



AGENDA

Ordinary meeting of the

Works and Infrastructure Committee

**Thursday 12 June 2014
Commencing at 9.00am
Council Chamber
Civic House
Trafalgar Street, Nelson**

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

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

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)
- It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the table for discussion and voting on any of these items.

12 June 2014

A1198312

Page No.

Apologies

1. Interests

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

2. Confirmation of Order of Business

3. Public Forum

- 3.1 Fifeshire Crescent

Mr David Smythe will speak about Fifeshire Crescent

4. Confirmation of Minutes – 1 May 2014

8-17

Document number A1179538

Recommendation

THAT the minutes of the meeting of the Nelson City Council – Works and Infrastructure Committee, held on 1 May 2014, be confirmed as a true and correct record.

5. Status Report – Works and Infrastructure 12 June 2014

18-19

Document number A1150321

Recommendation

THAT the Status Report – Works and Infrastructure Committee 12 June 2014 (A1150321) be received.

6. Chairperson's Report

TRANSPORT AND ROADING

7. Rocks Road Walking and Cycling Project

20-77

Document number A1201952

Recommendation

THAT the report Rocks Road Walking and Cycling Project (A1201952) and its attachments (A1189936 and A264415) be received.

Recommendation to Council

THAT the Council confirm it does/does not wish to proceed to the next steps with the Rocks Road walking and cycling project;

AND THAT Council approve each concept plan separately;

AND THAT concept plan one (\$9-13M) be/not be approved,

AND THAT concept plan two (\$11-14M) be/not be approved,

AND THAT engagement on concept plan three (\$33-47M) occur only for the purposes of disclosure and that all messaging on this concept reflect its lack of value as compared with the required investment;

AND THAT the engagement plan be presented to Council for approval at its meeting on 17 July 2014;

AND THAT the outcome of the engagement be presented to Council to guide consideration of any future investment.

8. Auckland Point Pedestrian Crossing Safety Improvements

78-85

Document number A1106535

Recommendation

THAT the report Auckland Point Pedestrian Crossing Safety Improvements (A1106535) and its attachments (A663472) be received;

AND THAT the zebra crossing on Haven Road at Auckland Point be reconfigured during the 2014/15 financial year to have a single lane in each direction.

WATER, WASTEWATER, STORMWATER

9. Water Supply and Wastewater Bylaws

86-182

Document number A1181459

Recommendation

THAT the report Water Supply and Wastewater Bylaws (A1181459) and its attachments (A1181512, A1181471, A1181533, A1181535, A1181600 and A1181552) be received;

AND THAT in accordance with section 155 of the Local Government Act 2002 Council determines that making the proposed Water Supply Bylaw is the most appropriate way of addressing the safety and security of supply issues for the Nelson City water supply network;

AND THAT in accordance with section 156 of the Local Government Act 2002 Council agrees to revoke the Nelson City Council Water Supply Bylaw No. 217, such revocation to come into effect upon the adoption of the proposed Water Supply Bylaw 2014 (No. 223);

AND THAT the Statements of Proposal dated June 2014 and the summary of information contained in the Statements of Proposal (documents A1181512, A1181533, A1181600 and A1181552) be approved and advertised

using the Special Consultative Procedure (section 83 of the Local Government Act 2002);

AND THAT the Works & Infrastructure Committee hear and deliberate on submissions on the proposed water supply and wastewater bylaws in documents A1181471 and A1181535.

PUBLIC EXCLUDED BUSINESS

10. 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	<p>Works and Infrastructure Committee – Public Excluded – 1 May 2014</p> <p>These minutes confirm contain information regarding the public excluded status report:</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"> • Trafalgar Centre Follow Up Report – Short Term Actions, including a resolution that this item is moved to the status report on the public agenda of 		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations

	the Works and Infrastructure Committee meeting of 1 May 2014		
	<ul style="list-style-type: none"> Trafalgar Centre – Update Report, including a resolution that this item is moved to the status report on the public agenda of the Works and Infrastructure Committee meeting of 1 May 2014 		<ul style="list-style-type: none"> Section 7(2)(h) To carry out commercial activities Section 7(2)(i) To carry out negotiations
	<ul style="list-style-type: none"> Washington Valley Property Disposal 		<ul style="list-style-type: none"> Section 7(2)(i) To carry out negotiations
2	<p>Public Excluded Status Report – Works and Infrastructure Committee 12 June 2014</p> <p>This report contains information regarding the Washington Valley Property Disposal.</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

11. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Minutes of a meeting of the Works and Infrastructure Committee

**Held in the Muritai Centre, Tahunanui School, 69 Muritai Street,
Tahunanui**

On Thursday 1 May 2014, commencing at 9.03am

Present: Councillor E Davy (Chairperson), Her Worship the Mayor (R Reese), Councillors L Acland, I Barker, R Copeland, M Lawrey, G Noonan, and T Skinner

In Attendance: Group Manager Infrastructure (A Louverdis), Acting Group Manager Strategy (N McDonald), Manager Communications (A Ricker), Senior Asset Engineer – Utilities (P Ruffell), and Administration Adviser (E-J Ruthven)

Apology: Her Worship the Mayor for lateness

1. Apologies

Resolved

THAT the apology from Her Worship the Mayor for lateness be received and accepted.

Noonan/Davy

Carried

2. Interests

There were no updates to the Interests Register, and no conflicts of interest with any agenda items were declared.

3. Confirmation of Order of Business

The Chairperson explained that there were five public forum presentations.

4. Public Forum

4.1 Beach Erosion

Rob Stevenson spoke about beach erosion. He noted that the beach environment was dynamic and complex, but that the intervention at the eastern end of the beach had been successful. He noted his concerns regarding erosion at the western end of the beach.

Attendance: Councillor Skinner joined the meeting at 9.08am.

Mr Stevenson suggested removing trees and their roots at the back beach to allow sand to freely move, and planting grasses along the back beach in order to encourage dune formation. He said that the high volumes of water moving between the Modeller's Pond and the Channel contributed to erosion at the western end of the beach.

He noted that the draft Annual Plan contained \$65,000 to investigate erosion issues, and encouraged Council to carry out this work.

In response to questions, Mr Stevenson suggested that using hard walls to prevent erosion was not the best solution for the area, and instead suggested using groynes to deflect water movement.

4.2 Parkers Road, Footpaths and Vegetation, the Modeller's Pond and the Tahunanui Community Centre

Joy Shackleton and Judy Robinson spoke about the T-intersection between Parkers Road, Tahunanui Drive and Annesbrook Drive. They said that the busy nature of Tahunanui Drive and Annesbrook Drive made it difficult to turn in from Parkers Road. In response to a question, they clarified that this was an issue throughout the day, but was particularly difficult at peak times.

Ms Shackleton and Ms Robinson also noted that vegetation from gardens was encroaching footpaths in the Tahunanui area. They said this made it difficult for people to navigate footpaths, particularly for parents with pushchairs, or others with mobility difficulties.

With regards to the Modeller's Pond, Ms Shackleton and Ms Robinson explained that it was iconic, and encouraged Council to retain and clean it, rather than fill it in. They suggested that its use as a stormwater overflow made the pond issues worse.

Ms Shackleton and Ms Robinson outlined the programmes currently running from the Tahunanui Community Centre, but suggested that with more space the Centre could run a broader range of programmes. In response to a question, they said they would welcome the opportunity to utilise a neighbouring building for further programmes.

Attendance: Her Worship the Mayor joined the meeting at 9.20am.

4.3 Parking Times and Pedestrian Refuge

Ray Weston spoke about parking restrictions in Tahunanui and how these affected businesses in the area.

He noted that a number of parks in the Tahunanui area were either p30 or p60, but that the nature of many businesses in the area was such that people visiting would require parking for more than 60 minutes.

Mr Weston also spoke about pedestrian safety, and noted difficulties faced by pedestrians attempting to cross Tahunanui Drive. He asked Council to consider installing a pedestrian refuge there, to make it safer for pedestrians to cross.

In response to questions, he said that businesses in the area would likely be in favour of an easement from Beach Road through to Tahunanui Drive, in order to open up more parking options, and noted that there were appropriate areas on the painted median where a pedestrian refuge could be put.

4.4 Cycleways and Modeller's Pond

John Gilbertson spoke about the Modeller's Pond. He suggested that Council received income from businesses and concessionaires operating from Tahunanui Reserve, and suggested that this income be returned into the Reserve. He said that by doing so, there would be an adequate source of funds to restore the Modeller's Pond.

Mr Gilbertson suggested that issues with the Modeller's Pond were compounded by tidal influx and the stormwater system, although he also noted his appreciation of the stormwater system having been installed in Tahunanui. He tabled a series of photographs of the Modeller's Pond (A1180248).

Mr Gilbertson spoke about previous reports regarding the Modeller's Pond by NIWA and the Cawthron Institute, and encouraged Council to follow the conclusions of the NIWA report in order to address the issues with the Modeller's Pond. In response to a question, he said it was worth trialling the proposed solution using fish, but felt that the pond would still need regular cleaning.

Mr Gilbertson also spoke about a recent workshop regarding cycleways in Tahunanui. He said that the workshop had included a cross-section of the Nelson community, but he felt that the Tahunanui community was under-represented at the workshop. He asked Council to re-consult with the Tahunanui community on this issue.

4.5 Open Stormwater Drainage and Parking

Mike Thomas endorsed previous public forum presenters' comments regarding car parking in Tahunanui. He noted the open drain adjacent to the pharmacy, and suggested that covering the drain would free up additional space to be used for car-parking behind the pharmacy.

In response to a question, Mr Weston said that provision for car parking behind the businesses on Tahunanui Drive would alleviate many of the parking problems in the area, however he suggested that there would still be a need for some short stay parks outside some of the businesses fronting Tahunanui Drive.

4.6 Public Excluded Information

Ken Beckett spoke about public excluded information. He noted his concerns regarding business to be conducted in the public excluded session of the meeting, particularly with regards to the Trafalgar Centre.

He noted that a large amount of previously public excluded information in relation to the Trafalgar Centre had been made public subsequent to the March Council meeting, and noted his concern that items on the public excluded status report relating to the Trafalgar Centre for the meeting's agenda appeared in the public excluded table.

The Chairperson explained that the only item in the public excluded agenda was the public excluded status report. He said that the public excluded part of business would be dealt with immediately after the confirmation of the meeting minutes.

