19. The fenced area of the foreshore and esplanade reserve at Paremata Flats. A number of bird species, including banded rail, have established following fencing and extensive pest eradication works in this area. Permits may be given for dogs to be used in these areas for specific feral animal control purposes.
20. Dogs are permitted to be off lead on the formed cycling and walking tracks within Marsden Valley Reserve, including Involution Trail. However, they are prohibited from being in the bush areas (off the tracks) in the part of Marsden Valley Reserve to the east of the Barnicoat Walkway. This part of Marsden Valley Reserve, which is largely native bush, is habitat for a growing weka population. Permits may be given for dogs to access areas beyond the formed tracks for specific feral animal control purposes.
21. Sand Island. This site is of regional and national importance as both a breeding and roosting site for a number of birds including: Black Fronted Tern, Black-billed Gull, Pied Shag, Red-billed Gull, Caspian Tern, South Island Pied Oystercatcher, White-fronted Tern and the Variable Oyster Catcher. In addition, Godwits roost on this island during spring tides.

SCHEDULE TWO

Dogs are Permitted but must be Kept on a Lead

1. All public footpaths and other public areas within the Central Business District, and within the Stoke and Tahunanui shopping centres.
2. Nelson cemeteries, both active and historic. The active cemeteries are: Marsden Valley Cemetery, Seaview Cemetery, and Hira Cemetery. The historic cemeteries are Wakapuaka Cemetery, the Quakers Cemetery on Wellington Walkway and the Hallowel Cemetery near Shelbourne Street.
3. Horticultural Parks. These are: Miyazu Japanese Gardens, Anzac Memorial Park, Church Hill, Melrose Gardens, Queens Gardens, Broadgreen Gardens and Isel Park. The exception to the on lead requirement is the less cultivated part of Isel Park which begins at Main Road Stoke and extends to the Isel Park entrance gate, as well as the area south of the access road beyond the Isel Park entrance gate. This exception applies when events are not being held in Isel Park.
4. Neighbourhood Parks – excluding those listed in Schedule Three. As at February 2013 the on-lead neighbourhood parks are: Albion Square Reserve, Aldinga Reserve, Annesbrook Youth Park, Ballard Reserve, Beatson Reserve, Bisley Reserve, Blackwood East Reserve, Bledisloe South Reserve, Bolt Reserve, Brook Park, Bruno Reserve, Burrell Park, Cattle Market Reserve, Cawthron Reserve, Centennial Park, Commodore Reserve, Covent Reserve, Devon Reserve, Enner Glynn North Reserve, Enner Glynn South Reserve, Erin Reserve, Fountain Reserve, Foster Reserve, Frenchay Reserve, Frost Reserve, Glenduan Reserve, Grove Reserve, Harford Reserve, Hockey Reserve, Manson Reserve, Manu Kau Reserve, Marybank Reserve, Miyazu Reserve, Moana Reserve, Monaco Reserve, Moncrieff Reserve, Montrose Reserve, Neale Reserve, Ngaio Reserve, Paddy's Knob Reserve, Paru Paru Reserve, Peace Grove, Pepper Tree Park, Pioneers Park, Poets Park, Princes Lookout Reserve, Ranui Reserve, Riverside Reserve, Ronaki Reserve, Russell Reserve, Sequoia Reserve, St Lawrence Reserve, Te-Ata Reserve, Todd Bush Reserve, Tokomaru Reserve, Tresillian Reserve, Vosper Reserve, Waimea North Reserve, Waimea South Reserve, Wakapuaka Reserve, Wards Reserve, Wellington Reserve, Werneth Reserve and Wigzell Park.
5. The sand and mudflats of Delaware Estuary.
6. Around the playing areas of sports fields when games or training sessions are occurring. (At other times dogs may be off lead on sports grounds other than the playing area of sports grounds.)
7. The Maitai walkway, from the river mouth up to the Collingwood Street bridge.

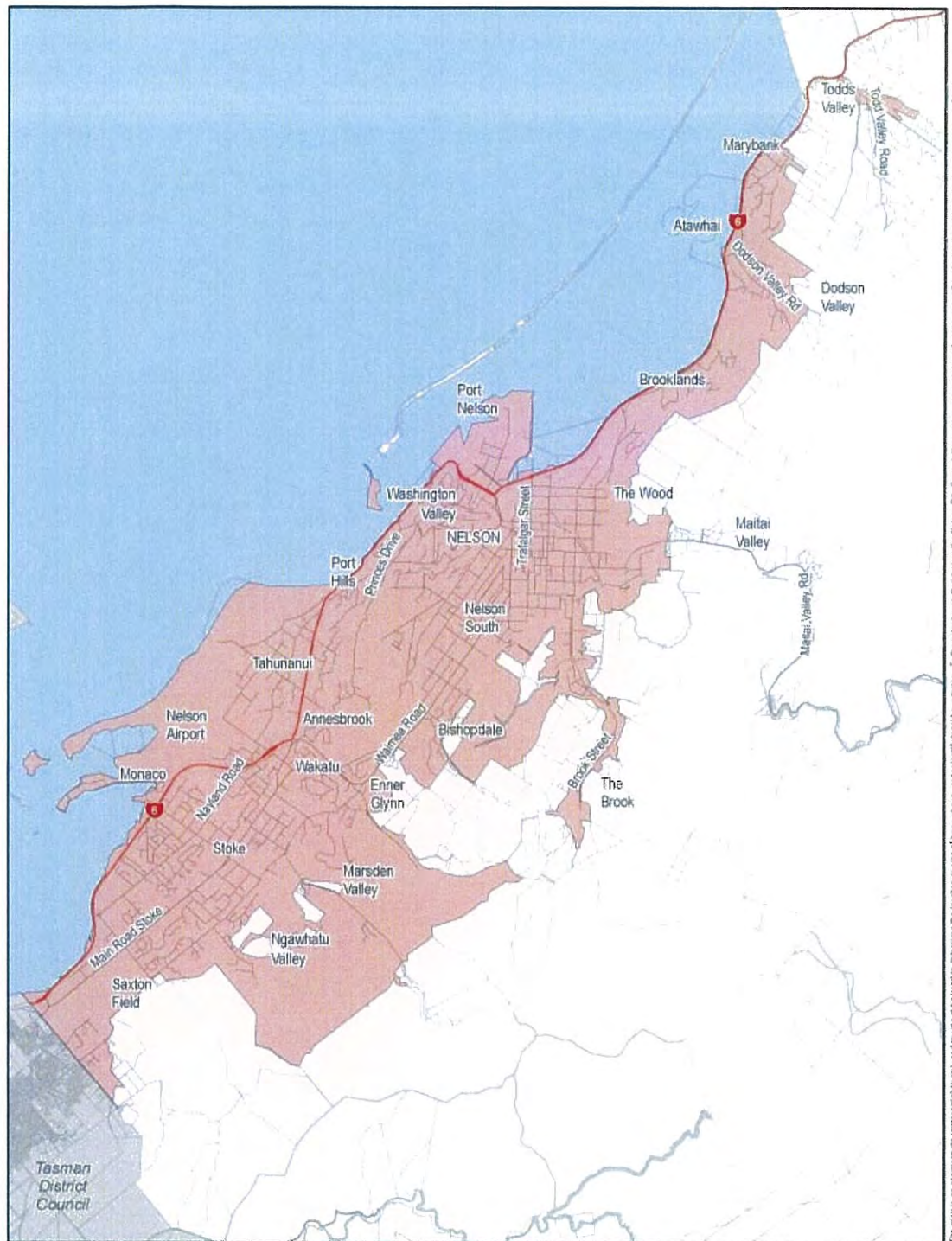
SCHEDULE THREE

Neighbourhood Parks in which Dogs may be Off Lead

1. Abraham Heights Reserve
2. Andrews Farm Reserve
3. Bayview Road Reserve (North)
4. Betsy Eyre Park
5. Bishopdale Reserve
6. Bishop's Park
7. Bledisloe North Reserve
8. Branford Park
9. Corder Park
10. Custom House Reserve
11. Emano East Reserve
12. Emano West Reserve
13. Fairfield Park
14. Grampian Oaks Reserve
15. Hanby Park
16. Hira Reserve
17. Kowhai Reserve
18. Murphy North Reserve
19. Murphy South Reserve
20. Ngapua Reserve
21. Nikau Reserve
22. Orchard Reserve
23. Pipers Park
24. Poplar Reserve
25. Queen Elizabeth II Reserve
26. Station Reserve
27. Songer Reserve

28. Tosswill Reserve
29. Waterhouse Reserve
30. Wolfe Reserve
31. Woodstock Reserve

MAP OF THE NELSON URBAN AREA



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Extent of Nelson Urban Area

Nelson City Council
te kaonihara o whakatū

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PH 03 5460200 FAX 03 5460239
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Legend
 Nelson Urban Area

0 0.5 1 1.5 2 km
Scale 1:70,000

N
January 2012



**DOG CONTROL BYLAW
NO. 221
February 2013**

CONTENTS

1	INTRODUCTION	1
2	REPEAL	1
3	DEFINITIONS	1
4	DOGS PROHIBITED	3
5	DOGS PERMITTED ON A LEAD	3
6	DOGS IN PUBLIC PLACES	3
7	EXEMPTIONS.....	4
8	NUMBER OF DOGS	4
9	SEIZURE OF ROAMING DOGS	4
10	MANGED OR DISEASED DOGS	4
11	NUISANCES OR INJURY TO HEALTH	5
12	DOGS DEFECATING	5
13	PENALTIES	5
	SCHEDULE ONE.....	6
	SCHEDULE TWO	8
	SCHEDULE THREE	9
	MAP OF THE NELSON URBAN AREA.....	11

1 INTRODUCTION

- 1.1 The title of this Bylaw shall be the "Dog Control Bylaw 2013."
1.2 The Bylaw shall come into effect on 25 February 2013.

2 REPEAL

- 2.1 The Nelson City Council Bylaw 209 is hereby repealed.
2.2 This Dog Control Bylaw 2012 was made after following the special consultative procedure initiated at the ordinary meeting of the Council on 19 July 2012 and confirmed at the ordinary meeting of the Council on 19 February 2013.

3 DEFINITIONS

Act - Means the Dog Control Act 1996 and its amendments.

City - Means the territory of the City of Nelson as defined in Part 2 of Schedule 2 to the Local Government Act 2002.

The Council - Means the Nelson City Council.

Dog Control Officer - Means a Dog Control Officer appointed under Section 11 of the Act, and includes a warranted officer exercising powers under Section 17 of the Act.

Dog Ranger - Means a Dog Ranger appointed under Section 12 of the Act and includes an Honorary Dog Ranger.

Infringement offence - Has the meaning given to it in Section 65(1) of the Act.

Neutered dog - Means a dog that has been spayed or castrated, and does not include a dog that has been vasectomised, and neutering has a corresponding meaning.

Owner - In relation to any dog, means every person who:

- a) Owns the dog; or
- b) Has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage or distress, or for the sole purpose of restoring a lost dog to its owner; or
- c) The parent or guardian of a person under the age of 16 years who:
 - is the owner of the dog pursuant to paragraph (a) or paragraph (b) of this definition; and
 - is a member of the parent or guardian's household living with and dependent on the parent or guardian;

but does not include any person who has seized or taken custody of the dog under this Act or the Animal Welfare Act 1999 or the National Parks Act 1980 or the Conservation Act 1987 or any order made under this Act or the Animal Welfare Act 1999.

Playing area - Means that part of any sports ground which at the material time is marked out or otherwise set aside for the playing of any active sport.

Public place - Means:

- a) A place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and
- b) Includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward.

Under control – Means that at all times a dog is able to be restrained or to obey commands.

Urban area – Means the area shown on the map attached to this Bylaw.

Working dog - Means:

- a) Any disability assist dog; and
- b) Any Land Search and Rescue dog; and
- c) Any dog that is:
 - kept by the Police or any constable, the Customs Department, the Ministry of Agriculture, the Ministry of Fisheries or the Ministry of Defence, or any officer or employee of any such Department of State, solely or principally for the purposes of carrying out the functions, powers, and duties of the Police or the Department of State or that constable, officer, or employee; or
 - kept solely or principally for the purposes of herding or driving stock; or
 - kept by the Department of Conservation or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department; or
 - kept solely or principally for the purposes of destroying pests or pest agents under any pest management strategy under the Biosecurity Act 1993; or
 - kept by the Department of Corrections or any officer or employee of that Department solely or principally for the purposes of carrying out the functions, duties, and powers of that Department; or

- kept by the Aviation Security Service established under section 72B(2)(ca) of the Civil Aviation Act 1990, or any officer or employee of that Service solely or principally for the purposes of carrying out the functions, duties, and powers of that Service; or
- certified for use by the Director of Civil Defence Emergency Management for the purposes of carrying out the functions, duties and powers conferred by the Civil Defence Emergency Management Act 2002; or
- owned by a property guard as defined in section 9 of the Private Security Personnel and Private Investigators Act 2010 or a property guard employee as defined in section 17 of that Act, and kept solely or principally for the purpose of doing the things specified in section 9(1)(a) to (c) of that Act; or
- declared by resolution of the territorial authority to be a working dog for the purposes of the Act, or any dog of a class so declared by the authority, being a dog owned by any class of persons specified in the resolution and kept solely or principally for the purposes specified in the resolution.