5. Confirmation of Minutes – 13 March 2014

Document number A1156828, agenda pages 7-16 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council – Works and Infrastructure Committee, held on 13 March 2014, be confirmed as a true and correct record.

Acland/Davy

Carried

6. Exclusion of the Public

There was a brief discussion regarding the reasons included within the public excluded items table, and it was agreed that these were best discussed during the public excluded part of the meeting.

Attendance: The meeting adjourned from 10.17am to 10.22am.

Resolved

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>Works and Infrastructure – Public Excluded Status Report– 1 May 2014</p> <p>This report contains 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>
	Trafalgar Centre Follow Up report – Short Term Actions		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
	Trafalgar Centre – Update Report		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial activities • Section 7(2)(i) To carry out negotiations
	Washington Valley Property Disposal		<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)(h) To carry out commercial activities

Davy/Copeland

Carried

The meeting went into public excluded session at 10.22am and resumed in public session at 10.40am.

7. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Noonan/Davy

Carried

Attendance: The meeting adjourned for morning tea from 10.40am until 10.57am, during which time Her Worship the Mayor departed the meeting.

8. Status Report

Document number A1150321, agenda pages 17-18 refer.

The Chairperson advised that, during the public excluded part of the meeting, the committee had resolved to move two items from the public excluded status report to the public status report. He advised that the additional two items now forming a part of the public status report were:

Date of meeting/Item	Action Resolution	Officer	Status
12/12/13 Council Trafalgar Centre Follow Up Report – Short Term Actions	THAT Council confirms that up to \$600,000 should be spent on improvements to Saxton Stadium should it prove a viable alternative venue, to be funded from provision made in the 2013/14 Annual Plan for capital works on the Trafalgar Centre;	Alec Louverdis	01/05/14 Work was completed in time to host the first Giants basketball game on 4 April 2014. Minor works will be undertaken to accommodate the Tactix netball game and other events. UNDERWAY
06/03/14 Council Trafalgar Centre – Update Report	THAT the Council invite the project team for the Trafalgar Centre Project to consider and respond to it on any potential engineering solutions and costings which would ensure the Trafalgar Centre can be adequately strengthened to address Council's obligations in relation to public safety; AND THAT the Grant Cameron and Associates report be provided to the Trafalgar Centre Project team on receipt of a signed confidentiality agreement by	Alec Louverdis	01/05/14 The Project team once finalised will meet to progress this issue. UNDERWAY

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	<p>each of the members of the team;</p> <p>AND THAT the Mayor, Deputy Mayor and Chief Executive be authorised to release information to support public communications</p>		
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In response to a question, Mr Louverdis outlined the Trafalgar Centre Project team, and the likely timeframe in which they would be considering potential solutions for the Trafalgar Centre. He said that the outcome of this work would be reported back to Council.

In response to a question regarding the Bata Building demolition, Mr Louverdis outlined discussions that had taken place with Project Butterfly regarding re-use of the mosaic panels that had formed a part of the Bata Building. He outlined Project Butterfly's proposal to re-use the panels in a heritage park, and said a report would be brought to the relevant committee if Project Butterfly decided to pursue the idea further.

Resolved

THAT the Status Report – Works and Infrastructure 1 May 2014 (A1150321) be received.

Noonan/Acland

Carried

9. Chairperson's Report

The Chairperson tabled a report (A1179119).

9.1 Beatson Road

The Chairperson spoke about motorists using Beatson Road as a short-cut to avoid peak hour traffic on Waimea Road.

The importance of consulting with Beatson Road residents prior to undertaking any trial closure periods was emphasised.

Resolved

THAT a staff report be prepared considering the closure of the roundabout exit onto Beatson Road for a trial period of approximately three weeks.

Davy/Barker

Carried

9.2 Joint Regional Transport Committee

The Chairperson spoke about the possibility of forming a Joint Regional Transport Committee with Tasman District Council.

Resolved

THAT a report and draft terms of reference to form a Joint Regional Transport Committee be prepared by staff for consideration by the Nelson City Council Regional Transport Committee.

Noonan/Lawrey

Carried

WATER, WASTEWATER AND STORMWATER

10. Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025

Document number A1163082, agenda pages 19-24 refer.

Senior Asset Engineer – Utilities, Phil Ruffell, presented the report.

10.1 Water Supply Asset Management Plan

In response to a question, Mr Ruffell explained that it was possible to meet the majority of Nelson City Council's water needs from the Maitai supply alone, although it would be difficult to provide a fire-fighting water supply to Champion Road and Wakatu Estate without drawing from the Roding supply. In response to a further question, he outlined the timeframe for application for a further resource consent to draw water from the Maitai River, and confirmed that the maximum resource consent available under the Resource Management Act was 35 years.

There was a discussion regarding the Maitai River. In response to a question, Mr Ruffell outlined a trial currently taking place whereby carbon dioxide was used to lower the ph of water taken prior to going through the filtration system.

In response to a further question, Mr Ruffell explained that changes in the code of practice for fire flows meant that there were some areas which would require an increased number of fire hydrants. He clarified that there was a budget provision for this.

There was a brief discussion regarding unaccounted-for water. In response to a question Mr Ruffell explained how unaccounted-for water was measured, and noted that providing additional meters for separate districts within the city would provide greater clarity as to the point at which water was becoming unaccounted-for.

10.2 Wastewater Asset Management Plan

In response to a question, Mr Ruffell explained that mains water pressure was routinely reviewed to try and reduce unaccounted for water. He explained that regular maintenance was required, for example, to fix dripping taps, to ensure that water did not flow directly from the water system straight into the wastewater system.

In response to a further question, Mr Durrell explained the provision of a dry pipe from Bell Island to the Monaco area, and future uses to which this might be put.

10.3 Stormwater/Flood Protection Asset Management Plan

In response to a question, Mr Ruffell explained the proposal to move to q100 flood modelling as the basis for stormwater designs, and that an equivalent provision was being included in the review of Council’s Land Development Manual.

Resolved

THAT the report Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025 (A1163082) and its attachments (A824126, A824068 and A824368) be received.

Lawrey/Noonan

Carried

Recommendation to Council

THAT the Water Supply, Wastewater, Stormwater/Flood Protection Asset Management Plans 2015-2025 be adopted as the versions to inform the Long Term Plan 2015-2025.

Noonan/Lawrey

Carried

LAND

11. Airport Easement for Purposes of Power

Document number A1160764, agenda pages 25-28 refer.

Attendance: Councillor Barker declared an interest, and took no part in the discussion or decision-making for this item.

Resolved

THAT the report Airport Easement for Purposes of Power (A1160764) and its attachment (A1163463) be received.

Lawrey/Skinner

Carried

Recommendation to Council

THAT the easement in favour of Network Tasman Limited shown on plan LT450260 be granted pursuant to s48 Reserves Act 1977;

AND THAT all legal costs be incurred by Nelson Airport Limited in this matter.

Lawrey/Skinner

Carried

12. Corder Park Reserve Utility Easements

Document number A1157321, agenda pages 29-32 refer.

Resolved

THAT the Corder Park Reserve Utility Easements Report (A1157321) and its attachment (A1135226) be received.

Lawrey/Davy

Carried

Recommendation to Council

THAT the Council consent to granting the easements over reserve land subject to the Reserves Act 1977 under delegated authority from Minister of Conservation.

Noonan/Skinner

Carried

There being no further business the meeting ended at 12.06pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Status Report – Works and Infrastructure 12 June 2014

Date of meeting/Item	Action Resolution	Officer	Status
28/11/13 W&I Committee The Brook Area Walking and Cycling Improvements Project – Public Feedback	AND THAT the proposals shown in Attachment 1 (A580995) be approved for implementation in 2014/15.	Rhys Palmer	12/06/14 Design continuing. UNDERWAY
12/12/13 Council Bata Building Way Forward	AND THAT demolition commences no earlier than late February 2014; AND THAT during the process of demolition, should the successful tenderer be able to easily and without further cost retrieve larger sections of the artwork, that they be requested to do so.	Alec Louverdis	12/06/14 Demolition is complete and the two murals either side of the entrance will be salvaged and stored. COMPLETED
12/12/13 Council Trafalgar Centre Follow Up Report – Short Term Actions *moved from Public Excluded Status Report 1 May 2014*	THAT Council confirms that up to \$600,000 should be spent on improvements to Saxton Stadium should it prove a viable alternative venue, to be funded from provision made in the 2013/14 Annual Plan for capital works on the Trafalgar Centre;	Alec Louverdis	12/06/14 All work in this matter is complete. COMPLETED
06/03/14 Council Trafalgar Centre – Update Report *moved from Public Excluded Status Report 1	THAT the Council invite the project team for the Trafalgar Centre Project to consider and respond to it on any potential engineering solutions and costings which would ensure the Trafalgar Centre can be adequately strengthened to address Council’s obligations in relation to public safety;	Alec Louverdis	12/06/14 The Technical Working Party has met and an update report was provided to the 5 June Council meeting. COMPLETED

Date of meeting/Item	Action Resolution	Officer	Status
May 2014*	AND THAT the Grant Cameron and Associates report be provided to the Trafalgar Centre Project team on receipt of a signed confidentiality agreement by each of the members of the team; AND THAT the Mayor, Deputy Mayor and Chief Executive be authorised to release information to support public communications		

Rocks Road Walking and Cycling Project

1. Purpose of Report

- 1.1 To confirm Council's desire to proceed with the Rocks Road walking and cycling project.
- 1.2 To seek direction on proceeding to public engagement on the Rocks Road walking and cycling project.
- 1.3 To formally adopt any/all of the concept plans for community engagement.
- 1.4 To recommend that plans for public engagement be approved by Council at its 17 July 2014 meeting.

2. Recommendation

THAT the report Rocks Road Walking and Cycling Project (A1201952) and its attachments (A1189936 and A264415) be received.

Recommendation to Council

THAT the Council confirm it does/does not wish to proceed to the next steps with the Rocks Road walking and cycling project;

AND THAT Council approve each concept plan separately;

AND THAT concept plan one (\$9-13M) be/not be approved,

AND THAT concept plan two (\$11-14M) be/not be approved,

AND THAT engagement on concept plan three (\$33-47M) occur only for the purposes of disclosure and that all messaging on this concept reflect its lack of value as compared with the required investment;

AND THAT the engagement plan be presented to Council for approval at its meeting on 17 July 2014;

AND THAT the outcome of the engagement be presented to Council to guide consideration of any future investment.

3. Background

Funding

- 3.1 Government sets its national land transport priorities every three years through the Government Policy Statement. It provides funding to support that programme through the New Zealand Transport Agency (NZTA). NZTA works with regional councils to establish Regional Land Transport Programmes. Nelson City Council, as a unitary authority, develops a regional land transport programme for Nelson through its Regional Land Transport Committee.
- 3.2 While projects are prioritised nationally, the Government previously allocated a proportion of its national land transport funding on a regional basis ('R' funds) and the NZTA allocates this funding to the highest priority projects in the region. Nelson still has 'R' funds available which need to be spent by 2018.
- 3.3 Any transport project is considered by NZTA against contribution to criteria of:
- Strategic fit
 - Effectiveness
 - Efficiency
- 3.4 When the projects were evaluated in 2010, the walk cycle schools package scored a medium against all three (giving it a project profile of MMM and priority 6). In considering projects, NZTA advise that it is usual for projects to have a higher priority but this level is appropriate for the utilisation of R funds.
- 3.5 The walking and cycling study has been developed as a partnership with NZTA as it fits within Nelson City's walking and cycling plan. The project has been 25/75 funded with NZTA.

4. Discussion

NZTA - Level of Service – Rocks Road

- 4.1 NZTA acknowledge the current level of service on Rocks Road is not ideal but, as it is an existing facility, it could be viewed as providing an appropriate standard for now.

- 4.2 NZTA acknowledges it could undertake a standalone project of cycle improvements on Rocks Road as a state highway project but is aware Council has aspirations for the corridor that are wider than transport alone. A standalone project would risk any solution meeting NZTA's transport needs only, e.g. it would have a highway focus, driving improvements for freight, growth and productivity, and safety. Other features such as amenity, crossing points and car parking, may not see improvements, and in fact may see a reduction.
- 4.3 Any improvements made by NZTA would come from R funds.

Key Priorities for Rocks Road

- 4.4 Rocks Road is a state highway, controlled by NZTA as part of the State Highway network across New Zealand.
- 4.5 A walking and cycling package of \$13.04M was included in Council's Regional Land Transport Programme 2012/13 to 2014/15.
- 4.6 Council wishes to improve the function and safety of walking and cycling along Rocks Road as it is a key link in the City's wider walking and cycling network.
- 4.7 In considering any improvements, it should be acknowledged that transportation in constrained corridors is all about trade-offs. An improvement for one user usually affects other user groups. Council needs to determine its key issues with the road, and prioritise the improvements it seeks.
- 4.8 The investigation currently underway is to examine the feasibility of a number of options to improve the function and safety of walking and cycling along Rocks Road.
- 4.9 The 2012/22 LTP assigned \$5.7M to a Rocks Road 4 metre wide shared path project, subject to further evaluation¹.
- 4.10 The 2013/14 Annual Plan stated that the feasibility study on the proposed shared walkway/cycleway around Rocks Road was delayed while the terms of reference were agreed with NZTA, and would now take place in this financial year². \$105,000 was provided for this, a difference of \$145,000 from that forecast for in the LTP³.
- 4.11 The draft 2014/15 Annual Plan states that this project will be phased over three financial years:
- 2014/15 – resource consents
 - 2015/16 – detailed design

¹ Ps61 and 71, 2012/22 LTP

² P9, final Annual Plan 2013/14

³ P67, final Annual Plan 2013/14

- 2016/17 – commencement of construction.

4.12 The narration in the 2014/15 Annual Plan also alerts ratepayers that the project budget of \$5.7M will be insufficient⁴.

Steering Group

4.13 A Rocks Road Steering Group was established comprising of the Deputy Mayor, Cr Rainey, NZTA representatives, Council officers and consultants. This steering group has met with councillors in workshops, as they have sought to advance a number of concepts that could be used for public engagement.

4.14 In developing concepts, the Steering Group has worked to ensure each concept considered the following key principles:

- Increase in walking and cycling use
- Reduction in walking and cycling crashes
- Increased attractiveness of the City.

4.15 The Steering Group presented to a workshop with councillors on 11 March 2014. The findings of the consultant’s investigations were presented, and five options were discussed⁵.

4.16 Councillors were in general agreement that the Steering Group needed to work more on the options. They asked that options be assessed against additional criteria:

- Attractiveness for commuter cyclists
- Tourism
- Residential and space amenity along the route
- On-road loss in carparks
- Attractive facility for recreational users, e.g. those swimming and/or fishing
- Green spaces
- Heritage, especially the chain and stanchion fence
- Crossing points for pedestrians
- Linkages at each end of the project.

4.17 Three revised concepts were considered by the Steering Group, and presented to councillors on 15 May 2014. These are attached as Attachment 1 (A1189936).

⁴ P10 Statement of Proposal, draft Annual Plan 2014/15

⁵ Rocks Road Walking & Cycling Project Report, March 2014, Opus Consultants

Concepts for public engagement

- 4.18 The three concepts are detailed in the table below with indicative rough order costs:

Concept	Detail	Benefits	Cost range	Likely NCC Rates	Likely NZTA 'R' funds
One	On road cycle lanes and widened footpath	Safety benefits; some growth in numbers of commuter cyclists	\$9-13 Million	\$2.2-3.1M	\$6.8-9.8M
Two	Shared path arrangement	Similar safety benefits as (1); growth in patronage greater	\$11-14 Million	\$2.6-3.4M	\$8.4-10.6M
Three	Separated footpath and cycle lanes on seaward side	Walking, cycling numbers increased Greatest safety and amenity gains	\$33-47 Million	\$22.4-36.4M	Up to \$10.6 M

- 4.19 Councillors were in general agreement, and of the view that it was appropriate to proceed to public engagement on the three options as presented; and that given the profile of the project, the engagement plan should be presented to Council prior to the commencement of any engagement.

Financials

- 4.20 The table sets out the broad parameters and benefits for each option. The details are in the concept plans attached.
- 4.21 Council seeks to engage with the public on the proposals and gather their views on the preferred concept. In doing so, Council needs to be mindful of the consequences of engaging on any/all of the concepts.
- 4.22 The costs shown above show the total costs for the project, and the breakdown of rates contribution and 'R' funding. Applying R funding to this project has an effect on all other projects identified in the 'R' funding priority list, ie there will be less available. However, there is a lack of other projects ready to proceed, which would meet NZTA criteria.
- 4.23 The likely investment shown from NZTA is based on forecast potential user benefits – the equivalent of rough order costs – and until detailed design is undertaken, difficult to define. These have not been agreed or audited by NZTA.

- 4.24 NZTA's investment is based on the recognition that this corridor serves many purposes; it is a key route not just as highway but also as part of the walking and cycling strategy. Their funding is for transport purposes and seeks to return transport benefits. A number of the desired outcomes of this project are beyond transport and would therefore be Council's cost.
- 4.25 However, the financial consequences of any choice must be considered by Council. Council's debt profile is currently at \$68M. The 2012 LTP suggested debt would be \$127M (including \$2.9M for Rocks Road) by end 2014/15 financial year, increasing to in excess of \$110M by end of 2014/15 (including \$200,000 for Rocks Road). Significant other projects before Council include investments in the Trafalgar Centre, Nelson School of Music, water and wastewater infrastructure, earthquake strengthening of Council buildings, library building extensions, Saxton Field. In short, the calls on Council's funding are significant.
- 4.26 Whilst all three concepts require Council funding, concept three would add most significantly to that debt profile. Council needs to consider that carefully; engaging on that concept suggests a willingness to consider it. If Council feels it is outside its financial parameters, it should not engage on it.

5. Conclusion

- 5.1 Rocks Road is an important part of the roading network.
- 5.2 Council has a walking and cycling programme whereby it seeks to make its roads safer for walkers and cyclists.
- 5.3 The region has 'R' funding available for the walking and cycling programme. A steering group has worked with consultants to identify three concept plans which Council could now engage with the public on.

Rhys Palmer
Senior Asset Manager – Transport and Roding

Attachments

Attachment 1: Three concepts [A1189936](#)

Attachment 2: Regional Land Transport Programme 2012/15 [A264415](#)

Supporting information follows.

Supporting Information

1. Fit with Purpose of Local Government

This projects falls within the core purpose of local government, as set out in s10, Local Government Act, providing good quality local infrastructure and local public services.

2. Fit with Community Outcomes and Council Priorities

The project aligns with Council's priority to improve pedestrian and cyclist safety in the City.

3. Fit with Strategic Documents

This project aligns with the Transport Activity Management Plan 2012 and the Regional Land Transport Strategy 2009 and Regional Land Transport Programme 2012-2015.

4. Sustainability

The project will promote the use of active forms of transport.

5. Consistency with other Council policies

Not inconsistent with other Council policies.

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

Provision was made in the previous LTP for \$5.7 Million for this project. The Annual Plan 2014/15 makes provision for this project to be phased over 3 years.

7. Decision-making significance

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

8. Consultation

Consultation was undertaken for the Regional Land Transport Programme, the LTP and the public will be engaged on the concept plans.