Other terms and expressions defined in the Dog Control Act 1996 shall, when used in this Bylaw, have the meanings defined in the Act.

4 DOGS PROHIBITED

- 4.1 No person shall allow any dog of which they are the owner to enter upon or remain on any part of any public place or area specified in Schedule One.

5 DOGS PERMITTED ON A LEAD

- 5.1 No person shall allow any dog of which they are the owner to enter upon or remain on any part of any public place or area specified in Schedule Two unless the dog is at all times controlled on a lead.

6 DOGS IN PUBLIC PLACES

- 6.1 In all public places where dogs are not prohibited or required to be on a lead, dogs must be kept under control by the owner. It is the responsibility of the owner to decide whether this control can be achieved off lead or on a lead. Nothing in this clause absolves the owner from the obligation to carry a lead at all times while he or she is with the dog in a public place.
- 6.2 Every person, while exercising any dog, shall ensure that at all times the dog is under an appropriate degree of control which will ensure that the dog does not cause a nuisance to any other person using the area, or rush at or startle any person in a manner that causes that person to be injured or endangered, or causes any property to be damaged or endangered.
- 6.3 Keeping a dog under control includes the obligation to ensure that the dog does not stray on to any private property.

7 EXEMPTIONS

- 7.1 Dogs under the direction of the Nelson Dog Training Club are exempt from Clause 5 above.
- 7.2 A working dog, as defined in the Dog Control Act 1996 , may be exempted from Clauses 4, 5 or 6 above, subject to conditions, while it is engaged in or being used for its working purpose.
- 7.3 Nothing in Clauses 5 or 6 shall prevent the Council from excluding dogs from any area for the purpose of holding an event.
- 7.4 Nothing in Clauses 4 or 5 shall prevent the Council from issuing a permit for dogs to enter a Schedule One or Two area for a special purpose such as feral animal control or the management of indigenous wildlife.
- 7.5 Clauses 7.1 and 7.3 do not negate the need to apply for a dog control permit from the Department of Conservation where such a permit is required to take a dog onto land administered by the Department of Conservation.

8 NUMBER OF DOGS

- 8.1 No occupier of any land or premises within the City, shall keep, or allow to be kept on the land or premises for any period exceeding seven days, more than two dogs over the age of three months.
- 8.2 Clause 8.1 shall not apply to any occupier of any land or premises within the City who had more than two dogs in February 2013. They have an "existing use right" to continue to own their existing dogs, until the end of the dogs' lives. Written permission will be required for ownership of any additional dogs after this date.
- 8.3 Clause 8.1 shall not apply to any occupier of any land or premises within the City who has written permission from the Council to keep more than two dogs.
- 8.4 Clause 8.1 shall not apply to any occupier of any land or premises which is outside of the urban area shown on the map attached to this Bylaw.

9 SEIZURE OF ROAMING DOGS

- 9.1 Any dog found wandering free at large, whether or not it is wearing a collar having the proper registration label or disc attached as required by the Act, may be seized and impounded by any Dog Control Officer, Dog Ranger or other person authorised by the Council.

10 MANGED OR DISEASED DOGS

- 10.1 No owner of any manged or diseased dog, shall take a dog to a public place, or allow the dog to remain in a public place.

11 NUISANCES OR INJURY TO HEALTH

- 11.1 The owner of any dog or the owner or occupier of any premises where any dog is customarily kept, shall take all reasonable steps to ensure that the dog does not cause a nuisance to any person or be likely to be injurious to the health of any person.
- 11.2 If, in the opinion of a Dog Control Officer, any dog has become or is likely to become a nuisance to any person or injurious to the health of any person, the Dog Control Officer may, by notice in writing, require the owner or occupier of the premises at which the dog is kept, within a time specified in such notice to do all or any of the following:
- a) reduce the number of dogs on the premises;
 - b) construct, alter, reconstruct or otherwise improve the kennels or other buildings or fences used to house or contain the dog;
 - c) tie up or otherwise confine the dog during specified periods;
 - d) take such other action as necessary to minimise or remove the likelihood of nuisance or injury to health.
- 11.3 Any person to whom notice is given under Clause 11.2 who fails to comply with the notice, within the time specified in the notice, shall commit an offence against this Bylaw.
- 11.4 Any dog left in a public place, whether restrained or not, and causing a nuisance or distress to any person by act of aggression, obstruction, noise or otherwise, may be removed by any Dog Control Officer, Dog Ranger or Constable and subsequently impounded.

12 DOGS DEFECATING

- 12.1 The owner of any dog that defecates in a public place or on land or premises other than that on which the dog is normally kept, shall immediately remove the faeces.
- 12.2 Every person, with or in control of any dog in any public place, or on any land or premises other than that on which the dog is usually kept, shall at all times carry on their person a bag or other receptacle suitable for the collection of any faeces which the dog might deposit.

13 PENALTIES

- 13.1 Every person who commits a breach of any of the provisions of this Bylaw, shall commit an Infringement Offence and be liable to the penalties prescribed in Schedule 1 to the Dog Control Act 1996.

SCHEDULE ONE

Dogs Prohibited Areas

1. Nelson Airport (unless transporting dogs for air lift in or out of Nelson; or dogs securely restrained in the owner's vehicle).
2. Eastern two thirds of Tahunanui Main Beach.
3. The playing area of any Council sports grounds. The exception is Maitai Cricket Ground, for which the prohibition only applies from October to March each year.
4. Children's playgrounds - the section of the reserve set aside for playground equipment.
5. Nelson City Council Water Reserves (without Council permits):
 - Maitai Valley
 - Roding
6. Brook Conservation Reserve.
7. Any public building owned or controlled by the Council. (Except in respect of the Trafalgar Centre or Stoke Hall when a function involving dogs is being held.)
8. Trafalgar Park.
9. Saxton Field Cricket Oval and the Athletics Track.
10. Saxton Field Hockey and Softball Areas.
11. Haulashore Island.
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14. The following Maitai River swimming holes and the listed picnic areas:
 - The picnic area and river bank beside Black Hole (true right side of the river only)
 - Dennes Hole and the adjacent picnic area
 - Sunday Hole and the adjacent picnic area
 - Maitai Camp Hole and the adjacent picnic area.

(This prohibition only applies from 1 December to 31 March each year.)
15. Dogs are prohibited from land administered by the Department of Conservation that is not foreshore and sea bed unless the owner has

specific authorisation, for example a dog control permit from the Department of Conservation; or the reserve has Department of Conservation signage identifying where a dog may be taken without a permit. (Dogs are permitted on foreshore and sea bed administered by the Department of Conservation unless it is an area listed in this Schedule.)

16. The beaches and estuary flat of Nelson Haven bounded by the Boulder Bank Scenic Reserve (to the west) and Boulder Bank Drive (to the east) for a distance of 500 metres along each of those boundaries.
17. The Boulder Bank Scenic Reserve, from the Cut towards Boulder Bank Drive for 4 kilometres, from October to February.
18. Whakapuaka Raupo Swamp.
19. The fenced area of the foreshore and esplanade reserve at Paremata Flats.
20. Dogs are permitted to be off lead on the formed cycling and walking tracks within Marsden Valley Reserve, including Involution Trail. However, they are prohibited from being in the bush areas (off the tracks) in the part of Marsden Valley Reserve to the east of the Barnicoat Walkway.
21. Sand Island.

SCHEDULE TWO

Dogs are Permitted but must be Kept on a Lead

1. All public footpaths and other public areas within the Central Business District, and within the Stoke and Tahunanui shopping centre.
2. Nelson cemeteries, both active and historic. The active cemeteries are: Marsden Valley Cemetery, Seaview Cemetery, and Hira Cemetery. The historic cemeteries are Wakapuaka Cemetery, the Quakers Cemetery on Wellington Walkway and the Hallowel Cemetery near Shelbourne Street.
3. Horticultural Parks. These are: Miyazu Japanese Gardens, Anzac Memorial Park, Church Hill, Melrose Gardens, Queens Gardens, Broadgreen Gardens and Isel Park. The exception to the on lead requirement is the less cultivated part of Isel Park which begins at Main Road Stoke and extends to the Isel Park entrance gate, as well as the area south of the access road beyond the Isel Park entrance gate. This exception applies when events are not being held in Isel Park.
4. Neighbourhood Parks – excluding those listed in Schedule Three. As at February 2013 the on-lead neighbourhood parks are: Albion Square Reserve, Aldinga Reserve, Annesbrook Youth Park, Ballard Reserve, Beatson Reserve, Bisley Reserve, Blackwood East Reserve, Bledisloe South Reserve, Bolt Reserve, Brook Park, Bruno Reserve, Burrell Park, Cattle Market Reserve, Cawthron Reserve, Centennial Park, Commodore Reserve, Covent Reserve, Devon Reserve, Enner Glynn North Reserve, Enner Glynn South Reserve, Erin Reserve, Fountain Reserve, Foster Reserve, Frenchay Reserve, Frost Reserve, Glenduan Reserve, Grove Reserve, Harford Reserve, Hockey Reserve, Manson Reserve, Manu Kau Reserve, Marybank Reserve, Miyazu Reserve, Moana Reserve, Monaco Reserve, Moncrieff Reserve, Montrose Reserve, Neale Reserve, Ngaio Reserve, Paddy's Knob Reserve, Paru Paru Reserve, Peace Grove, Pepper Tree Park, Pioneers Park, Poets Park, Princes Lookout Reserve, Ranui Reserve, Riverside Reserve, Ronaki Reserve, Russell Reserve, Sequoia Reserve, St Lawrence Reserve, Te-Ata Reserve, Todd Bush Reserve, Tokomaru Reserve, Tresillian Reserve, Vosper Reserve, Waimea North Reserve, Waimea South Reserve, Wakapuaka Reserve Wards Reserve, Wellington Reserve, Werneth Reserve and Wigzell Park.
5. The sand and mudflats of Delaware Estuary.
6. Around the playing areas of sports fields when games or training sessions are occurring. (At other times dogs may be off lead on sports grounds other than the playing area of sports grounds.)
7. The Maitai walkway, from the river mouth up to the Collingwood Street bridge.

SCHEDULE THREE

Neighbourhood Parks in which Dogs may be Off Lead

1. Abraham Heights Reserve.
2. Andrews Farm Reserve.
3. Bayview Road Reserve (North).
4. Betsy Eyre Park.
5. Bishopdale Reserve.
6. Bishop's Park.
7. Bledisloe North Reserve.
8. Branford Park.
9. Corder Park.
10. Custom House Reserve.
11. Emano East Reserve.
12. Emano West Reserve.
13. Fairfield Park.
14. Grampian Oaks Reserve.
15. Hanby Park.
16. Hira Reserve.
17. Kowhai Reserve.
18. Murphy North Reserve.
19. Murphy South Reserve.
20. Ngapua Reserve.
21. Nikau Reserve.
22. Orchard Reserve.
23. Pipers Park.
24. Poplar Reserve.
25. Queen Elizabeth II Reserve.
26. Station Reserve.
27. Songer Reserve.

28. Tosswill Reserve.
29. Waterhouse Reserve.
30. Wolfe Reserve.
31. Woodstock Reserve.

Local Alcohol Policy

1. Purpose of Report

- 1.1 To provide Council with information on the key implications for Territorial Authorities of the new Sale and Supply of Alcohol Act 2012.
- 1.2 To decide whether to proceed with the development of a draft Local Alcohol Policy under the new legislation, and on the scope of the draft Policy.

2. Recommendation

THAT a draft Local Alcohol Policy be developed on the basis of the significant benefits, including:

- ***communities having a greater say on local alcohol licensing policy***
- ***guidance and greater certainty for all those involved in the liquor licensing process***
- ***a fit for purpose policy on the sale and supply of alcohol***

AND THAT the scope of the draft Local Alcohol Policy should cover all of the matters permitted under s77 of the Sale and Supply of Alcohol Act 2012;

AND THAT Nelson City Council indicates a desire to work with other Councils on this policy and the Mayor be requested to seek agreement from the Mayors of Tasman District Council and Marlborough District Council to develop a Joint Alcohol Policy for the Top of the South Councils.

3. Background

3.1 The new Sale and Supply of Alcohol Act 2012 was enacted on 18 December 2012. The main changes in the new legislation which affect Local Government include:

- A move from national to local decision making (changes to licensing bodies);
- Expanded licensing criteria and grounds for objection;
- New criteria for alcohol control bylaws through the Local Government (Alcohol Reform) Amendment Act 2012;
- National default maximum trading hours;
- Enforcement – persistent non compliance regime;
- More restrictive off-licence criteria;
- A self funded system through risk-based licences;
- Empowers Territorial Authorities to develop Local Alcohol Policies which have legal standing and which licensing bodies will have to consider when they make decisions about licence applications.

3.2 The new Sale and Supply of Alcohol Act 2012 comes into force in stages over a 12 month transitional period. Territorial Authorities acting as District Licensing Authorities are expected to communicate with licensees and the public about what the changes mean for them.

District Licensing Committees

3.3 From 18 December 2013 District Licensing Authorities will cease to exist and be replaced by new District Licensing Committees. Each Territorial Authority will be obliged to establish one or more District Licensing Committees to make decisions on all licences and managers' certificates, regardless of whether they are contested or uncontested. The Chairperson of the District Licensing Committee must be a Councillor that has suitable experience in liquor licensing matters, or a similarly skilled Commissioner may be appointed to the role. Two other committee members must be selected from a pool of potential District Licensing Committee members. The pool can be shared across the Top of the South Councils.

3.4 The District Licensing Committee cannot delegate its decision making role and so must hold a meeting to grant every licence and certificate. Each meeting must be treated as a Council meeting. The new Sale and Supply of Alcohol Act 2012 will increase the liquor licensing workload for Territorial Authorities; however, the full cost of each meeting will be recoverable through licensing fees. The new fee structure will be set by regulation. Government is expected to consult on a new fee setting regime by March 2013.

3.5 Council staff have begun preparing for the establishment of a District Licensing Committee and associated processes as the Committee and processes must be in place by 18 December 2013.

Local Alcohol Policy

- 3.6 Under the new Sale and Supply of Alcohol Act 2012 a Territorial Authority may have a Local Alcohol Policy, which is a set of decisions made by a Territorial Authority in consultation with its community about the sale and supply of alcohol in its geographical area. Through Local Alcohol Policies, communities will be able to:
- Limit the location of licences in particular areas or near certain type of facilities, such as specific neighbourhoods or near schools or churches;
 - Limit the density of licences by specifying whether new licences or types of licences should be issued in a particular area;
 - Impose conditions on groups of licences, such as a “one way door policy” condition that would allow patrons to leave premises but not enter or re-enter after a certain time;
 - Restrict or extend the maximum default opening hours set in the new Sale and Supply of Alcohol Act 2012:
 - o 8am-4am for on-licences (such as pubs and restaurants)
 - o 7am-11pm for off-licences (such as bottle stores and supermarkets).
- 3.7 Local Alcohol Policies developed according to the criteria in the new Sale and Supply of Alcohol Act 2012 will have legal standing and licensing bodies will have to consider Local Alcohol Policies when they make decisions about licensing applications. The new Sale and Supply of Alcohol Act 2012 aims to give local communities more input into licensing decisions. Policies relating to the location and density will not apply to new licences that are issued for existing premises (e.g. if a bar has a new owner who is applying for a licence).
- 3.8 Draft Local Alcohol Policies must be developed in consultation with Police, Licensing Inspectors and Medical Officers of Health. Council must consult with the community using the Special Consultative Procedure in the Local Government Act 2002. It can then prepare a provisional Policy based on consultation feedback. Following publication of a provisional Policy, there is a statutory 30 day appeal period when those who have made a submission on the Local Alcohol Policy can lodge an appeal with the National Licensing Authority.
- 3.9 Having a Local Alcohol Policy is optional. Council can develop and consult on a draft Policy and prepare a provisional Policy prior to 18 December 2013, however, the earliest it can adopt a Local Alcohol Policy is 18 December 2013 (when regulations setting out public notice requirements and details of the appeals process come into effect). The Policy can only finally come into effect after any appeals have been heard and dealt with.

Relationship between a Local Alcohol Policy and the Nelson Resource Management Plan

- 3.10 The new Sale and Supply of Alcohol Act 2012 (S.93) permits a Local Alcohol Policy to be more restrictive than a district plan, but a Policy may not authorise anything "forbidden" in the district plan. A Territorial Authority must also have regard to the objectives and policies in its district plan when producing a draft Local Alcohol Policy (S.78).
- 3.11 New default maximum trading hours for the sale and supply of alcohol (S.43) will apply from 18 December 2013. The hours are 8am on any day to 4am the next day for on-licence premises and 7am to 11pm the same day for off-licence premises. However, where more restrictive trading hours are in place locally, then the more restrictive conditions will apply (S.44 and S.45). The Nelson Resource Management Plan has more restrictive conditions for on-licence premises in the centre of Nelson, which can only open until 3am. An extension of those hours requires resource consent.

4. Discussion

Benefits of a Local Alcohol Policy

- 4.1 While having a Local Alcohol Policy is optional for Councils, there are advantages in having one. There is a lot of public interest and concern about alcohol and the impact it can have on communities. The Local Alcohol Policy provides an opportunity for local communities to have much more of a say on where and how licensed premises operate.
- 4.2 A Local Alcohol Policy will also provide guidelines and certainty for liquor licence applicants, and for staff and District Licensing Committee members involved in processing applications.
- 4.3 The Nelson Resource Management Plan includes controls on trading hours for on-licence and off-licence premises as part of rules on 'closing times for services to the public'. The Plan does not address the full range of issues that may be covered by a Local Alcohol Policy. A Local Alcohol Policy would provide a policy tool that is fit for purpose.

Early Views of Police, Medical Officer of Health and Licensing Inspector

- 4.4 The Police, Medical Officer of Health and Local Licensing Inspector have indicated their support for Council proceeding with the development of a Local Alcohol Policy. The Police have provided supporting information (refer Attachment 1). A Local Alcohol Policy is seen as an opportunity to build on and maintain the recent gains that have been made through the Regional Alcohol Accord to reduce alcohol related harm across the region, and in particular in the Central Business District. The Regional Alcohol Accord is a partnership between New Zealand Police, Accident Compensation Corporation, the Nelson Marlborough District Health Board, Nelson City Council, Tasman District Council and licensed premises operators and managers.

- 4.5 In 2012 the Nelson Marlborough District Health Board adopted a position statement on alcohol, which is consistent with other South Island District Health Boards and based on the evidence around alcohol related harm. The position statement provides a commitment to support and assist local Councils in the development of draft Local Alcohol Policies that seek to reduce alcohol related harm. The District Health Board will also be developing an Alcohol Harm Reduction Strategy in 2013. From the District Health Board's point of view it would be useful if the Alcohol Harm Reduction Strategy and the Local Alcohol Policy dovetailed to support an overall reduction in alcohol related harm in the community.
- 4.6 Council will also need to seek the views of the wider community in developing a Local Alcohol Policy. The Health Promotion Agency, in consultation with Local Government New Zealand, is developing a community survey template to assist Territorial Authorities in gathering community views on the sale and supply of alcohol. This should be available to Councils within the next month.

Scope

- 4.7 If Council agrees to proceed with the development of a draft Local Alcohol Policy it is recommended that the scope include all those areas of s77 of the new Sale and Supply of Alcohol Act 2012 that a Local Alcohol Policy is permitted to cover, including: opening hours, location, density of premises and conditions on groups of licences, as all these issues are likely to be of interest to the community.

Joint Alcohol Policy

- 4.8 The new Sale and Supply of Alcohol Act 2012 enables a Territorial Authority to have a joint Local Alcohol Policy with one or more Territorial Authorities. A joint Local Alcohol Policy would provide an opportunity to get consistency across the region, while still being able to accommodate different provisions for individual communities within the Policy. It would also be more in line with the operating boundaries of the Nelson Marlborough District Health Board and would streamline the consultation process for the District Health Board and Police who would otherwise have to be consulted on three different draft policies.
- 4.9 Appeals against the provisions of a Local Alcohol Policy are more likely if there are controversial issues such as a high density of premises in a particular location, or where there has been a history of complaint over issues such as excessive noise or problematic behaviour. The nightclub area of Nelson's Bridge Street seems a likely example of a location that may attract appeals. Neither Tasman nor Marlborough Districts have similar challenging locations and may be concerned that a joint policy would introduce delays for them.
- 4.10 Given the advantages of a joint policy, it is recommended that the Mayor discuss the possibility with the Mayors of the other two Top of the South councils. If the three councils choose not to proceed with a joint Local Alcohol Policy, there would still be considerable value in staff from the three Councils working together so that a close alignment can be

achieved in format and philosophical position between the policies and to achieve economies through pooling resources.

5. Conclusion

- 5.1 The new Sale and Supply of Alcohol Act 2012 allows the Council to develop a Local Alcohol Policy which will be legally enforceable. While the development of a Local Alcohol Policy is optional there are advantages in having one and in working collaboratively with neighbouring councils.

Jenny Hawes
Principal Adviser Community

Attachments

Attachment 1: [Statistics from Police on Alcohol Related Crime in Nelson 1442571](#)

Supporting information follows.

Supporting Information

1. Fit with Purpose of Local Government

The establishment of a District Licensing Committee and the option of developing a Local Alcohol Policy relate to the performance of regulatory functions under the Sale and Supply of Alcohol Act 2012.

2. Fit with Community Outcomes and Council Priorities

The development of a Local Alcohol Policy is consistent with the community outcome of "kind, healthy, people" by allowing Council, in consultation with local communities, to develop and enforce policies which contribute to a reduction in alcohol related harm in the community and best meet the needs of local communities.

3. Fit with Strategic Documents

The development of a Local Alcohol Policy is consistent with the health and the safety objectives in the Social Wellbeing Policy 2011. The Policy states that Council will "recognise the importance of programmes that have a health component" and "work to improve safety in the Central Business District". It will also "continue to work with partners to implement the Alcohol Strategy" and "use other regulatory measures to control alcohol related violence such as bylaws and policies under new Government alcohol related legislation".

A Local Alcohol Policy could contribute to the overarching objectives of the Regional Alcohol Strategy 2006 which are: alcohol harm is minimised by using effective planning and regulation instruments; safe and moderate use of alcohol will be the dominant culture; alcohol related harm by youth is minimised; and urban areas are safe.

It also provides an opportunity for the community to review and potentially change trading hours for licensed premises as provided for in the Nelson Resource Management Plan, if this would better meet community needs.

4. Sustainability

The development of a Local Alcohol Policy is consistent with the Council's Framing Our Future 2060 vision of strong, healthy, resilient communities.

5. Consistency with other Council policies

N/A.

6. Long Term Plan/Annual Plan reference and financial impact

There will be costs associated with the development of a Local Alcohol Policy. These would be covered under existing Council operating budgets. Costs associated with District Licensing Committees will be recoverable through licence fees.

7. Decision-making significance

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

8. Consultation

The Medical Officer of Health, Police, Licensing Inspector, Tasman District Council and Marlborough District Council have been consulted in the preparation of this report.

9. Inclusion of Māori in the decision making process

Local Māori health and social service providers will be consulted on a draft Local Alcohol Policy.

10. Delegation register reference

Not applicable.

Police statistics on alcohol-related crime in Nelson

For the Nelson City Council Territorial Local Authority area:

- Alcohol is a factor in *at least 39% of ALL offences* over the last three fiscal years.
- There is on average 258 public place violence incidents per annum. Between 35% and 80% of these incidents were committed by offenders under the influence of alcohol. 35% is the confirmed 'yes' the offender had consumed alcohol, the remaining 45% it was 'unknown' if the offender was under the influence of alcohol (i.e. could have been apprehended 12 hours after the offence).
- Public place disorder offences have increased 36% in the last three fiscal years. Of these incidents, at least 77% of offenders were under the influence of alcohol.
- On average there are at least 250 people *arrested* by Police for breaching the local government liquor ban per annum.
- On average there are nine people arrested per week for drink driving.
- Most people who offend under the influence of alcohol had consumed their last drink at home/private residence (30%). However, of concern is that almost one in five offenders has consumed their last drink at a licensed premise and the increasing number of offenders who consumed their last drink in a public space (35% increase in last three years).
- Most alcohol related offences occur on Friday and Saturday nights and early Sunday morning (see graph below).

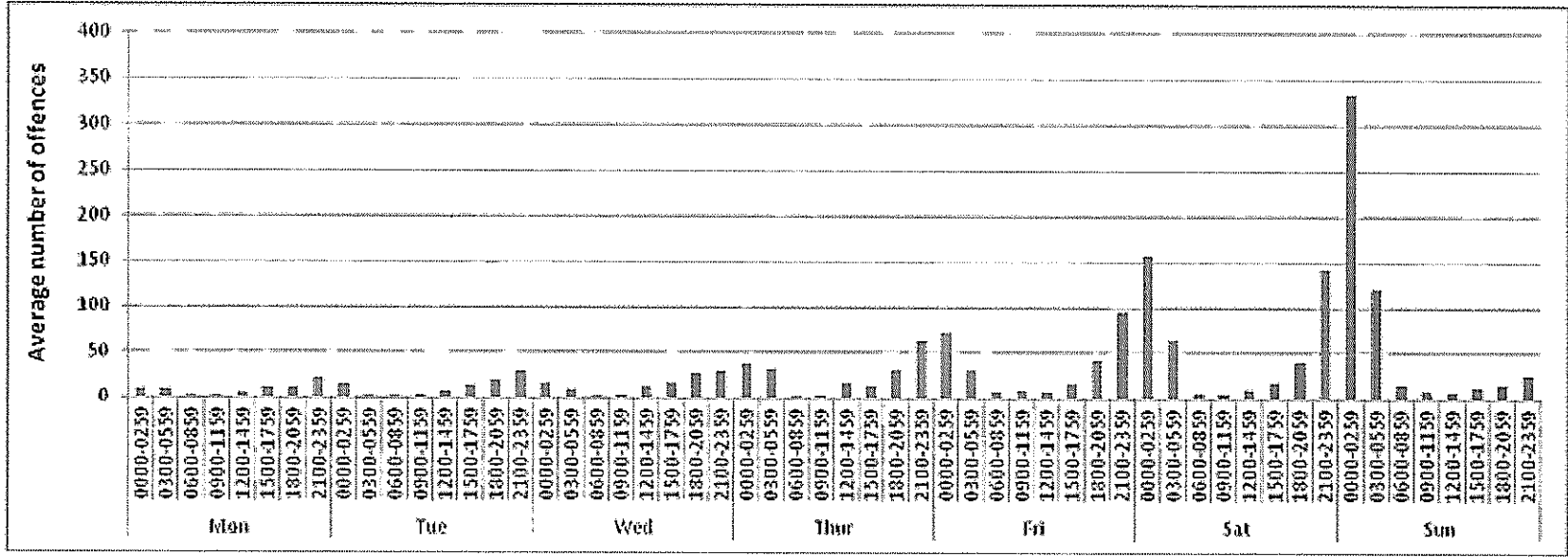


Figure 1. Average number of alcohol related offences in the Nelson City Council Territorial Local Authority by date and time (average of 2009-2010, 2010-2011, 2011-2012 fiscal years)

Council Submissions on 'Towards Better Regulation' and 'Building Seismic Performance'

1. Purpose of Report

- 1.1 To confirm Council's submissions on 'Towards Better Regulation' and 'Building Seismic Performance' consultations.