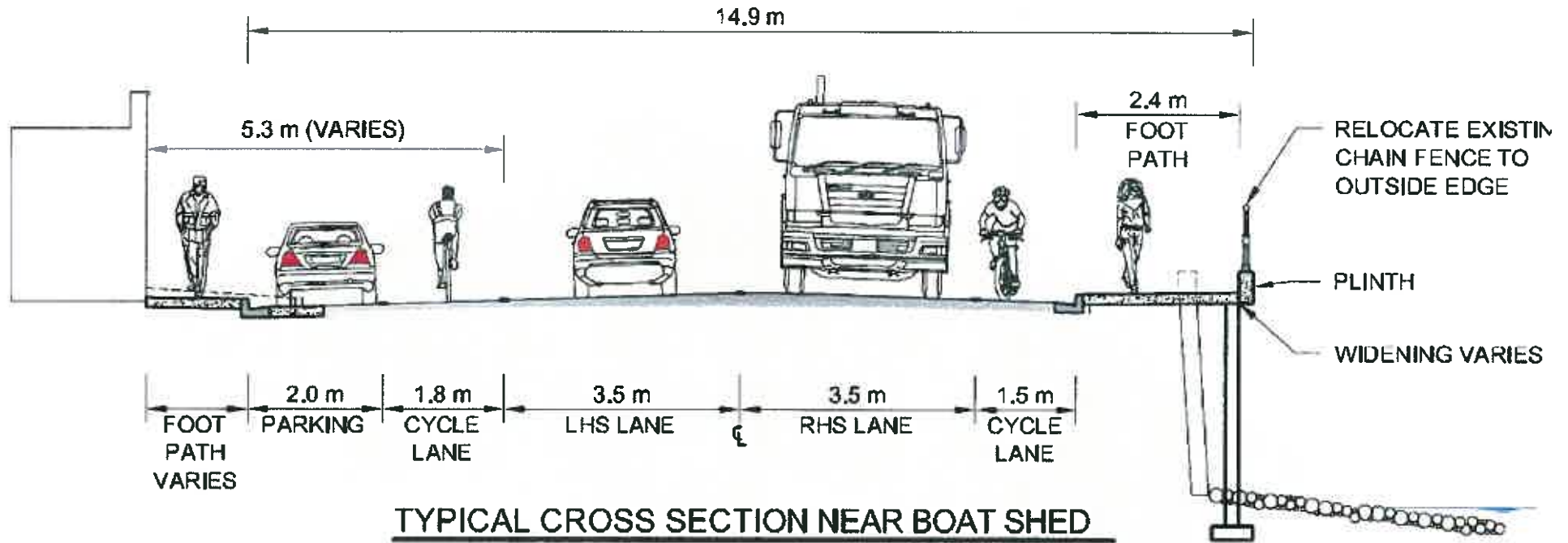
9. Inclusion of Māori in the decision making process

Maori groups have been and will continue to be specifically engaged in this project.

10. Delegation register reference

This is a Council decision.

Concept 1



TRANSPORT



Nelson City Council
te kaunihera o whakatū

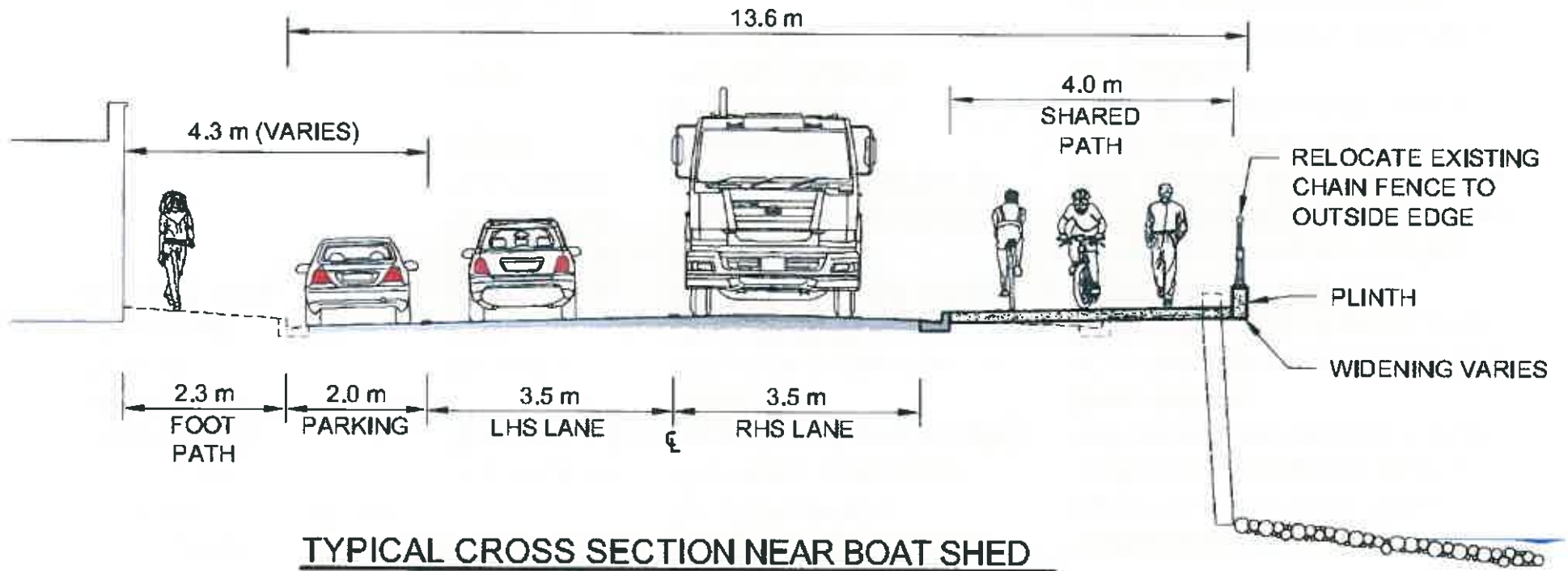
Concept 1

	\$ M	Net Parking Changes	Advantages	Deficiencies
Upgrade on road cycle lanes & 2.4m footpath	\$9 to \$13M	-37 (-13%) (Restaurant Precinct +3) Majority loss at Tahunanui Total current parks 279	<ul style="list-style-type: none"> •Wide and safe facility for pedestrians •Attractive to commuter cyclists •Generally maintains amenity separation, •Least amount of sea wall widening •Provides defacto manoeuvre space for parking •Parking gain in restaurant precinct 	<ul style="list-style-type: none"> •Lowest protection to vulnerable users •Noise mitigation prior to Plant & food to Poynters Cres may be required •Modest parking loss mainly at Tahunanui end •Enhanced crossing points will introduce vehicle travel time delays •Narrows footpath prior to Poynters Cres.

Concept 2



Concept 2



TRANSPORT
PLANNING

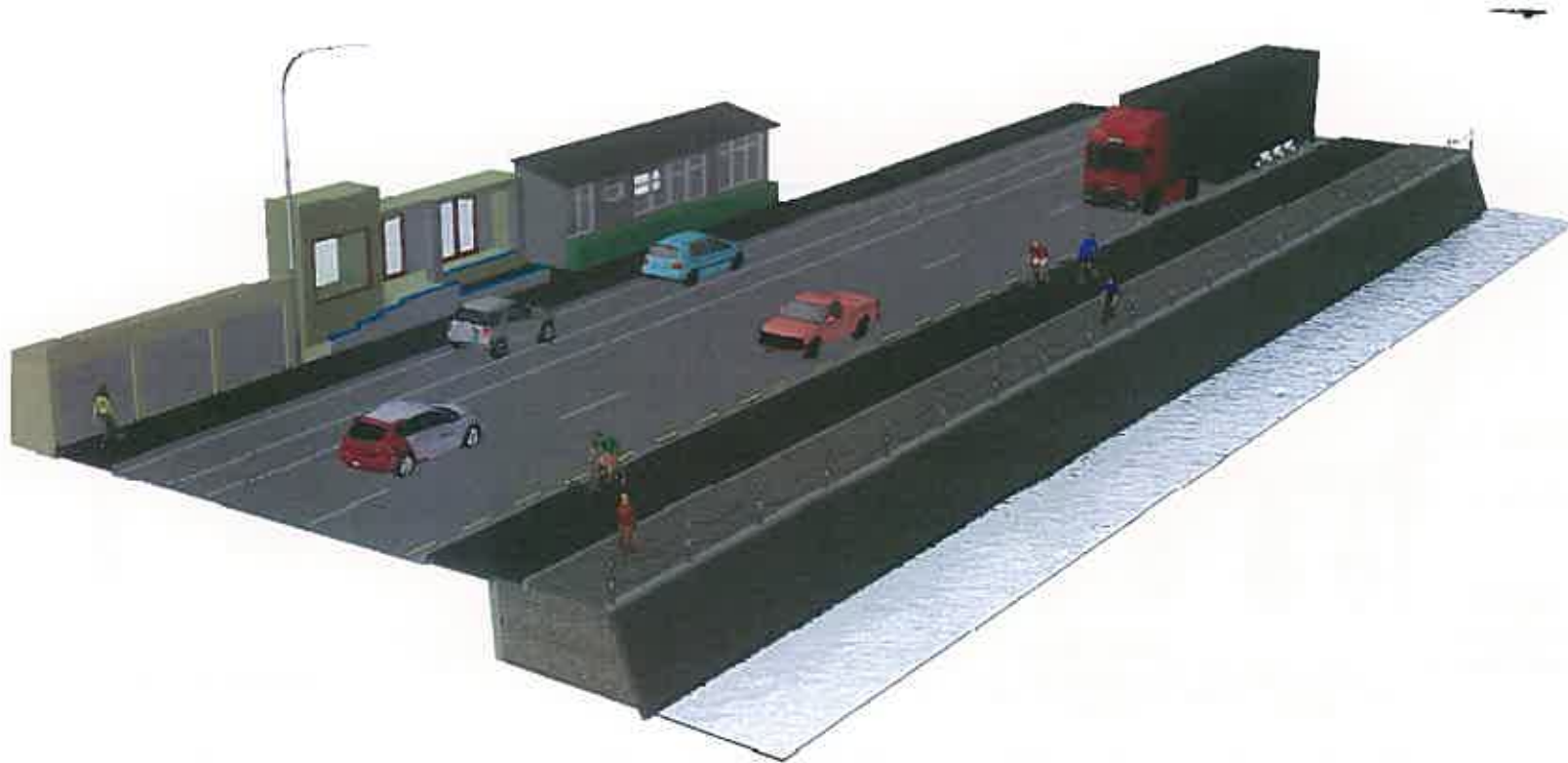


Nelson City Council
te kaunihera o whakatū

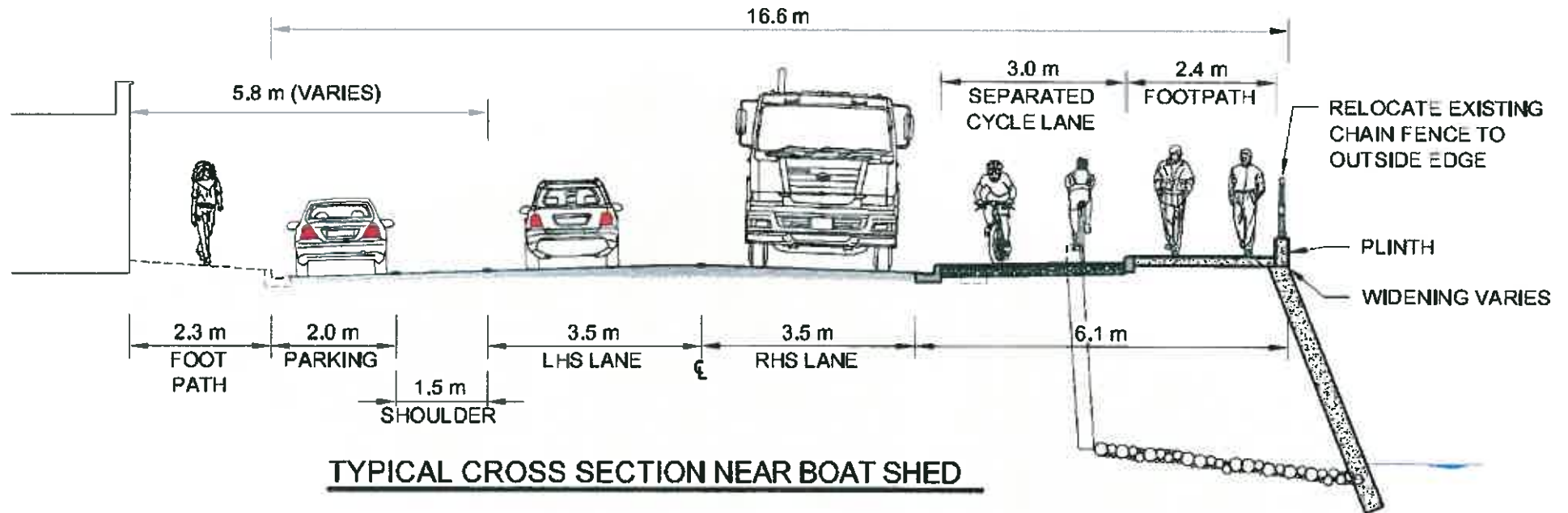
Concept 2

	\$ M	Net Parking Changes	Advantages	Deficiencies
4m shared path with cyclists and pedestrians separated through restaurant precinct area	\$11 to \$14M	-83 (-30%) (Restaurant Precinct +2) Majority loss Fifeshire to Richardson St -43 and Tahunanui Beach Total current parks 279	<ul style="list-style-type: none"> •Wide and safe facility for pedestrians •Provides enhanced protection to vulnerable users •Physical protection for all cyclists •Modest amount of sea wall widening •Through restaurant precinct separation of cyclists from pedestrians •Parking gain in restaurant precinct 	<ul style="list-style-type: none"> •Tahunanui bound cyclists need to cross road twice •Enhanced crossing points will introduce vehicle travel time delays •Conflict between cyclist and pedestrians on shared path •Not attractive to fast moving commuter cyclists •Increased safety risk of rear end crashes by removing on road cycle lane, which is used as manoeuvre space for parking •Reduces amenity separation •Large residential parking loss

Concept 3



Concept 3



TRANSPORT UNIT



Nelson City Council
te kaunihera o whakatū

Concept 3

	\$ M	Net Parking Changes	Advantages	Deficiencies
2.4m footpath and separated 3m bicycle lane and retain amenity separation	\$33 to \$47M	-23 (-8%) (Restaurant Precinct +2) Majority loss Tahuna Beach	<ul style="list-style-type: none"> •Wide and safe facility for pedestrians •No conflict between pedestrians recreational users and cyclists •Will attract the highest number of users •Lowest parking loss •Attractive to commuter cyclists and retains on road shoulder Tahunanui bound. •Maintains amenity separation •Attractive to commuter cyclists 	<ul style="list-style-type: none"> •Significant cost •Significant coastal seabed reclamation with associated environmental impact •Increased safety risk of rear end crashes by removing on road cycle lane city bound, which is used as manoeuvre space for parking. •Enhanced crossing points will introduce vehicle travel time delays

Regional Land Transport Programme for Nelson
2012/13 to 2014/15

29 June 2012



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1. EXECUTIVE SUMMARY

The main purpose of the Regional Land Transport Programme is to identify the transport activities proposed to be undertaken within the Nelson City boundaries between 20012/13 and 2014/15 using national funding that will contribute towards the key issues and targets identified in the Regional Land Transport Strategy and at the same time be consistent with the Government Policy Statement.

Nelson has \$22 million allocated to the region that has to be committed by June 2016. Projects with the highest priority in this document will be funded first. It is unlikely that any remaining projects will be eligible for further government funding once the regional fund is spent, although national funding will still be allocated to other activities such as road maintenance and renewals, and this is shown in further detail in Appendix I.

The New Zealand Transport Agency allocates government funding in accordance with its Investment and Revenue assessment framework. The projects identified in Table 2 of this programme have been prioritised using this framework.

The major projects in the table are:

Project	Total Cost estimate (\$ M)	Total R fund (\$ M)
SH6 Safety retrofit	0.720	0.720
SH6 Stock effluent facility	0.548	0.548
SH6 Nelson to Blenheim/Richmond HPMV	1.148	1.148
NCC - Waimea Road enhancement package	2.349	1.246
NCC - Walking, cycling and schools package	13.044	8.328
NCC - Minor improvements using 'R'	0.906	0.480
SH Property Acquisition	2.803	2.803
SH6 Whakatu Dr / Link Rd roundabout	2.576	2.548
SH6 Quarantine Road I/S	1.414	1.414
SH6 Hillwood Dr Intersection Improvements	1.313	1.313
TOTAL	26.821	20.558

Details of the projects and activities proposed in this programme are provided in Appendix I, II and III. Table 4 in Section 7 shows how the projects and activities proposed contribute towards the issues and targets in the Regional Land Transport Strategy.

Clearly the walk / cycle and schools package uses a significant proportion of the regional funding and is entirely consistent with the Regional Land Transport Strategy and the Government Policy Statements directive of providing a secure and resilient transport network, while the other projects also contribute towards the economic growth and productivity of the region.

2. INTRODUCTION

2.1. Purpose

This document is prepared in accordance with the Land Transport Management Act 2003 by the Regional Transport Committee. The purpose of the Regional Land Transport Programme is to:

- Identify key transport issues in the Nelson region and how transport activities proposed in the Regional Land Transport Programme will address these issues.
- List significant transport activities for national funding that will be undertaken between 20012/13 and 2014/15.
- Give an indication of significant transport activities for 2015/16 to 2021/22.
- Provide a ten year forecast of anticipated revenue and expenditure on transport activities.

2.2. Government Policy Statement

The Government Policy Statement on Land Transport Funding sets out the government's priorities for expenditure from the National Land Transport Fund over the next 10 years. It sets out how funding is allocated between activities such as road safety, policing, state highways, local roads and public transport.

The following three priorities are included in the Government Policy Statement 2012/13 to 2021/22.

A strong and continuing focus on economic growth and productivity. The government's investment in land transport should support increased economic growth and productivity in New Zealand. This includes providing any ongoing support necessary to repair the land transport system in Canterbury over the next three to four years alongside continuing to improve the State highway network, particularly through the Roads of National Significance programme.

Value-for-money. As for other areas of public spending, it is expected that land transport services should be delivered better and smarter. Asset management will be improved to boost the performance of roading infrastructure. Although value-for-money is stressed in Government Policy Statement 2009 its focus is on the initial selection of projects and activities. Government Policy Statement 2012 will make it clear that getting more out of what is spent is an expectation.

Road safety. Road safety is a transport priority for the government. This will be reflected in the Government Policy Statement so that the direction outlined in Safer Journeys, the government's road safety strategy, will be supported through the next National Land Transport Programme.

The Government Policy Statement sets out a number of specific targets known as impacts. In Government Policy Statement 2012, the Minister of Transport intends to continue the impacts set out in Government Policy Statement 2009. These are:

- Improvements in the provision of infrastructure and services that enhance transport efficiency and lower the cost of transportation through:
 - Improvements in journey time reliability
 - Easing of severe congestion
 - More efficient freight supply chains
 - Better use of existing transport capacity
- Better access to markets, employment and areas that contribute to economic growth
- A secure and resilient transport network
- Reductions in road deaths and serious injuries
- More transport choices, particularly for those with limited access to a car
- Reductions in adverse environmental effects from land transport

- Contributions to positive health outcomes

2.3. Background and scope

The Regional Land Transport Programme is essentially a programme of works through which the New Zealand Transport Agency (NZTA) and Nelson City Council bid for funding assistance from the New Zealand Transport Agency. The NZTA administers the National Land Transport Fund and can only allocate funds to activities included in a Regional Land Transport Programme or to national activities.

The lists of activities in this Regional Land Transport Programme were either identified by the Nelson City Council or proposed by the NZTA. There are two categories of activities: those that need prioritising, and those that don't.

Activities requiring prioritisation are:

- All state highway maintenance, renewals, safety and capital projects, local road improvement projects estimated to cost more than \$5M or to be funded using 'R' funds, and improvements to public transport services.

Activities that do not require prioritisation are:

- Local road maintenance, operations and renewals, minor capital activities estimated less than \$5M, and existing public transport activities.

2.4. Consultation on the Regional Land Transport Programme

The following steps are being undertaken in the development of the Regional Land Transport Programme:

1. The Regional Transport Committee carried out an assessment of those activities requiring prioritisation and submitted a draft Regional Land Transport Programme to NZTA by 30 September 2011. NZTA provided feedback on the submission and Council considered the programme further during the Long Term Plan preparation.
2. A consultation process is undertaken by the Regional Transport Committee using the special consultative procedures specified by the Local Government Act 2002. Following public hearings and deliberations on the submissions, a final Regional Land Transport Programme will be developed by the Regional Transport Committee and submitted to the Nelson City Council for adoption.
3. If Council seeks amendments they can submit an unapproved Regional Land Transport programme, along with explanation why they have not approved it. The Council is required to submit the Regional Land Transport Programme to the NZTA by 30 June 2012.
4. The NZTA will consider the Nelson Regional Land Transport Programme and issue the National Long Term Programme by 30 September 2012.

2.5. Area covered by the Regional Land Transport Programme

The Regional Land Transport Programme covers the Nelson City Council region only. It does not include any part of Tasman or Marlborough Districts.

2.6. Period of Regional Land Transport Programme

The Regional Land Transport Programme is a three year document that will remain in force until 30 June 2015 subject to any significant variations undertaken in terms of the Regional Transport Committee's significance policy.

3. CONTEXT

3.1. Regional Land Transport Strategy

This document is consistent with the Regional Land Transport Strategy 2009 where possible, taking into account funding constraints identified by Council in the Long Term Plan.