2. Recommendation

THAT the following submissions are confirmed, subject to any amendments made by Council:

- ***Towards Better Regulation (1445682);***
- ***Building Seismic Performance (1441156).***

3. Background

- 3.1 Two consultations opened just prior to Christmas which have particular relevance to Council.
- 3.2 The 'Towards Better Regulation' consultation offers Council an opportunity to comment on the Productivity Commission's draft inquiry report on opportunities to improve the regulatory performance of Local Government.
- 3.3 The 'Building Seismic Performance' consultation relates to changes being proposed by the Ministry of Business, Innovation and Employment to the system for dealing with earthquake prone buildings. The proposed changes potentially affect Council as both regulator and asset owner.
- 3.4 Staff have prepared draft submissions, which are subject to confirmation by Council (with any amendments requested by Council).

4. Discussion

Towards Better Regulation

- 4.1 The Productivity Commission has been asked to undertake an inquiry into opportunities to improve regulatory performance in Local Government.

- 4.2 There are two main strands to this work; firstly the Commission has been looking at the regulatory functions of Local Government, and to:
- identify the nature and extent of key regulatory functions exercised by Local Government;
 - perform a stocktake to identify which Local Government regulatory functions are undertaken on the direction of Central Government and which are undertaken independently by Local Government;
 - develop principles to guide decisions on which regulatory functions are best undertaken by Local or Central Government;
 - identify functions that are likely to benefit from a reconsideration of the balance of delivery between Central and Local Government, or where Central Government could improve the way in which it allocates these functions to Local Government.
- 4.3 The second strand focuses on improving regulatory performance, based on the principles developed above, and to:
- assess whether there is significant variation in the way Local Government implements its regulatory responsibilities and functions, and the extent to which such variation is desirable. For example whether variation reflects differences in local resources or preferences or insufficient direction from Central Government;
 - identify opportunities for both Central and Local Government to improve the regulatory performance in the Local Government sector. For example how to overcome any key capability, resourcing, or regulatory design constraints;
 - examine the adequacy of processes used to develop regulations implemented by Local Government and processes available to review regulations and regulatory decisions made by Local Government;
 - recommend options to allow for the regular assessment of the regulatory performance of the Local Government sector, for example whether common performance indicators can be developed to assess performance.
- 4.4 The Commission published its draft report in December 2012 and is seeking feedback on the draft before it presents a final report to ministers in April 2013. The full draft report is over 260 pages long; a hard copy has been placed in the Councillors' lounge and an electronic copy placed in the 'Council Documents' folder on Councillor's Google drive. A four page summary is attached to this report (Attachment 1).
- 4.5 Council's draft submission is generally supportive of the initial findings and answers the 39 questions for further investigation (Attachment 2).

Building Seismic Performance

- 4.6 The proposals set out a consistent national approach for dealing with earthquake-prone buildings.
- 4.7 In essence, the proposals require:
- all non-residential and multi-unit, multi-storey residential buildings to have a seismic capacity assessment within five years of the changes taking effect, with this information to be made publicly available on a register;
 - all earthquake-prone buildings be strengthened, or demolished, within 15 years of the changes taking effect, compared to an estimated 28 years (on average) under the current system.
- 4.8 The 15 year timeframe comprises five years to complete the seismic capacity assessment, followed by up to 10 years for strengthening or demolition.
- 4.9 These proposals will significantly affect Council both as a building owner and as the regulatory authority responsible for enforcement of the Building Act 2004.
- 4.10 Council's draft submission (Attachment 3) supports the proposals to reduce the potential health and safety risk to individuals and communities from earthquakes. However, it is noted that the costs to Council could be significant and requests that these should be borne by building owners rather than by ratepayers (question 1, 4).
- 4.11 Council's draft submission calls for national consistency in how local authorities deal with earthquake prone buildings issues. The draft calls for Central Government to take the lead on determining the timeframes and strengthening requirements for different risk types of buildings (question 12, 14).
- 4.12 The draft submission also provides comments on the implications to Council and the practicality of achieving strengthening or demolition of all potential earthquake prone buildings within 15 years of the changes taking effect (question 14).
- 4.13 The draft submission indicates that Council strongly believes that earthquake strengthening work should not be at the expense of other safety related requirements of the Building Code, such as fire escape requirements (questions 11, 21-24).
- 4.14 In relation to heritage buildings (questions 25-29), the draft submission asks that due consideration should be given to the heritage significance of a building when making decisions on whether to strengthen it or not.

5. Conclusion

- 5.1 Staff have developed draft responses to the proposals from the Productivity Commission and the Ministry of Business, Innovation and Employment.
- 5.2 The submissions require consideration and confirmation by Council.

Chris Ward

Manager Strategic Response

Attachments

Attachment 1: Towards Better Local Regulation Summary [1438808](#)

Attachment 2: Towards Better Local Regulation Council draft Submission [1445682](#)

Attachment 3: Building Seismic Performance Council draft Submission [1441156](#)

Supporting information follows.

Supporting Information

1. Fit with Purpose of Local Government

Responding to proposals on behalf of the Nelson Community is part of Council's democratic function.

2. Fit with Community Outcomes and Council Priorities

Submitting on proposals of relevance to Council and the community demonstrates Good Leadership.

3. Fit with Strategic Documents

Not applicable.

4. Sustainability

Not applicable.

5. Consistency with other Council policies

Not applicable.

6. Long Term Plan/Annual Plan reference and financial impact

Not applicable.

7. Decision-making significance

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

8. Consultation

No external consultation has been carried out.

9. Inclusion of Māori in the decision making process

No specific Māori consultation has been carried out.

10. Delegation register reference

Not applicable.

Cut to the chase

Towards better local regulation

Draft report – December 2012



This *Cut to the Chase* provides a summary of the Commission's draft inquiry report on opportunities to improve the regulatory performance of local government. The draft is designed to elicit further submissions to guide the Commission's thinking as it prepares final recommendations. Findings are still tentative at this stage, and the draft raises questions and is testing ideas. Submissions on the draft report are invited by 6 March 2013.

The Commission's work to date

The Commission's tentative findings have been informed by a comprehensive engagement process. This began in July with the release of the inquiry Issues Paper on which 59 submissions were received.

Information from the inquiry submissions has been supplemented by approximately 80 engagement meetings with representatives from local authorities, community groups, businesses and central government agencies. The Commission has also conducted two surveys – one aimed at eliciting the views of all local authorities in New Zealand and the other targeted at 1500 New Zealand businesses from a cross-section of industries. A number of case studies on specific regulatory areas have also been developed.

Together, these have provided the Commission with a rich picture of the regulatory issues facing local government.

What is 'local government regulation'?

Local authorities are responsible for a wide range of regulatory functions, from land and resource use under the Resource Management Act, to building construction standards, food and hygiene regulations, the control of liquor and gambling activity, and waste management. In fact, the Commission has identified some 30 pieces of primary legislation that assign regulatory responsibilities to local authorities, and many other secondary instruments.

Importantly, statutes that confer regulatory responsibilities on local government, including the responsibility to prepare district and regional plans, far outweigh the regulations made by local authorities under the powers of the Local Government Act 2002. Indeed, the Commission has found that most bylaws are made under enabling statutes rather than under the more general provisions of the Local Government Act. Overall, local authorities appear not to be using their powers of general competence to enter new areas of regulation; however, they will rigorously use existing regulatory tools to address community issues and concerns.

A 'whole of system' approach

Because almost all of local government's regulatory functions are devolved or delegated from central government, it is important to take a step back and look at the regulatory system in its entirety.

To this end, the Commission has adopted a 'whole of system' approach which recognises that local authorities are part of a broader regulatory system. It is the performance of the entire system that determines how well regulations achieve their objectives.

Adopting a 'whole of system' approach means examining the entire regulatory cycle – from policy analysis and the decision to regulate, to the design of regulation, allocation of regulatory roles, implementation, monitoring and enforcement and performance assessment.

Divergent views are creating tension between central and local government

An obvious and growing tension exists between central and local government. The Commission believes a key source of this friction is different understandings of the role of local government in New Zealand's regulatory system, and indeed in the broader constitutional context.

There is a tendency in central government to (incorrectly) view councils as simply operational arms of central agencies – subservient organisations that must be responsive to the instructions of the Minister. Local authorities on the other hand view themselves as largely autonomous organisations that have their own funding base and whose leaders are elected by, and accountable to, their local constituents.

In addition to creating confusion and frustration, the absence of a well-defined constitutional or fiscal relationship between central and local government can have implications for the design and implementation of regulations – particularly where the interests of local authorities do not align with the broader objectives of central government regulation.

The quality of regulations reflects central government processes

The Commission has found a number of shortcomings in the way that regulations are made at the central level – these include a lack of implementation analysis, poor consultation and weak lines of accountability. While these shortcomings are not universal across all agencies, they are common enough to be of concern.

These shortcomings were reflected in the Commission survey of local government (results available online) which illustrated a strong belief within the sector that central government neither understands, nor adequately considers, the impacts of new regulatory functions it assigns to councils.

This can reduce the flexibility of councils to allocate their internal resources and in doing so can draw resources away from areas with higher value to local communities.

How should roles be allocated between the tiers of government?

In principle, the Commission believes that regulatory functions should be performed closest to the community that is affected, unless there is good reason to centralise. By adopting this approach, regulatory decisions are most likely to reflect local preferences and lead to efficient outcomes.

However, there are circumstances in which the efficiency of local decision making needs to be balanced against the gains from coordinating or centralising. These circumstances include:

- where the costs or benefits of regulation spill over to other jurisdictions (eg when discharges into a river in one jurisdiction create clean-up costs for downstream jurisdictions);

- where cost-savings can be leveraged;
- where jurisdictions have populations with similar preferences and demands for regulatory services (in this case duplication can be reduced without reducing the efficiency gains from reflecting local preferences); and
- where the necessary competencies, information and resources are only available centrally.

The Commission has developed a framework to guide the allocation of regulatory functions.

National standards do not necessarily improve consistency

The Commission has found that *national* regulatory standards are often inconsistently applied. The inconsistency usually stems from different understandings by local officials working on the ground. Greater consistency can be achieved through sharing good practice and coordination between local authorities, which could be facilitated by relevant departments and ministries.

Monitoring and enforcement appears to be under-resourced

There is evidence to suggest that monitoring of local regulations is under-resourced and that this is undermining the achievement of regulatory objectives. Inquiry participants suggested that statutory timeframes are resulting in councils spending more resources on processing consents than they would otherwise consider efficient. The result is that other regulatory tasks (such as monitoring and enforcement) may receive fewer resources than necessary.

There may be gaps in the enforcement tools available to councils

While local authorities generally believe they have sufficient enforcement tools at their disposal, there is a strong feeling within parts of the sector that regulations would be considerably more effective if infringement notices were made further available to councils for a wider variety of noncompliant behaviour.

Cooperation on regulatory functions is widespread

The Commission has observed a considerable level of cooperation between local authorities on regulatory functions. Cooperation can capture many of the benefits of centralisation (such as economies of scale, access to skills and expertise, and the exchange of leading practice) while maintaining the advantages of local decision making (such as the ability to cater for spatial variations in community preferences).

The intersection between Māori interests and local regulations is becoming increasingly important

Involving Māori in decision-making presents a significant opportunity and can act as a catalyst for innovation. Recent moves towards co-governance arrangements are, for those local authorities involved, one of the most fundamental changes to their nature and operations in recent times. To achieve meaningful involvement of Māori (and in particular to make co-governance arrangements effective), local authorities need to find new ways of working with their communities and carrying out environmental management.

Appropriately recognising the relationship of Māori to aspects of the environment involves effectively meshing two different systems of governance – local representative democracy, and the tikanga and kawa of local iwi. At present, this governance or ‘system’ issue is left largely up to local authorities to resolve. There are real questions about whether the current legislative framework effectively enables such relationships.

Mechanisms for assessing the regulatory performance of local government need improving

There are a number of weaknesses in the current systems used to assess the regulatory performance of local governments. These include insufficient use of performance information to identify performance improvements, the absence of feedback loops between central and local government and a lack of balance in what is measured.