The Regional Land Transport Strategy is developed taking into consideration the overall legislative and statutory transport framework including elements of:-

- the New Zealand Transport Strategy,
- New Zealand Energy Efficiency and Conservation Strategy,
- Land Transport Act 1998, Land Transport Management Act 2003 and Land Transport Management Amendment Act 2008
- The Nelson Regional Policy Statement and Nelson Resource Management Plan
- A number of NCC plans, policies and strategies identified on page 16 of the Regional Land Transport Strategy 2009

Since the Regional Land Transport Strategy was adopted in 2009, Council has continued to develop the Nelson Resource Management Plan through Plan Changes and the Regional Public Transport Plan. These additional documents have been taken into account in the preparation of this programme.

3.2. Regional land transport programme partners

New Zealand Transport Agency

The Agency's objective is to carry out its functions in ways that will contribute to producing an affordable, integrated, safe, responsive and sustainable land transport system.

The NZTA plays a pivotal role in New Zealand's land transport planning and funding system. Its planning role is expressed through the three-year National Land Transport Programme, which contains all the activities that the Agency has agreed to fund, or anticipates funding, over the duration of the programme.

The NZTA also provides guidance to regional transport committees on the development of Regional Land Transport Programmes. With regards to the development of this Regional Land Transport Programme, the NZTA has two distinct roles to play. These are:

1. The state highways section of the NZTA submits its state highway programme of activities to the Regional Transport Committee for inclusion in the Regional Land Transport Programme. The Regional Transport Committee is required to decide which activities to include in the Regional Land Transport Programme and then prioritise them.
2. The Nelson City Council submits the Regional Land Transport Programme to the NZTA for consideration in the development of the National Land Transport Programme. The NZTA must take into account the regional priorities when deciding on national priorities, but may end up with a different order of priority for activities. The NZTA cannot include anything in the National Land Transport Programme that has not been included in a Regional Land Transport Programme.

Nelson City Council

The role of the Nelson City Council with regard to the Regional Land Transport Programme is as follows:

1. Ensure that the Regional Transport Committee prepares a Regional Land Transport Programme.
2. Consider and approve a Regional Land Transport Programme by 30 June 2012. If not approved the Council must forward the unapproved programme by the same date, along with reasons for not approving it.
3. Ensure that details of the Regional Land Transport Programme are correct in LTP Online and confirm this to the NZTA.
4. Forward copies of the Regional Land Transport Programme to the NZTA and other parties listed in section 18 of the Land Transport Management Act and make it publicly available.
5. Vary the Regional Land Transport Programme in accordance with statutory requirements as necessary.

Nelson Regional Transport Committee

The Nelson Regional Transport Committee includes representation from the Nelson City Council, the NZTA, as well as one cultural representative, and one representative of each of the five objectives listed in the New Zealand Transport Strategy 2008 (economic development, safety and personal security, public health, access and mobility, and environmental sustainability). The purpose of the Regional Transport Committee is to:

- Prepare, review or vary a Regional Land Transport Programme.
- Prepare, monitor and review a Regional Land Transport Strategy.
- Provide advice on transport matters, as and when requested, by the Nelson City Council.

New Zealand Police

NZ Police contribute towards land transport objectives, in particular road safety. These activities range from drink-driving enforcement to community road policing and commercial vehicle enforcement.

The Minister of Transport retains responsibility for approving the funding the police will receive on the recommendations of the NZTA. Regional Transport Committees are required to consider the role of police activities in their Regional Land Transport Programmes when they are developing them, but specific police activities do not form part of the Regional Land Transport Programme.

The Commissioner of Police must also be consulted in the preparation of regional strategies and programmes. The Ministry of Transport is required to monitor and report on the delivery of police activities.

3.3. Significance Policy

Each Regional Transport Committee must adopt a policy that determines significance in respect of variations made to Long Term Plans and Regional Land Transport Strategies.

The Significance Policy is defined below.

If good reason exists to do so, a Regional Transport Committee may prepare a variation to its Regional Land Transport Programme, or Regional Land Transport Strategy during the period to which it applies. A variation may be prepared by a Regional Transport Committee:-

- i) at the request of Council or the NZTA, or
- ii) on the Regional Transport Committee's own motion.

Consultation is not required for any variation that is not significant in terms of the Regional Transport Committees Significance Policy.

The activities listed below are considered significant:-

- Improvement activities that are large and/or complex (over \$5 million estimated construction cost including property, and/or are of high risk and may have significant network, economic and/or land use implications for other regions).
- Any other activity that the Regional Transport Committee considers to be regionally significant.

For clarity set out below are variations to a Regional Land Transport Programme that are considered **not significant** for purposes of consultation:

- Addition of an activity or combination of activities that has previously been consulted on in accordance with sections 17 and 18 of the Land Transport Management Act.
- A scope change to an activity that, when added to all previous scope changes for the same activity, varies less than \$5 million from its cost as shown in the current National Land Transport Programme **and** does not materially change the objective(s) and proposed outcomes of the activity.
- Replacement of activities within an approved programme or group with activities of the same type and general priority.
- Funding requirements for preventative maintenance and emergency reinstatement activities.
- Changes to activities relating to local road maintenance, local road renewals, local road minor capital works, and existing public transport services less than \$5 million.
- Variations to timing, cash-flow or total cost (resulting from costs changes), for the following:
 - Improvement projects.
 - Community-focused activities.
- Transfer of funds between activities within a group.
- End of year carry-over of allocations.
- Addition of the investigation or design phase of a new activity, one which has not been previously consulted upon in accordance with section 18 of the Land Transport Management Act.
- Variations to timing of activities if sufficient reasoning is provided for the variation and such that the variation does not substantially alter the balance of funding or make the Regional Land Transport Programme unaffordable.

4. NELSON'S TRANSPORT ISSUES AND CHALLENGES

This section sets out the land transport issues and challenges facing the Nelson region, as identified in the 2009 Regional Land Transport Strategy. Population growth and associated demands for accessibility, personal mobility and freight movement could place sections of the transport network under increasing strain unless strategies are developed to address these issues. In urban areas, congestion leads to increased travel times, reduced trip reliability and increased costs for users.

The issues described in this section have been categorised by the five objective areas representing Government transport policy, as set out in the New Zealand Transport Strategy. Most issues relate to more than one objective area.

Environmental sustainability

Increased vehicle use has consequences in terms of environmental impacts and sustainability. A heavy reliance on the road network means that these impacts include noise, visual intrusion, air and water pollution, and community severance. Inefficient use of private motor vehicles results in an unsustainable reliance on non-renewable fuels.

Issues:

ES1: Greenhouse gas emissions

ES2: Land use planning impacts on transportation network

ES3: Inefficient use of private cars

Economic development

The transport demand within a region is derived from a need to move freight and people. An efficient transport network that permits the efficient and sustainable flow of freight and people is therefore crucial to the economic vitality of a region.

Issues:

ED1: Inefficient use of the urban arterial road

ED2: Public transport that does not meet people's transport needs

ED3: Low commuter vehicle occupancy rates

Safety and personal security

The increased traffic over the past decade has resulted in an increase in the number of injuries and deaths from motor vehicle crashes; the social cost of crashes in the Nelson region now averages over \$30 million a year. To reduce this cost there is a need to reduce the number and severity of crashes. In addition to motor vehicle crashes, there is a need to improve the safety and personal security of those cycling, walking and using public transport.

Issues:

S1: Trauma resulting from road crashes is unacceptable

S2: High casualty rate amongst pedestrians and cyclists

S3: Personal safety and security

Access and mobility

Accessibility relates to the ability of people to access jobs, education, services and recreational facilities via the transport network and is critical to promoting community wellbeing and the economic development of the region. Heavily trafficked arterial and principal roads create barriers and severance within communities as they are difficult for pedestrians and cyclists to cross, they are less safe and/or pleasant environments for pedestrians and cyclists. High volumes of traffic and increased vehicle speeds on local roads also restrict people's ability to interact in public spaces, increasing isolation.

Issues:

AM1: Accessibility for non-car owning households, the elderly and mobility impaired

AM2: Accessibility for pedestrians across heavily trafficked arterial and principle roads

AM3: Low amenity on local roads reduces the cohesion of local neighbourhoods

Protection and promotion of public health

Regular physical activity significantly reduces the risk of major health problems. The New Zealand Health Strategy sets out a number of goals that are related to transport, including a focus on healthy physical environments, improved access to public transport and the promotion of physical activity.

The negative health impacts of transport include emissions, contaminants, noise and accidents, affecting both physical and mental wellbeing. Recent research indicates that the 'invisible' death toll from road vehicle emissions through respiratory disease exceeds the 'visible' death toll from motor vehicle accidents. For the population aged 30 or over, the total air pollution mortality for (urban) Nelson is assessed as 14.4 deaths per annum of which about 4.3 deaths per annum are associated with vehicle emissions (PM10 and CO). This compares with only one reported motor vehicle crash fatality on an urban road in Nelson in the last three years.

Substantial health benefits will be achieved if even a small proportion of the under 2km trips currently made by car are made by active transport modes such as walking or cycling.

Issues:

PH1: High use of private motor vehicles for short distance trips

PH2: Poor air quality in sensitive environments

Affordability

All projects and measures that are progressed in the region need to provide justification of their benefits, whether they are based on economic, safety, accessibility, health or environmental factors. Projects that make better use of existing infrastructure can defer, or reduce the need altogether, for new infrastructure, resulting in savings.

Issue:

A1: Funding availability

5. THE 2012/13 TO 2014/15 PROGRAMME

This section details the activities programmed for the period 2012/13 to 2014/15. It also outlines those projects that are scheduled for the following six years.

5.1. Projects requiring prioritisation

Regional Transport Committees are required to prioritise activities or combinations of activities that approved organisations submit in their respective land transport programmes (the exception being local road maintenance, local road renewals, local road minor capital works and existing passenger transport services). Consequently this section sets out a prioritised list of the following activities for the first three financial years:

- All state highway activities.
- Major local road improvements (typically over \$5 million).

Council's new public transport service operations are excluded from this list because NZTA have already advised that there is no subsidy available for expansion of operations in Nelson.

5.2. Assessment and prioritisation process

The Regional Transport Committee has decided to use the NZTA's Investment and Revenue assessment framework to determine and prioritise their Regional Land Transport Programme. This involves rating activities across three factors (identified below) to ensure investment contributes to achieving the national priorities and impacts set out in the Government Policy Statement:

- Strategic fit of the problem, issue or opportunity that is being addressed
- Effectiveness of the proposed solution
- Economic efficiency of the proposed solution

The activities are priorities using the above ratings in accordance with Table 1 below.

Table 1 Assessment Profile ranking

The prioritisation process weights the assessment factors in order of

Profile (Strategic fit, effectiveness and economic efficiency)	Priority order
HHH	1
HHM, HMH, MHH	2
HHL, HMM	3
HLH, MHM, MMH	4
LHH, HML	5
HLM, MHL, MMM	6
MLH, LHM, LMH	7
HLL, MML, MLM, LHL	8
LMM, LLH	9
MLL, LML, LLM	10
LLL	11

Table 2 contains the activities prioritised for the period of this Programme.

5.3. Activities of inter-regional significance

In preparing the Regional Land Transport Programme, the Regional Transport Committee is required to identify those projects or activities that are of inter-regional significance. Set out below is a list of projects and activities of inter-regional significance:

- Stock effluent facility (location still to be determined)
- HPMV route NCC04 – Nelson to Blenheim / Richmond
- SH6 Whakatu Dr / Link Rd roundabout

5.4. Activities to be recommended in the three years following the Programme

There are no activities of regional significance known of at this time that are likely to be recommended for inclusion in the National Land Transport Programme in the three years following commencement of this Programme.

5.5. Approved activities not yet complete

There are no activities in the Nelson region that have been approved but are not yet complete.

Table 2 – Prioritised Activities

Priority	Profile	Project	Cost estimate (\$ M)	NCC local share	Proportion - R Fund	PHASES			TOTAL R
						SA/I	D & RC	CONST	
1	HMM	SH6 Safety Retrofit	0.720		0.720			0.720	0.72
2	MMH	SH6 Stock effluent facility	0.548		0.548	0.080		0.468	1.268
3	MMH	SH6 Nelson to Blenheim/Richmond HPMV route 4	1.148		1.148	0.093	0.159	0.896	2.416
4	MML*	<u>NCC - Waimea Road Enhancement Package</u>							
		Waimea / Motueka St intersection	1.224	0.575	0.649			1.224	
		Waimea / Ridgeway intersection	0.935	0.439	0.496	0.06	0.075	0.800	
		Waimea / Market Rd intersection	0.140	0.066	0.074		0.140		
		Waimea Rd widening at Snows Hill	0.050	0.024	0.027	0.050			
		<i>Subtotal</i>	2.349	1.104	1.246				3.662
5	MML*	<u>NCC - Walking , cycling and schools package</u>							
		Waterfront to Annesbrook walk/cycle route	0.050	0.024	0.026	0.050			
		Rocks Rd walk/cycleway	5.700	1.340	4.361	0.220	0.500	5.000	
		(50/50:NCC/Highways & Network Operations)							
		Bishopdale to the Ridgeway shared path	0.390	0.183	0.207		0.040	0.350	
		Cyclelane extension from Clifton Tce to Cable Bay	0.151		0.151	0.151			
		Railway Reserve/Princess Dr extension overbridge	0.500	0.235	0.265	0.050	0.050	0.400	
		Maitai shared path widening (Akerston to Nile)	1.595	0.749	0.845		0.050	1.545	
		City/Maitai to Dunn Mountain trail start	0.530	0.249	0.281	0.030	0.050	0.450	
		Poormans stream walk/cycle improvements	0.083	0.039	0.044		0.030	0.053	
		Other walk/cycle projects -i.e Ridgeway cyclelanes, Maitai Valley Rd on- road cycle improvements (Nile St to Sharlands), Nile St (Tasman to Tory), St Vincent St (Gloucester to Halifax), Suffolk Rd, Halifax St (Haven Rd to Rutherford), CBD Cycle parking facilities, St. Vincent St	0.950	0.447	0.503	0.200		0.750	
		Variable speed signs - local and (HNO)	0.730	0.343	0.387			0.730	
		Tahuanui school							
		Integration activities	0.900	0.423	0.477			0.900	
		School approach and frontage treatments	0.450	0.212	0.239	0.050		0.400	

Priority	Profile	Project	Cost estimate (\$ M)	NCC local share	Proportion - R Fund	PHASES			TOTAL R
						SA/I	D & RC	CONST	
		<u>NCC – Walking , cycling and schools package continued</u>							
		Walkway connections	0.255	0.120	0.135			0.255	
		Lighting study and improvements	0.750	0.353	0.398			0.750	
		<i>Subtotal</i>	<i>13.044</i>	<i>4.715</i>	<i>8.328</i>				11.99
6	MML	NCC – Minor improvements from 'R'	0.906	0.426	0.480			0.906	12.47
7	MMM	SH6 Property Acquisition	2.813		2.813			2.813	15.283
8	MML*	SH6 Whakatu Dr / Link Rd roundabouts	2.576	0.028	2.548	0.266	0.212	2.098	17.831
9	MLH	SH6 Quarantine Road I/S	1.414		1.414		0.212	1.202	19.245
10	MLH	SH6 Hillwood Dr Intersection Improvements	1.313		1.313	0.123	0.203	0.987	20.558
11	MLH	SH6 Rai Saddle second curve realignment	4.798		4.798			4.798	25.356
12	MLM	SH6 Cable Bay Intersection	0.852		0.852			0.852	26.208
13	MLM	SH6 The Glen Intersection Improvements	0.880		0.880	0.186	0.082	0.612	27.088
14	MLM	SH6 Teal River Bridge	2.100		2.100			2.100	29.188
15	MLM	SH6 Whakatu Drive 4-laning northbound	1.467		1.467	0.155	0.212	1.100	30.655
16	MLL*	SH6 Atawhai Drive Intersections	2.558		2.558			2.558	33.213

L* default rating due to lack of a BCR or evidence supporting a BCR

5.6. Funding plan

This section sets out the funding plan for the Regional Land Transport Programme over the next 10 years. The purpose of this funding plan is to demonstrate that the Programme is affordable. The funding plan provides the following information:

- Anticipated revenue and expenditure.
- Annual variation between the total expected cost and the funding expected in each year.
- Cumulative difference between the cost and funding of the programme.
- Cost of activities by activity class.
- Source of funding for each activity class in each year.
- Recommended allocation of Regional funding.

Sources of funding

There are four types of funding that can be applied for activities included in the Regional Land Transport Programme, these are:

- National funding – These are contestable funds distributed across the country by the NZTA
 - Regional funding – These funds are based on a proportion of fuel excise duty and road user charges collected over a 10-year period (2005-2015), and are distributed to the regions by the NZTA on a population basis. Nelson has only spent a small proportion of its available allocation to date. There is approximately \$22M available for allocation through this Regional Land Transport Programme. Projects with the highest funding profile will be funded first using Regional funds. Government requires this funding to be spent by June 2016 otherwise it will revert to the National fund so it is important that this fund is allocated to eligible projects in this Regional Land Transport Programme.
- Contributions from external organisations which contribute towards Councils local share
- Local share – This is funding sourced from Nelson City Council. Council is required to part fund all of its subsidised transport activities, with the proportion of funding received from National or Regional funds based on the regions financial assistance rate which is 43% for maintenance and renewals, and 53% for capital improvements. State highway activities are funded using 100% of the National or Regional funds.

Significant expenditure from sources other than the National Land Transport Fund

The Regional Transport Committee does not envisage any significant expenditure to be sourced from alternative sources to the National Land Transport Fund for any activities over the next three years.

5.7. Financial forecast

Table 3 below sets out the anticipated expenditure over the next 10 years.

Further details of the anticipated expenditure for each activity class over the life of the Regional Land Transport Programme are included in Appendix I.

Table 3 Summary of proposed expenditure by activity class

Organisation name	Activity class name	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Nelson City Council	Transport planning	400,000	255,000	130,000	300,000	300,000	300,000	300,000	300,000	300,000	300,000
	Road user safety	147,000	147,000	147,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
	Walking and cycling facilities	1,373,463	2,700,000	4,480,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
	Public transport services	1,422,778	1,083,468	1,089,468	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000
	Public transport infrastructure	36,030	36,030	36,030	50,000	216,000	31,000	16,000	16,000	16,000	16,000
	Maintenance and operation of local roads	2,605,867	2,571,867	2,571,867	3,400,000	3,400,000	3,400,000	3,400,000	3,400,000	3,400,000	3,400,000
	Renewal of local roads	840,283	840,283	840,283	3,600,000	3,600,000	3,600,000	3,600,000	3,600,000	3,600,000	3,600,000
	New & improved infrastructure for local roads	2,787,253	794,253	1,880,253	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
	NCC Subtotal	9,612,674	8,427,901	11,174,901	11,650,000	11,816,000	11,631,000	11,616,000	11,616,000	11,616,000	11,616,000

Organisation name	Activity class name	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Nelson Highway & Network Operations	Transport planning	125,000	325,000	0	0	0	0	0	0	0	0
	Road user safety	24,000	24,000	24,000	0	0	0	0	0	0	0
	Walking and cycling facilities	800,000	880,000	1,000,000	0	0	0	0	0	0	0
	Maintenance and operation of State highways	3,257,458	3,264,445	3,205,725	3,205,725	3,205,725	3,205,725	3,205,725	3,205,725	3,205,725	3,205,725
	Renewal of State highways	968,010	966,202	960,515	960,515	960,515	960,515	960,515	960,515	960,515	960,515
	New & improved infrastructure for State highways	300,000	900,000	1,700,000	3,300,000	9,100,000	9,800,000	0	0	0	0
	HNO Subtotal	5,474,468	6,359,647	6,890,240	7,466,240	13,266,240	13,966,240	4,166,240	4,166,240	4,166,240	4,166,240
TOTAL	15,087,142	14,787,548	18,065,141	19,116,240	25,082,240	25,597,240	15,782,240	15,782,240	15,782,240	15,782,240	

6.**ASSESSMENT OF RELATIONSHIP WITH POLICE ACTIVITIES**

As required under section 16(2)(b) of the Land Transport Management Act, the Regional Transport Committee has assessed the relationship of police activities to the Regional Land Transport Programme. It is the shared view of both the Committee and the New Zealand Police that the issues, priorities and activities identified in the Regional Land Transport Programme strongly support NZ Police's road safety goals and, vice versa, police activities will make a positive contribution to addressing issues and priorities identified in the Programme.

In particular the police activities to improve safety through education and enforcement contribute strongly to addressing the safety and personal security issues identified in the Programme. The Police are also heavily involved in driver education, other targeted education programmes, and perform an essential role in speed and traffic enforcement.