The Commission is seeking feedback on a number of options for improving these performance systems.

Ways forward

In developing solutions to the issues identified to date, the Commission is focusing on a number of broad themes:

- Achieving a closer alignment of incentives among the different regulatory actors (including strengthening the accountability of central government for the quality of the regulations devolved or delegated to local government).
- Ensuring that there is adequate capability at both central and local levels to provide effective regulation and to lift the quality of analysis applied to regulatory design. This includes seconding local government staff to central government to assist with policy development and providing training to local government officers and Councillors when new regulatory responsibilities are introduced.
- Better co-ordinating regulatory activity to avoid unnecessary strains on the system (eg ensuring local authorities are given adequate lead time to prepare for regulatory change and phasing the introduction of new regulations to avoid bottle-necks).
- Improving the quality of engagement between central and local government through meaningful consultation.
- Encouraging a change of culture in both spheres of government so that they view each other as policy partners and co-regulators.
- Developing new tools to better understand how the regulatory system is performing.

To see the full version of the draft report – including information on how to make a submission – please visit our website www.productivity.govt.nz or call us on 04 903 5150.

The New Zealand Productivity Commission

The Commission – an independent Crown Entity – completes in-depth inquiry reports on topics selected by the Government, carries out productivity-related research, and promotes understanding of productivity issues.



Nelson City Council

te kaunihera o whakatū

TOWARDS BETTER LOCAL REGULATION
Draft Report from the New Zealand Productivity Commission

SUBMISSION FROM NELSON CITY COUNCIL

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New Zealand Productivity Commission
PO Box 8036
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28 January 2013

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Appearances:
Nelson City Council does not wish to present its submission.

Signed

..... Date..../...../.....
Councillor Kate Fulton/Councillor Mike Ward
Co-Portfolio Holders – Policy and Planning

1. Introduction

- 1.1. Nelson City Council (the Council) thanks the New Zealand Productivity Commission for the opportunity to make a submission on the draft report "Towards Better Local Regulation".
- 1.2. The Council has found the draft report to be a very good summary of the issues around the need for, preparation, and implementation of regulation. The Commission's approach of taking a whole of system view has been a most useful way of identifying practices, issues, and possible responses.
- 1.3. The Council supports the key finding that there is an unhealthy level of tension between central government and local government with respect to our respective roles in the development and performance of regulatory functions. While it may be convenient to talk of partnerships, the reality is that too often local government is not given the status of a partner. This commonly manifests itself in the many ways identified in the report and often to the detriment of the beneficial or necessary regulatory interventions being identified at central government level.

2. Discussion

- 2.1. The Council supports in principle the need to improve regulatory performance systems to better achieve the outcomes anticipated by the regulation.
- 2.2. The Council would like the focus of improvement to be on achieving these outcomes rather than improving systems for themselves (processes, monitoring and reporting) in isolation from the anticipated outcomes.
- 2.3. Specific comments to the questions on the feedback form are outlined in the Discussion below.

3. Response to questions

Chapter 3 – Diversity across local authorities

Chapter 4 – Allocating regulatory responsibilities

Chapter 5 – The funding of regulation

Chapter 7 – Regulation making by central government

Chapter 8 – Local government cooperation

Chapter 9 – Local authorities as regulators

Chapter 10 – Local monitoring and enforcement

Chapter 12 – Making resource management decisions, and the role of appeals

Chapter 13 – Local regulation and Māori

Chapter 14 – Assessing the regulatory performance of local government

Q3.1

To what extent should local government play an active role in pursuing regional economic development?

It is a legitimate use of regulation to promote the goals of economic development. The issue for Councils is aligning this intervention with the new purpose of local government, aligning intervention with evidence-based benefits consistent with the expectations and aspirations of local communities, and being overt about the costs and consequences of these choices. The appropriate arena for these issues is the Councils Long Term Plan and through funding and revenue policies.

Q4.1

Have the right elements for making decisions about the allocation of regulatory roles been included in the guidelines? Are important considerations missing?

Yes – the guidelines have most of the right elements. Two possible guidelines seem to be missing:

- a) the issue of liability. Risk and accountability have been identified but liability is a different if not more important consideration.
- b) Related regulation, regulatory functions, or regulatory processes. In assessing the need for, the design, the allocation and the implementation of regulation it may prove useful to identify related regulation so unwitting inefficiencies and uncertainties around better regulatory delivery are not created. e.g. Freedom Camping regulation and Reserves Act bylaws.

The guidelines in themselves will be more useful if applied with the benefit of the supporting questions for each guideline. In developing a framework for better allocation there is a danger that the headline guidelines alone will be used to simplistically (as a compliance first order check) confirm or guide an allocation decision. As with RIS and s32 there is a need for a more substantive analysis and justification for any decision.

Q4.2

Are the guidelines practical enough to be used in designing or evaluating regulatory regimes?

Yes, although there may be cases where consideration will be needed around weighting of each guideline. Not all are equal, so some rational basis for a balanced decision will be required. Depending on the nature and scope of the proposed regulation some guidelines may dominate a decision. The value of such guidelines lays though in a more systematic and considered approach to the design, allocation and evaluation of the regulation.

Q4.3

Are the case studies helpful as an indicative guide to the analysis that could be undertaken?

Yes they are useful in illustrating the application of the guidelines but some worked examples around bread and butter regulations would help clarify the level of analysis and help assess the need/merit of weightings.

Q4.4

Should such analysis be a requirement in Regulatory Impact Statements or be a required component of advice to Ministers when regulation is being contemplated?

An analysis of some type should be required of a scale that reflects the risk the regulation seeks to avoid or control.

Q4.5

Should the guidelines be used in evaluations of regulatory regimes?

Yes but tailored to suit.

Q5.1

Do any regulatory functions lend themselves to specific grants? If so, what is it about those functions that make them suitable for specific grants?

Some, yes.

Where local government was acting under direct delegation, and was responsible for implementing Government regulation as an agent of Government (and where there was no local discretion as to standards, fees, compliance) then grants for the delivery of that service could be argued.

Alternatively grants could be targeted at outcomes, products or processes related to any particular regulation that the Government wishes to secure metrics about and for which inadequate local funding prevents obtaining those material things.

Regulation to achieve locally important outcomes in a way, at a scale, or for specific local circumstances should be funded through local decisions around funding and fees and charges. If the outcomes, benefits or costs are realised outside the local level then grants could come in to play to secure a greater benefit.

The Council is mindful of the Prime Minister's rather blunt message to the local government conference in 2012 where he said (in effect) "we make the law, you implement it, we do not pay you for that...get over it!!." That would suggest that fundamentally the Government is not that interested in sharing the costs of regulation be it by grants or otherwise.

Q5.2

If general grants were to be considered, on what basis could 'needs assessments' be undertaken? What indicators could be used to assess need?

Where costs vary between locations etc for the same service delivery. The discussion document set out some examples where costs fall unfairly in terms of regulating for broader benefit e.g. kiwi, biodiversity protection, distributed small public water supplies. The funding base of Councils is hugely variable; equally the composition of the funding base varies enormously (e.g. employment base, economic activity mixture). A core matter is how the regulation to be funded by grant sits within the new purpose of local government

It is anticipated variances will be reduced by increased use of electronic systems (once the initial set up cost is overcome).

Q5.3

What would appropriate accountability mechanisms for funding local regulation through central taxation look like? How acceptable would these be to local authorities?

Where functions are being funded, some accountability is necessary. It is a question of scale and degree and not generating information that does not helpfully close the "whole of regulation" circle. Presumably there would be some thought given to the nature and scale of the matter to be regulated, the local need for that regulation, and the costs of monitoring the implementation of the regulation.

The biennial MfE survey of compliance with the RMA seems to be set at about the right frequency and with a fair balance in the focus of the information being sought.

Q7.1

What measures, or combination of measures, would be most effective in strengthening the quality of analysis underpinning changes to the regulatory functions of local government?

The disciplines imposed by RIS and s32 are the type of analyses needed. Those doing the analysis need to have experience in

implementation and monitoring of regulation. It is not an academic exercise. There are real life consequences in regulation for those doing it, and those receiving it. Presently RIS's and s32 seem to be treated as 'must do' compliance process steps that seem to be poorly influential in taking away ill-prepared, targeted and structured regulation. Transport have long used versions of cost-benefit analysis and (right or wrong) it is used to remove from consideration projects that fail to make a specified benchmark for funding (a measure of net public benefit). Presently an RIS and an s32 can clearly show the lack of benefit but actually not stop the regulation in its tracks...they are simply side-stepped or not brought to bear on the decision to go to regulation or not go.

Q7.2

What measures, or combination of measures, would be most effective in lifting the capability of central government agencies to analyse regulations impacting on local government?

Table 7.1 does not deal well with local regulation. The measures of appropriate assessment are found in s32 of the RMA and s77 LGA. The contrast between the measures in Table 7.1 and these statutory "proving" tests are that, in essence, the former go to performance or process, while the latter focus on content, substance and consequence and alternatives.

There are learnings each way between central and local government practitioners about "proving" regulation. It is not a case that the learnings only flow one way.

Poor local or regional level data will not assist the analysis of costs and consequences of regulation.

Q8.1

What are the benefits and costs of cooperation? Are there any studies that quantify these benefits and costs?

Benefits = not reinventing the wheel, economies of scale, consistency, speed of implementation = reduced costs.

Costs = less tailored to local needs, establishment costs, being willing to adapt local systems, import new processes.

There is an abundance of co-operation, co-ordination, and sharing of resources and experiences at local government level both by sector and by management level. A lot of this flies well under the guise of shared services...

Transfer of powers do take place. Nelson City has just delegated its harbour safety functions and administration of its new Navigation Bylaw 218 to Port Nelson Ltd.

Q9.1

Are there potential pooled funding or insurance style schemes that might create a better separation between councillors and decisions to proceed with major prosecutions?

This Council's practice through its Delegations Register is that enforcement decisions are delegated to staff. The issue of separating Councillors does not arise. Many decisions can be quite technical in nature so fit well with a staff delegation.

For all prosecutions there is a need to consider the value of prosecution action.

Q9.2

Are bylaws that regulate access to council services being used to avoid incurring costs, such as the cost of new infrastructure? Is regulation therefore being used when the relationship between supplier and customer is more appropriately a contractual one?

No comment.

Q9.3

What factors (other than the type of regulation most commonly experienced by different industry groupings and the size of businesses in these sectors) explain differences in the satisfaction reported by industry sectors with local authority administration of regulations?

Industry not understanding the work and the record keeping + compliance records (time) the local authority has to undertake to administer any particular regulation. Even simple food premises inspections or licensed premises inspections involve more than just the actual on-site inspection

A poor understanding by industry about user pays/public good trade offs and the need for Councils to operate in a cost recovery model to avoid cross-subsidy by general ratepayers.

Probably variable performance on administration of regulation between jurisdictions.

Industry not accepting the national/public benefits or outcomes being sought when the industry has to meet costs of the regulation which is seen as a restriction on operations and judgements.

Q10.1

Are risk-based approaches to compliance monitoring widely used by LAs? If so, in which regulatory regimes is this approach most commonly applied? What barriers to the use of risk-based monitoring exist within LAs or the regulations they administer?

Most commonly with resource and building consents, health and dog licensing. Barriers to risk-based monitoring are public and political

preferences as to priority matters and cost of monitoring and enforcement.

The enforcement pyramid in Fig 10.2 is consistent with this Council's approach to enforcement although we do not have a formal enforcement policy. The Council does use an assessment of significance and consequence (a scoring methodology) before higher order enforcement actions are implemented.

Q10.2

The Commission wishes to gather more evidence on the level of monitoring that LAs are undertaking. Which areas of regulation do stakeholders believe suffer from inadequate monitoring of compliance? What are the underlying causes of insufficient monitoring? What evidence is there to support these as the underlying causes?

The activities of consent processing and monitoring are carried out by independent teams so there is almost no cross-over consequence if consent workloads are difficult to manage in a timely way. So Finding 10.1 is simply untrue for Nelson City.

The Council has a ring-fenced budget to ensure monitoring of the exercise of resource consents occurs. The contract for environmental services (dogs, noise, liquor) is based on a guaranteed number of enforcement/monitoring hours by the contractor. That is, there is a minimum baseline resource (staff time) devoted to monitoring, responding to non-compliance and complaints

Monitoring of permitted standards is potentially inadequate (regional council activities). That is activities that do not create a paper record from their activities...it requires Councils to identify and then monitor subject sites and activities form a record it develops itself rather than being "handed" a record from someone wishing to do something that requires consent or approval. Some permitted standards that are monitored are those that have high risks to the health and safety of people or the environment or take the form of an allocation of a public resource and there is a likelihood of non-compliance. There is obvious public benefit to do so. Otherwise there is a reliance on responding to complaints.

Q10.3

Which specific regulatory regimes could be more efficiently enforced if infringement notices were made more widely available? What evidence and data are there to substantiate the benefits and costs of doing this?

Bylaws such as Navigation Safety. An infringement regime is available but it is the process that has to be followed to get the Regulations promulgated to create the infringement regime that hangs off the end of a long-ish bylaw making process that is the issue. These regulations are drafted by Crown Law on direction from the DIA who usually has

no involvement in the development of the Bylaw. DIA is reduced to a postman role here. What is the sense in that.

There is no evidence about the benefits but in small communities it becomes common knowledge pretty quickly if there are no "teeth" in bylaws either from an unwillingness to act, or there is no demonstrable consequence for breaches of, say, a bylaw. Implementing fines for Freedom Camping had an immediate effect on behaviour (after all many of these try to avoid even the cost of a camp ground!)

Q10.4

Is there sufficient enforcement activity occurring for breaches of the RMA, other than noise complaints? If not, what factors are limiting the level of enforcement that is occurring?

The Council is uncertain how one would establish when there is a "sufficient level of enforcement activity". Certainly the actions that create or have the potential to create significant environmental harm (such as oil spills) are tackled appropriately. In part that is because it involves an industry that will co-operate in the knowledge of reputation harm and the fact that the Courts have reacted strongly to marine oil spills in particular. The frequency of these significant events is just so much lower than say the noise enforcement actions that are quoted in the report.

The examples given about the use of Excessive Noise Directions is, in our experience, likely to arise from the fact that noise complaints are late night/early morning issues and are a breach of a standard fundamentally different to other breaches of standards to the extent that noise issues go to neighbour amenity, fair behaviour and a way of moderating extreme behaviours in circumstances when rational engagement is less possible. Other enforcement actions are less likely to require immediate or imminent response and correction. They are almost certainly less common.

Most enforcement comes at a cost to the general ratepayer and so Councils (right or wrong) need to balance the costs of punitive, tight enforcement regimes with the public interest and benefit in such a regime. The classic area for this tension is in parking enforcement not just for time limit parking use but stationary vehicle offences. Around 40% of all parking tickets issued in Nelson are for failure to display Warrant of Fitness or Vehicle registration. This level of ticketing is secured just in the CBD and one suburban shopping area, not from patrols of residential or industrial areas. But what is to be gained by putting more officers out on patrol outside high parking demand areas??

Effective enforcement is reliant on proper record keeping and evidence gathering with no certainty of outcome at the end. For example, the work involved in securing prosecutions around illegal discharges is significant but not necessarily recoverable to the Council.

Q10.5

Should the size of fines imposed by infringement notices be reviewed with a view to making moderate penalties more readily available?

What evidence is there to suggest that this would deliver better regulatory outcomes?

Yes – match the penalty with the scale of offending. Nelson's experience with oil spills in the harbour is that substantial fines led the marine industry to take its responsibilities seriously and to put in place practices to minimise spills and to co-operate in management of oil spills.

Enforcement action to match Nelson's Air Quality Plan burner phase-outs is a necessary tool to get the message to and change in behaviour of non-compliant households.

People are very quick to work out the financial costs and penalties of fines compared to non-compliance e.g. car parking time limits (what is the chance of being caught against days of not paying?)

Q10.6

Is sufficient monitoring of liquor licences occurring? What evidence and data exists that would provide insights into the adequacy of current monitoring effort?

Perhaps but more could always be done if the costs were recoverable. It would help if the penalty got tougher on recognised repeat offenders. The current liquor regime is different to the new Food Premises self-audit system and it may prove the latter is more effective in achieving the outcomes being sought...operators owning their systems and processes not waiting to have issues raised and resolved by an escalating system of consequence.

Q10.7

How high is the burden of proof for each kind of enforcement action? Is it proportional to the severity of the action?

This may be too high for enforcement orders for what the action wants to achieve. It may be better to simply have the power to step in and stop the offending rather than the offending continue while evidence is gathered.

Q10.8

Is the different 'gradient' in the use of compliance options because there are missing intermediate options?

Yes – the cost of stepping up enforcement often outweighs the gains for the ratepayer. There needs to be more intermediate options.

Q10.9

Are the more severe penalties not being used because there is insufficient monitoring activity by local authorities to build sufficient proof for their use?

Not sure. The cost of this level of monitoring may not be seen as value for ratepayers given depending on the severity of offence and outcome sought.

Q10.10

Why are relatively few licences varied?

A question for the industry.

Q12.1

Is the very low number of consents declined best explained by risky applications not being put forward, the consent process improving the applications, or too many low-risk activities needing consent?

A combination of all three reasons with the first reason being the main factor. Also the planning approach to status of activities can be an issue with more "permitted" activity classes than non-complying activities that have a higher threshold to cross for consent.

Many consents lie at the margin of compliance with plan standards so high levels of approval are not unexpected. Fundamentally the RMA is a permissive statute so the balance of approve/ decline reflects this. Many forget that a tenet of the RMA is that activities are able to have adverse effects; it is not a no adverse effects regime!

Q12.2

Would different planning approaches lead to less revisiting of regulation? What alternative approaches might there be?

Broad baseline rules will never cover all site specific situations no matter if based on effects, performance or nature of activity. Can the market be relied on so only rules for the most important things to protect are in play?

Recent reviews and discussions around RMA reform have not looked at the fundamental structure of plans which are mostly zone and overlay based as the basis of environmental management i.e. spatial areas are assigned common qualities, outcomes, standards and escalation of consent type. The standards set are commonly maxima not genuinely performance based. This is true too of National Environment Standards.

Setting of standards rather than performance criteria are easier for the public to understand, and have the benefit of being directly measured where changes in expectations or the environment arise and so signal where mismatches occur as things change. The planning approach used is probably poorly connected to a desire for change to regulatory

regimes...plans are there to deliver certain outcomes for a community; if they are overtaken then there is nothing inherently wrong with that; what is wrong is a failure by the regulator to respond to the change and a change in expectation around the outcomes desired.

Q12.3

What factors have the strongest influence on whether a District Plan or Regional Policy Statement are appealed?

When there is a major shift in the status quo. For minor changes most don't have the resources or realisation of how a change may affect them early on to be more involved in the process.

Q12.4

Overall, would it be feasible to narrow the legal scope of appeals?

Yes. This has been well canvassed in various RMA reforms but there seems a reluctance by many to trust the results of local policy decisions.

Q12.5

Would it be feasible to narrow legal standing?

Yes but there needs to be a fair opportunity for cases to be fully presented or for those with a genuine interest to have a part in proceedings. Again an issue well covered in previous reviews of the RMA

Q12.6

What features of the bylaw-making process are distinct from the district plan-making process, and how might you use practice under the one to improve the process under the other?

No Environment Court step (independent legal review on contested expert evidence) , no second call for submissions.

No equivalent of s32/RIS.

Q13.1

Are there any other ways that local authorities include Māori in decision making that should be considered?

Delegated functions.

Q13.2

What are some examples of cost-effective inclusion of Māori in decision making you are aware of?

Joint management.

Q13.3

What more intermediate options could there be for including Māori in RMA decision-making?

Iwi representative on Hearing Panels.

Maori sole Commissioners

Q13.4

What are some examples of decision-making systems well-tailored to Māori involvement?

Maori Ward system.

Nelson Kotahitanga hui

Q14.1

How have local authorities used the Society of Local Government Managers guide on performance management frameworks – or other guidance material – to assess local government regulatory performance?

A resource for best practice; identifies practitioners with knowledge.

Q14.2

Is there a sufficient focus on regulatory capabilities in local government planning and reporting under the Local Government Act?

No but does there need to be?

Q14.3

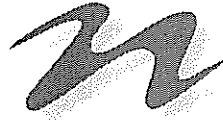
Have local authorities encountered difficulties in dealing with different performance assessment frameworks across different forms of regulation? Which forms of regulation do a good job of establishing performance assessment frameworks, in legislation or by other means?

In the resource and building consents, dog and liquor licensing aspects the performance assessment frameworks are okay. There needs to be a consistent approach to this and a re-focus on achieving outcomes not just the processing and administration of the regulation.

Q14.4

Which of the Commission's performance assessment options have the best potential to improve the efficiency and effectiveness of assessment of local government regulatory performance and improve regulatory outcomes? What are the costs and benefits of these options? Are there other options in addition to those that the Commission has identified?

The Joint Health check, increased focus on regulatory capabilities, expansion of practices to other areas for consistency, increased sharing of data and lower frequency and burden of reporting.



Nelson City Council

te kaunihera o whakatū

BUILDING SEISMIC PERFORMANCE
**(Proposals to improve the New Zealand earthquake-prone
building system)**

SUBMISSION FROM NELSON CITY COUNCIL
ON
CONSULTATION DOCUMENT

To: Earthquake-Prone Building Review
Infrastructure and Resource Market Group
Ministry of Business, Innovation and Employment
PO Box 10729
Wellington 6143

30 January 2013

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Appearances:

Nelson City Council does not wish to present its submission.

Signed

..... Date.../...../.....

Councillor Kate Fulton/Councillor Mike Ward
Co-Portfolio Holders – Policy and Planning

1. Introduction

- 1.1. Nelson City Council (the Council) thanks the Ministry of Business, Innovation and Employment for the opportunity to make a submission on the Building Seismic Performance Consultation document.
- 1.2. The Council supports in principle the proposals to reduce the potential health and safety risk to individuals and communities from earthquakes.
- 1.3. Specific comments to the questions on the feedback form are outlined in the Discussion below.

2. Discussion

Proposal 1: Local authorities would be required to make a seismic capacity assessment of all non-residential and multi-unit, multi-storey residential buildings in their districts within five years of the legislation taking effect, using a standard methodology developed by central government, and to provide the resulting seismic capacity rating to building owners. An owner could have their building's seismic capacity rating changed by commissioning their own engineering assessment.

Proposal 2: Assessments would be prioritised faster for certain buildings (e.g. buildings on transport routes identified as critical in an emergency).

Question 1

Should local authorities be required to assess the seismic capacity of all buildings covered by the earthquake-prone building system in their areas, and to issue seismic capacity ratings to owners?

Yes

No If not, why not?

- 2.1. The Council's current Earthquake Prone Building Policy approach is to require building owners to complete an Initial Evaluation and if required a Detailed Assessment on buildings that may be earthquake prone under this policy.
- 2.2. Notwithstanding this, the Council also supports Local Authorities being required to undertake Initial Evaluations in order to encourage consistency in how these evaluations are carried out.
- 2.3. The Council is also of the opinion that the costs of these Initial Evaluations should be borne by landowners and landowners should still be required to undertake Detailed Assessments.

- 2.4. If the Council is required to complete Initial Evaluations there should be room within the system to accommodate the existing Initial and Detailed Evaluation reports already completed by landowners.

Question 2

Do you think five years is a reasonable and practical time to require local authorities to carry out assessments in their districts?

Yes No If not, what time do you suggest and why?

- 2.5. The Council agrees that a five year timeframe to undertake an Initial Evaluation of potentially earthquake prone buildings is appropriate.

Question 3

Should unreinforced masonry buildings be assessed faster than other buildings?

Yes No If yes, within what period?

- 2.6. The Council agrees that certain higher risk buildings should be assessed faster than other buildings. These buildings should include unreinforced masonry buildings and other high risk features which also should trigger shorter timeframes for strengthening. The Council considers that this prioritisation and the determination of timeframes should be undertaken by Council.

Question 4

What costs and other implications do you see with these proposals to assess the seismic capacity of buildings?

- 2.7. If costs aren't able to be passed on to landowners, requiring the Council to undertake Initial Evaluations of all potentially earthquake prone buildings in Nelson City is estimated to cost approximately \$1-2 million.
- 2.8. If current Initial Evaluation and Detailed Assessment reporting is not compatible with proposed reporting systems, then significant rework will be required.
- 2.9. This is likely to require significant changes to the Council's record keeping, filing, type and data collection and storage systems.

Proposal 3: Building information would be entered into a publicly accessible register maintained by MBIE.

Question 5

Do you agree that local authorities should be required to enter information on the seismic capacity of buildings into a publicly accessible, central register to be managed by Ministry of Business Innovation and Employment?

Yes No If not, why not?

- 2.10. The Council supports being able to manage their data directly and the Ministry of Business Innovation and Employment being limited to providing the software, interface and storage. Public information portals are also supported, with appropriately limited/filtered data available (see answers to question 6).
- 2.11. The Council also needs to have the ability to insert and change the information on the central register.
- 2.12. The seismic capacity of buildings should only be publicly available in very general terms (i.e. the building is Earthquake Prone or not Earthquake Prone) until a Detailed Assessment has been undertaken (by the owner) and approved by the Council. Once the Detailed Assessment is approved, then the detail of the available rating may be publicly available according to either:
- a grading system that the Ministry of Business Innovation and Employment eventually adopts (i.e. A, B, C, D or E to current New Zealand Society Earthquake Engineers (NZSEE) system), or
 - the percentage New Building Standard.

Question 6

Should information other than a building's seismic capacity rating be entered into the register - for example, agreed strengthening actions or information from an agreed building ratings system?

Yes No If yes, what additional details?
If not, why not?

- 2.13. The Council considers that other information that should be included in a central publicly accessible register include the Council, the building rating, the type of evaluation (Initial Evaluation or Detailed Assessment), whether a s124 notice been issued, timeframe for hazard removal, interim mitigation measures (i.e. temporary securing, safe refuges, earthquake action plans), heritage status, date when this data was last updated/reviewed as current.

Question 7

Rather than a central register, should local authorities be responsible for both collecting and publishing this information?

Yes

No If yes, why?

- 2.14. If the Council has the ability to insert and change the information on the central register than a central register is preferred. If this is not the case, a register managed by the Council is preferred.
- 2.15. Whether a central or local register is used the system should be designed to reduce duplicated effort.

Question 8

Should there be any other information disclosure requirements - for example, should building owners be legally required to display information on the building itself about the building's seismic capacity?

Yes

No If yes, what information, and why?

- 2.16. The Council considers that current section 124 Notices and the information on Council property files and web sites is sufficient.

Question 9

What costs and other implications do you see resulting from the proposal to put seismic capacity information in a register?

- 2.17. Council considers that there will be the following potential implications from putting seismic capacity information in a public register:
- an increase in public enquiries about the earthquake prone policy and process
 - potential implications on Council LIM and PIM processes.

Proposal 4: The current national earthquake-prone building threshold (one-third of the requirement for new buildings, often referred to as 33 per cent NBS) would not be changed. However, it is proposed to establish a mandatory national requirement for all buildings to be strengthened to above the current threshold, or demolished, within a defined time period.

Question 10

Does the current earthquake-prone building threshold (33 per cent of the requirement for new buildings) strike a reasonable balance between protecting people from harm and the costs of upgrading or removing the estimated 15,000-25,000 buildings likely to be below this line?

Yes

No If not, what level do you suggest, and why?

- 2.18. The Council agrees that the current earthquake-prone building threshold (33 per cent of the requirement for new buildings) strikes a reasonable balance between protecting people from harm and the costs of upgrading or removing these buildings.
- 2.19. While the Council supports higher levels of earthquake strengthening where this is proposed by landowners, it is mindful of the costs to landowners and the potential effects (for example the potential to encourage more demolition of buildings) of requiring higher levels of earthquake strengthening.

Question 11

Should the requirement for earthquake-prone buildings to be strengthened or demolished take precedence over all other legal, regulatory and planning requirements, such as those designed to protect buildings of heritage or local character?

Yes

No If not, why not?

- 2.20. The Council does not agree that the resolution of earthquake prone building risks should take precedence over all other legal requirements. While the management of earthquake prone building risks are important these should be considered along side all other risks which need to be managed, for example fire safety compliance.

Question 12

Should local authorities have the power to require higher levels of strengthening than the earthquake-prone building threshold, or strengthening within shorter timeframes than the legally defined period?

Yes No If yes, what powers?

- 2.21. The Council disagrees that, Local Authorities should have the power to require higher levels of strengthening than the earthquake-prone building threshold, or strengthening within shorter timeframes than the legally defined period.
- 2.22. Instead the Council considers that there should be a consistent national earthquake strengthening requirement for the strengthening or demolition of higher risk buildings, in accordance with the criteria from AS/NZS 1170 and other relevant Risk Factors. This should take account of the need to spread the impacts of strengthening and demolition over an appropriate period of time. Refer answer to question 14 for additional information.
- 2.23. This will provide clarity to landowners and Councils of the earthquake strengthening requirements for higher risk buildings.

Question 13

Should certain features of unreinforced masonry buildings, such as chimneys and parapets, be required to be strengthened to a higher level?

Yes No If yes, which features, to what level, and why?

- 2.24. The Council considers that designing to preclude undesirable failure modes should be supported as a common engineering approach (Capacity Design). Precautions will need to be taken to avoid unanticipated outcomes of making parapets and chimneys stronger, such as minimum ductility requirements, or preventing the consequences of a large seismic event being worse because of the particular strengthening approach taken.

Proposal 5: All buildings would be strengthened to be no longer earthquake-prone, or be demolished, within 15 years of the legislation taking effect (up to five years for local authorities to complete seismic capacity ratings, followed by 10 years for owners to strengthen or demolish buildings).

Proposal 6: Strengthening would be carried out faster for certain buildings (e.g. buildings on transport routes identified as critical in an emergency).

Proposal 7: Owners of buildings assessed as earthquake-prone would have to submit a plan for strengthening or demolition within 12 months.

Question 14

Is it reasonable and practical for owners of earthquake-prone buildings to meet the following timeframes:

- **12 months to submit plans for either strengthening or demolishing the building?**
- **10 years from the date of the seismic capacity rating to strengthen or demolish?**

Yes

No

If not, what alternatives do you suggest, and why?

2.25. The Council does not support a defined timeframe of 12 months to submit plans for either strengthening or demolishing a building. Instead Council suggests that the maximum timeframe to submit plans for either strengthening or demolishing buildings be tied to a date at which Earthquake Prone Buildings need to be strengthened or demolished; for example:

- Council suggests that fifteen years from date legislation is passed is appropriate for the strengthening or demolition of higher risk buildings, in accordance with the criteria from AS/NZS 1170 and other relevant Risk Factors. Building owners would be required to submit plans for either strengthening or demolition by year 10. This would allow sufficient time for design, approvals and construction.
- Council suggests that thirty years from date legislation is passed (or date Council advises need for evaluation) for lower risk buildings, in accordance with the criteria from AS/NZS 1170 and other relevant Risk Factors. This is subject to Council discretion to require shorter timeframes based on a case by case risk based assessment. Building owners would be required to submit plans for either strengthening or demolition by year 25. This would allow sufficient time for design, approvals and construction.

- 2.26. Tying the formal decision on hazard removal (strengthen or demolish buildings) date to the final date when the building must be strengthened or demolished allows for the inevitable changes of ownership and circumstances that occur over such long time frames. A very strict mandatory requirement to complete the strengthening or demolition by the fifteen or thirty year timeframe is also recommended.
- 2.27. Furthermore, delaying lower risk hazard removal deadlines will be desirable, as it is unlikely that the building and construction industry could cope with the simultaneous building work generated in the last few years of the timeframe, and then the sudden lack of work once it is completed.

Question 15

What additional powers would local authorities require to enforce the proposed requirements?

- 2.28. Council has sufficient powers under the Building Act 2004 to enforce the proposed requirements.

Question 16

Should local authorities be able to require faster action on buildings of strategic importance, such as those:

- **located on transport routes identified as critical in an emergency**
- **with important public, social and economic functions, such as schools and police stations**
- **with post-earthquake recovery functions, such as civil defence centres and hospitals.**

Yes No If yes, which buildings, and how much sooner should action be required?
If no, why not?

- 2.29. Local Authorities should be able to require shorter timeframes on buildings of strategic importance although these buildings should be defined in national legislation and linked to the hazard factor. A consistent approach needs to be taken across the country.

Question 17

Should all unreinforced masonry buildings require strengthening more quickly than other earthquake-prone buildings?

Yes No If yes, within what timeframe?

- 2.30. Yes, unreinforced masonry buildings and high risk buildings should be prioritised by Council along with those with non-ductile column collapse mechanisms for strengthening more quickly. There is no need for a specifically legislated shorter timeframe however.

Proposal 8: Certain buildings could be exempted or be given longer time to strengthen, e.g. low-use rural churches or farm buildings with little passing traffic.

Question 18

Should the owners of certain specified types of earthquake-prone buildings be able to apply to local authorities for exemptions or time extensions to the requirement to strengthen or demolish?

Yes

No

Question 19

If yes, what are your views on the following possible criteria:

- **the building is used only by the owner, or by persons directly employed by the owner, on an occasional or infrequent basis**
- **the building is used only occasionally (less than eight hours per week), and by less than 50 people at any one time.**

AND in each circumstance above:

- **all users are notified that the building is likely to collapse in a moderate earthquake**
- **the building is not a dwelling**
- **the building is not a school or hospital and does not have a post-disaster recovery function**
- **there is no risk of the building partially or fully collapsing onto a public walkway, transport route or a neighbouring building or public amenity**
- **effective mitigation measures have been put in place to protect building users from the risk of collapse in a moderate earthquake?**

Yes

No If not, what alternative criteria do you suggest?

- 2.31. The Council agrees that exemptions should be listed in legislation and have clear criteria. These criteria should be tied into the hazard factor from AS/NZS 1170 plus other relevant Risk Factors.
- 2.32. These Risk Factors should consider the type of building (size, building materials and method of construction used) and the occupancy numbers and frequency of occupation.

Proposal 9: Central government would have a much greater role in guiding and supporting local authorities and building owners, as well as in public education and information.

Question 20

Are the advice, information and education activities proposed for central and local government agencies sufficient to help ensure effective implementation of the new earthquake-prone building system?

Yes

No

If no, please elaborate.

- 2.33. The Council considers that additional and improved guidance (advice, information and education) from Central Government to Council's and landowners is required to help ensure effective implementation of the new earthquake-prone building system.

Views are sought on whether the current Building Act fire and disability upgrade requirements are, in practice, a barrier to building owners deciding to carry out earthquake strengthening work.

Question 21

Are current requirements to upgrade buildings to "as nearly as reasonably practicable" to Building Code fire and disabled access requirements a disincentive or barrier to owners planning to earthquake-strengthen existing buildings?

Yes

No

If yes, please provide examples.

- 2.34. The Council has chosen not to answer this question. Building owners take a number of factors into consideration before making a decision as to

whether to strengthen or demolish their property. These include, but are by no means limited to, the Building Code fire and disabled access requirements. The Council considers that proposed alterations should always consider fire and disabled access requirements.

Question 22

Should local authorities be able to grant building consents for earthquake strengthening without triggering the requirement to upgrade the building towards Building Code fire escape and disabled access and facilities requirements?

Yes No Please explain answers.

- 2.35. The Council strongly opposes Local Authorities being able to grant building consents for earthquake strengthening without triggering other safety related requirements of the Building Code, for example fire escape requirements.
- 2.36. Waiving fire escape requirements could expose users to more frequently occurring life threatening hazards than earthquakes.
- 2.37. The Council supports the existing provisions of Section 112 (2) of the Building Act 2004 because it allows the Council to make exceptions to the requirements of the building code on a case by case basis.

Question 23

Should any change apply to both fire escape and disabled access and facilities requirements, or to disabled access and facilities requirements only, i.e. retain the current fire escape upgrade requirements?

Yes No Please explain answers.

- 2.38. The Council considers that there should be no change to both the fire escape and disabled access and facilities requirements.

Question 24

What would be the costs and other implications of de-linking earthquake strengthening from current Building Code fire and disabled access requirements?

- 2.39. The Council considers that fire and disability access are important and should not be de-linked from earthquake strengthening requirements. De-linking could mean that earthquake strengthening compromises fire and disabled access or it may mean that buildings are never upgraded towards fire and accessibility requirements.
- 2.40. The Council also consider that the safety requirements of users of buildings should have precedence over access requirements.

Views are sought on how important heritage buildings can be preserved while also being made safer.

Question 25

When considering listing heritage buildings on district plans, what factors should local authorities consider when balancing heritage values with safety concerns?

2.41. The Council considers that there are a number of factors that should be considered, which include:

- The range of potential options for the strengthening of earthquake prone heritage buildings.
- Heritage significance (value) - has the building got high, medium or, low heritage significance from a national, regional or local level. The higher the heritage significance the more weighting should be placed on protection of the building and exploring strengthening options.
- Associated with this is how earthquake strengthening could be achieved while respecting the heritage fabric and so heritage value of the building. For example, under the Nelson Resource Management Plan the interior of heritage buildings are generally not restricted by heritage rules so that earthquake strengthening can be undertaken to the interior of these buildings without affecting the heritage value of the building.
- The economic cost to landowners of strengthening compared with demolition of earthquake prone heritage buildings.
- The potential hazard factor to occupants and the public in a seismic event of the building being damaged or collapsing (from AS/NZS 1170 plus other relevant Risk Factors).
- The social and cultural cost to the community of any loss of heritage.

Question 26

What assistance or guidance will be required for owners, local authorities and communities to make informed decisions on strengthening heritage buildings in their districts?

2.42. Assistance or guidance which would be useful include:

- Education.
- Monetary assistance (for example grants).

- Information on engineers experienced in strengthening heritage buildings.
- Encouraging overseas engineers experienced in strengthening heritage buildings to practice in New Zealand.
- Guidance and information on strengthening methodologies and systems. This includes guidance on the different techniques of earthquake strengthening which can be used for different types of heritage buildings.

Question 27

What barriers deter heritage building owners from strengthening their buildings?

- 2.43. Barriers which deter building owners from strengthening their heritage buildings includes a lack of knowledge of what is required and the actual and perceived dollar cost of earthquake strengthening.

Question 28

Do heritage rules (for example, those in district plans) deter owners from strengthening heritage buildings?

Yes No If yes, how?

- 2.44. In the Nelson Resource Management Plan the interior of heritage buildings are generally not restricted by heritage rules. Therefore there is little restriction from heritage rules if internal strengthening only is proposed.
- 2.45. The Council also considers that there is potential for heritage buildings being lost in Nelson if the Government restricts the protection of heritage buildings to 50 places nation wide as proposed by the Heritage New Zealand Pouhere Taonga Bill.

Question 29

What are the costs and benefits of setting consistent rules across the country for strengthening heritage buildings?

- 2.46. The Council consider that the benefits to setting consistent rules across the country for strengthening heritage buildings include:
- Providing certainty of what is required of heritage building owners.
 - Less costs to individual Councils of developing heritage provisions.
- 2.47. The Council consider that the costs include:
- A loss of local flavour and decision making.

- A potential loss of local heritage that is not recognised as significant at a national level.
- 2.48. If this option is pursued, care needs to be taken that flexibility in options for earthquake strengthening are retained and the rules encourage strengthening rather than the demolition of heritage buildings.

Views are sought on the Royal Commission's recommendation to allow local authorities the power, following consultation with their communities, to adopt and enforce policies to require specific hazardous elements on **residential buildings** to be dealt with within a specified timeframe.

Question 30

Should local authorities have the power, following consultation with their communities, to adopt and enforce policies to require specific hazardous elements on residential buildings to be dealt with within a specified timeframe?

Yes No Please explain answer.

- 2.49. The Council considers that because residential buildings are mostly exempt from the existing earthquake prone building policy, this would not be appropriate until Detailed Assessments of those buildings currently 'in scope' are well underway. This would mean a delay of a minimum of ten years.
- 2.50. The Council support an approach of providing information to residential landowners about the importance of removing certain specific hazardous elements (for example unreinforced chimneys) from residential buildings.
- 2.51. If there are such measures this should be in consistent national legislation not left to each individual Local Authorities.

Other questions

Question 31

What would the proposed changes mean for you?

- 2.52. The Council owns a number of buildings which have either been identified as earthquake prone or are potentially earthquake prone and require further Detailed Assessments to determine their status.

- 2.53. The Council is very mindful of the issues surrounding earthquake prone buildings and have commenced a process to confirm the earthquake prone status of all its buildings. The Council has also increased its funding in its Long Term Plan 2012-2022 to progress Initial Evaluations of all its buildings for earthquake risk more quickly.
- 2.54. To date, after Detailed Assessments, seven Council buildings have been identified as earthquake prone and measures have been put in place to mitigate the effect of this status on the public.
- 2.55. The effect of the proposed changes is likely to mean that additional money and resources will be required to speed up this process further. This will have an impact on other Council projects with the potential for delay or dropping of projects.
- 2.56. The potential costs of the Council undertaking Initial Evaluations (if these costs aren't borne by building owners) is estimated to be approximately \$1-2 million.
- 2.57. The costs of undertaking Detailed Assessments of all Council owned buildings, and if they are identified as earthquake prone, the costs to either strengthen or demolish these buildings have not been fully quantified but is also likely to be significant.
- 2.58. Current estimates of earthquake strengthening costs of Council owned buildings which have been identified as potentially earthquake prone range from approximately \$150,000 to \$800,000 depending on the building.

Question 32

Are you aware of any problems with current policy and practice around earthquake-prone buildings, other than those identified in this document?

- 2.59. The Council considers that the interface between the Health and Safety in Employment Act 1992 and the Building Act Earthquake Prone requirements needs to be clarified. In particular, the responsibility of building owners to their tenants.
- 2.60. The Council also considers that the proposal makes no mention of adjoining buildings which themselves are not Earthquake Prone but which are vulnerable to collapse in an earthquake as a result of the collapse of an adjoining Earthquake Prone building.
- 2.61. The Council also considers that there should be clarification of whether the following buildings are included or excluded from this proposal:
- Outbuildings, Ancillary buildings as defined in the New Zealand Building Act 2004 (NZBC)
 - retaining walls

- Pallet racks, supermarket shelving
 - infrastructure covered by Asset Management Plans (Councils, New Zealand Transport Agency, electricity 'works')
 - bridges
 - dams
- 2.62. The Council also considers that the timeframes and strengthening requirements for buildings actually damaged due to a seismic event should be clarified.

Question 33

Do you agree with the following objectives for changes to the existing earthquake-prone buildings system:

- **reduce the risk, to an acceptable level, of people dying and being injured in or by buildings that are likely to collapse in moderate to large earthquakes**
- **ensure that building owners and users have access to good information on the strength of buildings they own and use, to help them make good decisions about building resilience and their use of the building.**

Yes

No

If no, what objectives would you propose?

- 2.63. Yes, these are appropriate overall objectives.

Proposed Changes to Nelson City Council's Annual Plan 2012/13 Work Programme

1. Purpose of Report

- 1.1 To adopt changes to the Nelson City Council's Annual Plan 2012/13 Work Programme to ensure there are sufficient staff resources available to deliver the Council's priority projects and programmes.

2. Recommendation

THAT the proposed changes to Nelson City Council's Annual Plan 2012/13 Work Programme as detailed in document 1393829 be approved.

3. Background

- 3.1 Operating budgets and capital budgets were included in the Long Term Plan 2012-2022 for the full 2012/13 Work Programme, however as the projects have been more fully scoped it has become clear that there is insufficient staff capacity to undertake the full programme.
- 3.2 The over-commitment of staff time represents about two hours per staff member per week which was initially seen as manageable if split evenly across the organisation. However, further review pointed to several specialised areas where successful project delivery depends on the skills and knowledge of certain staff, making that staff resource relatively non-transferable.
- 3.3 Changes to the 2012/13 Work Programme to address the over-commitment of staff time were discussed and agreed upon at Council's Annual Plan workshops. This report seeks to formally approve those changes.

4. Discussion

Over-commitment Issue

- 4.1 To help ensure the successful delivery of priority projects, a review of the 2012/13 Work Programme was carried out with a greater focus placed on areas that showed the highest risk of over-commitment. The key areas where there is a mismatch between staff resource and project requirements are in the Transport and Parks and Reserves workstreams.

- 4.2 If these areas of over-commitment are not addressed there is a significant risk of compromised project delivery and failure to achieve the Council's economic Key Performance Indicator relating to capital budget.
- 4.3 Due to budget constraints, it has been assumed that securing additional resources to help deliver projects in the short term was not an option to make up the shortfall in staff hours. In any case, the use of consultants to carry out work still ties up significant amounts of staff time in contract management.
- 4.4 Initial efforts to address the capacity issue focused, where possible, on re-allocating staff with spare capacity and seeking efficiencies through other management techniques, for example combining similar projects. This resulted in an initial saving of some 4,000 hours. However the non-transferability of particular staff resources meant a more detailed and managed approach was required.

Proposed Changes to 2012/13 Work Programme

- 4.5 To deliver a work programme that has the greatest potential to contribute to organisational goals, resources need to be allocated to the work that most closely aligns with the Council's priorities. The reassessment of the 2012/13 Work Programme is based on the assumption that the most pressing areas are statutory/mandatory work, business as usual work signalled as a priority by Councillors, high profile projects and Council commitments.
- 4.6 Projects were prioritised and evaluated based on their relative contribution to Council priorities, expected benefits and the perceived impact of the change on stakeholders. Consideration was also given to project impacts on risk mitigation, statutory compliance, levels of service, demand management and strategic importance.
- 4.7 It is suggested that some projects in the 2012/13 Work Programme are deferred and considered as part of the Annual Plan 2013/14 process, and that some other projects are cancelled if, following initial scoping, the project is now considered to be less feasible than initially assessed. Projects suggested for deferral or cancellation are listed in Attachment 1.

Resource Implications

- 4.8 The changes listed in Attachment 1 reduce the workload to a level likely to be manageable given that changes will continue to occur through the year as projects are fully scoped.
- 4.9 The majority of projects listed in Attachment 1 are recommended for deferral, and any capital or operating expenditure allocated to those projects would be carried forward to the 2013/14 year (depending on their relative priority in that work programme).

Risks

- 4.10 A number of risks can potentially influence the successful achievement of a work programme including the underestimation of time, unforeseen circumstances (e.g. natural events), Council changes in focus or priorities and legislative changes or requirements.

5. Conclusion

- 5.1 Optimising organisational capacity to deliver our work programme is an ongoing and dynamic process. Changes to the 2012/13 Work Programme will continue to be reported to Council and significant changes will be brought to Council for approval via mechanisms such as the Major Projects Report.
- 5.2 In preparing the proposed changes to the 2012/13 Work Programme listed in Attachment 1, the management team has taken into account the overall benefits and risks of deferral or cancellation of these projects and aimed to optimise the overall value to stakeholders.

Michael Schruer

Executive Manager Strategy and Planning

Attachments

Attachment 1: Requested Changes to Nelson City Council's Annual Plan 2012/13 Work Programme [1393829](#)

No supporting information follows.

Attachment 1

Detail of Proposed Changes to 2012-13 Work Programme

Id	Project	Project summary	Proposed change
2209	Paru Paru left turn exit removal	Remove the segregated left turn lane from Rutherford St into Paru Paru Rd.	Defer
2447	Cable Bay Rd land purchase	Formalise the road reserve as road occupies private land in some places.	Cancel
2517	RLTS/RLTP updates from Issues Definition Report	May be necessary to update the RLTS/RLTP following completion of the issues definition report (note proposed name change to Southern Arterial Management Plan).	Defer
2510	Passenger transport service review	Review of public transport due in March 2013.	Defer
1080	Streetlighting improvements	Develop and implement programme to upgrade street lights in the City.	Defer to 13/14
2250	Wakapuaka Sandflats	Stage in the restoration of the Wakapuaka Sandflats for ecological and recreational purposes.	Defer
1177	Isel Glasshouse/ Aboreal Gardens	Replacement of the glasshouse with a raised heritage vegetable garden and flower displays in keeping with the period of Isel House.	Defer
1306	Akersten St Development	Development plan and implementation thereof to create a marina/ visitor destination as per Heart of Nelson.	Defer
1315	Montgomery Sq upgrade	Initial consultation and trials of concepts.	Defer
2210	Church St improvements	Upgrade of Church St to improve connection of CBD to expanded conference centre and surrounds, and general amenity of street.	Defer
1411	Older Workers Action Plan	Develop an action plan for improving opportunities for older people to participate in the workforce in partnership with EDA, MOBI etc.	Defer
1667	PC: Biodiversity NPS	Draft National Policy Statement promotes the maintenance of indigenous biodiversity including RMA s6C matters and others such as ecological linkages and riparian margins. Requires policy statement and plan changes within five years of NPS taking effect.	Defer
1047	Review regional facilities funding split with TDC	Review of the funding split in the Regional Facilities Plan (and amended by a resolution of the Regional Funding Forum).	Defer
1551	Saxton Field Governance	To fulfil objective that Saxton Field be governed and managed as a regional reserve through a single organisation and set of policies. Needs negotiation with Tasman District Council as to the form of the new management body.	Defer
1553	Saxton Field Op Policy	Policies providing consistent guidance for use of facilities at Saxton Field.	Defer
1477	Regional Pest Management Strategy Update	RPMS review required in 2013-14 due to Biosecurity Amendment Act being passed.	Defer
N/A	Integrated Tasman Bay Management	Address the decline in health of Tasman Bay with stakeholders.	Cancel
2569	Marketing Council Facilities	Develop and implement marketing plan to improve use of all Council facilities.	Defer
1839	Albion Square	Work with DOC and other partners to develop a management plan for Albion Square.	Defer
1107	Catchment Mgt Plans - Maitai	Developing a Plan with a vision and policies for the management of the Maitai catchment, taking into account flooding risk, recreation values, environmental values etc.	Defer
2127	Brougham St	New stormwater pipes to street when road upgraded. Diverts s/w from private property.	Defer
2085	Marsden Valley Express Sewer	New sewer trunk main to lower Marsden Road and North along Main Road Stoke. Connect to Arapiki/Quarantine beheading project.	Defer
1190	Ngawhatu Valley sewer trunk main	Upgrade the existing reticulation to allow for future development in the upper valley.	Defer
1182	Maire Stream upgrade	Review stream stormwater capacity from Annesbrook drive to Observatory Hill subdivision. Secondary flow paths mostly compromised by existing development.	Defer
2052	Fish Passage Brook St	Develop computer model of concrete channel in Brook Stream and test changing base material to improve fish passage and habitat. Will be used for flood works as well.	Defer

Plan Change 16 Inner City Noise Working Group

1. Purpose of Report

- 1.1 To advise Council of the withdrawal of Councillor Derek Shaw from the Plan Change 16 Inner City Noise Working Group.
- 1.2 To appoint a new member to the Plan Change 16 Inner City Noise Working Group.

2. Recommendation

THAT Councillor ----- be appointed to the existing Plan Change 16 Inner City Noise Working Group consisting of Councillors Ward and Fulton to:

- ***consider the public feedback received,***
- ***recommend to the Council a draft Plan Change for public notification.***

3. Background

- 3.1 At the 9 August 2012 Council meeting Council considered the draft Plan Change 16 'Inner City Noise' for the purpose of releasing the draft for public feedback. At the same time a Working Group of three Councillors (Mike Ward, Kate Fulton and Derek Shaw) was established to consider the feedback received and make recommendations to Council on the content of the draft Plan Change. Council would then consider this for public notification under the Resource Management Act 1991.

4. Discussion

- 4.1 Councillor Derek Shaw has withdrawn from the Plan Change 16 Inner City Noise Working Group leaving a vacancy that requires filling prior to the first Working Group meeting. This first meeting is anticipated to be in mid to late March 2013 and will involve considering possible changes to the draft Plan Change provisions in response to the feedback received. It is anticipated that two meetings of two hours length will be required to develop the recommended changes to be presented to full Council.

5. Conclusion

- 5.1 The Plan Change 16 Inner City Noise Working Group requires a vacancy to be filled to allow meetings to be held with the intent of progressing the Plan Change.

Reuben Peterson

Planning Adviser

Attachments

None

No supporting information follows.