Liaison between the Police and the Nelson City Council occurs in two main forums. The NZ Police are represented on the Regional Transport Committee and through this are involved in transport planning in the region. The Police are also a part of the Road Safety Action Plan process which meets on a quarterly basis with Council, the NZTA and other local bodies.

7. ASSESSMENT OF THE NELSON REGIONAL LAND TRANSPORT PROGRAMME

The form and content of the Regional Land Transport Programme are based on the requirements as set out in section 16 of the Land Transport Management Act.

Section 16 (2) (a) of the Act also requires the Programme to contain the Regional Transport Committee's assessment of how the programme complies with section 14 of the Act. That is, the Committee must:

- (a) be satisfied that the Regional Land Transport Programme:
 - (i) contributes to the aim of achieving an affordable, integrated, safe, responsive, and sustainable land transport system; and
 - (ii) contributes to each of the following:
 - assisting economic development;
 - assisting safety and personal security;
 - improving access and mobility;
 - protecting and promoting public health;
 - ensuring environmental sustainability; and
 - (iii) is consistent with:
 - the relevant Government Policy Statement; and
 - any relevant regional land transport strategy; and
- (b) take into account any;
 - (i) national land transport strategy; and
 - (ii) national energy efficiency and conservation strategy; and
 - (iii) relevant national policy statement and any relevant regional policy statements or plans that are for the time being in force under the Resource Management Act 1991; and
 - (iv) relevant regional public transport plan; and
 - (v) likely funding from any source.

The Regional Transport Committee has assessed this Programme and find that it has allocated funding in accordance with the NZTA Investment and Revenue assessment framework, and therefore it is consistent with the Government Policy Statement.

The Regional Transport Committee has taken the Regional Land Transport Strategy into account when developing the Regional Land Transport Programme and allocated funding to aspects of the Regional Land Transport Strategy where they are consistent with the NZTA Investment and Revenue assessment framework.

Table 4 identifies the activities funded in this Regional Land Transport Programme that contribute to the issues and targets identified in the Regional Land Transport Strategy.

Table 4 Proposed activities that contribute to the Regional Land Transport Strategy issues and targets

RLTS Issues and targets		Activities that contribute to issue/ target
Economic development 1: Inefficient use of the urban arterial road	Reduce average peak hour travel delays by 10% by 2018 from values recorded in 2008	Improved Public Transport services from March 2012 Waimea Rd / Motueka St intersection improvements State highway capacity improvements at the Quarantine Rd intersection, Whakatu Drive northbound and the SH6 Whakatu Dr / Link Rd roundabout.
Economic development 2: Public transport that does not meet people's transport needs	Increase share of weekday journey to work trips by public transport to at least 10% by 2018	Improved Public Transport services from March 2012
Economic development 3: Low commuter vehicle occupancy rates	Increase number of vehicles with more than one occupant in the peak period across the Waimea Rd / Rocks Rd screen line to at least 10% by 2018	No activities proposed
Safety 1: Trauma resulting from road crashes is unacceptable	Reduce the total number of reported injury casualties by at least 20% by 2018 compared to 2008	SH6 Safety retrofit SH6 Improved driver information Waimea Rd / Motueka St /Ridgeway / Market intersection improvements SH6 Rai Saddle second curve realignment SH6 Hillwood Drive intersection SH6 Cable Bay Rd intersection NCC Road User Safety activities NCC minor improvements
Safety 2: High casualty rate amongst pedestrians and cyclists	Reduce the number of injury pedestrian and cyclist casualties by 20% by at least 2018 compared to 2008	Walking / Cycling / Schools package of activities Princes Drive extension / Railway reserve overbridge
Safety 3: Personal Safety and Security	Assess perceptions of personal safety and security in the NCC annual survey	n/a
Access and mobility 1: Accessibility for non-car owning households, elderly and mobility impaired	80% of households are within 400 metres (five minute walk) of a bus route by 2012	Improved Public Transport services from March 2012
Access and mobility 2: Accessibility for pedestrians across heavily trafficked arterial and principle roads	Develop programme of area specific studies into the barriers to walking and cycling by 2010, initially focussing on the heavily trafficked arterial and principal roads	Rocks Rd pedestrian crossing at bottom of Days Track Walking / Cycling / Schools package of activities
Access and mobility 3: Low amenity on local roads reduces the cohesion of local neighbourhoods	Develop local road upgrade design methodology to improve streetscapes, by 2010	Princes Drive, Tasman St (Cambria to Grove), Halifax St (Tasman to Milton), Todd Bush rd and Tasman St (Nile to Bronte) road upgrades to be designed using the internal roading review team

RLTS Issues and targets		Activities that contribute to issue/ target
Public health 1: High use of private motor vehicles for short distance trips	Increase share of weekday journey to work trips undertaken by walking and cycling to at least 25% by 2018	Walking / Cycling / Schools package of activities
Public health 2: Poor air quality in sensitive environments	Reduce emissions to air from the transport sector by 2018 from values recorded in 2006	Improved Public Transport services from March 2012 Walking / Cycling / Schools package of activities
Environmental sustainability 1: Greenhouse gas emissions	Reduce Nelson's greenhouse gas emissions from the transportation sector 2001 levels by at least 40% in 2020	Improved Public Transport services from March 2012 Walking / Cycling / Schools package of activities
Environmental sustainability 2: Land use planning impacts on transportation network	Every land use change application will be reviewed to determine its consistency with the targets in the Regional Land Transport Strategy	Refer Nelson Resource Management Plan Change 14
Environmental sustainability 3: Inefficient use of private cars	All subdivisions and developments to include provision for walking, cycling and public transport	Addressed through NCC Land Development Manual 2010
Affordability 1: Funding availability	A 75% customer satisfaction rating for value for money in the Transport sector is achieved by 2014, as assessed by the NCC annual survey	Applicable to all activities

8. MONITORING, REVIEWS AND VARIATIONS

8.1. Monitoring reporting and review

The Regional Transport Committee shall monitor the implementation of the Regional Land Transport Programme. Monitoring implementation of the Regional Land Transport Programme will be done in conjunction with the annual monitoring report on the Regional Land Transport Strategy. In addition, the status of each of the activities included in this Programme will be reported on, including progress against timeframes and budgets.

The annual monitoring report will be published and forwarded to the New Zealand Transport Agency, the Commissioner of Police, and will be available to the public in November each year.

Appendix I: Anticipated revenue and expenditure by Activity Class

Organisation Name	Activity Class Name	Project Name	Project Description	Work Category Name	Cost 2012	Cost 2013	Cost 2014	Total Cost for 3 years
Nelson City Council	Maintenance and operation of local roads	Maintenance, Operations and Renewals Programme 2012/15		Sealed pavement maintenance	410667	410667	410667	1232001
Nelson City Council	Maintenance and operation of local roads	Maintenance, Operations and Renewals Programme 2012/15		Unsealed pavement maintenance	45000	45000	45000	135000
Nelson City Council	Maintenance and operation of local roads	Maintenance, Operations and Renewals Programme 2012/15		Routine drainage maintenance	124000	124000	124000	372000
Nelson City Council	Maintenance and operation of local roads	Maintenance, Operations and Renewals Programme 2012/15		Structures maintenance	143000	143000	143000	429000
Nelson City Council	Maintenance and operation of local roads	Maintenance, Operations and Renewals Programme 2012/15		Environmental maintenance	293000	293000	293000	879000
Nelson City Council	Maintenance and operation of local roads	Maintenance, Operations and Renewals Programme 2012/15		Traffic services maintenance	968000	934000	934000	2836000
Nelson City Council	Maintenance and operation of local roads	Maintenance, Operations and Renewals Programme 2012/15		Operational traffic management	78000	78000	78000	234000
Nelson City Council	Maintenance and operation of local roads	Maintenance, Operations and Renewals Programme 2012/15		Cycle path maintenance	60000	60000	60000	180000
Nelson City Council	Maintenance and operation of local roads	Maintenance, Operations and Renewals Programme 2012/15		Network and asset management	484200	484200	484200	1452600
Nelson City Council	Renewal of local roads	Maintenance, Operations and Renewals Programme 2012/15		Unsealed road metalling	58000	58000	58000	174000
Nelson City Council	Renewal of local roads	Maintenance, Operations and Renewals Programme 2012/15		Sealed road resurfacing	602213	602213	602213	1806639
Nelson City Council	Renewal of local roads	Maintenance, Operations and Renewals Programme 2012/15		Traffic services renewals	130070	130070	130070	390210
Nelson City Council	Renewal of local roads	Maintenance, Operations and Renewals Programme 2012/15		Associated improvements	50000	50000	50000	150000
Nelson City Council	Road user safety	Road Safety Promotion 2012/15 - Medium Strategic Fit	Road Safety Promotion 2012/15.	Community safety programmes	147000	147000	147000	441000
Nelson City Council	Transport planning	Regional Land Transport Planning	To undertake legislative requirements to produce a Regional Land Transport Strategy, Regional Land Transport Programme and operate a Regional Transport Committee.	Regional land transport planning management	35000	20000	105000	160000
Nelson City Council	Transport planning	Activity Management Planning 2012/15	Varies: Parking supply and demand monitoring, Retaining wall inspections, Lighting Study, Passenger Transport service review , Signs inventory, Traffic light audit, TRACKS model update (following 2013 National Census).	Activity management planning	165000	185000	25000	375000
Nelson City Council	Transport planning	Arterial Traffic Study outcome - Issues Definition Report	To assess the options available for the protection of the Southern Arterial Transport Corridor including any proposals to modify the Regional Policy Statement, the Regional Land Transport Strategy , the Long Term Plan and the Nelson Resource Management Plan through a Plan Change.	Studies and strategies	50000			50000
Nelson City Council	Transport planning	Parking Strategy	Develop Parking Strategy for the Nelson and Stoke Central Business District.	Studies and strategies	100000			100000

Organisation Name	Activity Class Name	Project Name	Project Description	Work Category Name	Cost 2012	Cost 2013	Cost 2014	Total Cost for 3 years
Nelson City Council	Transport planning	Waimea Road Enhancement Strategy	Develop Corridor Strategy (incorporating liveable arterial recommendations). Consideration of access from Princess Drive extension, including crossing of the Railway Reserve shared path. Consideration of restricting further access over Bishopdale and retaining the 70km/hr speed limit, or permitting access for additional development and reducing the speed limit to 50km/hr. Consideration of reducing the impact of the arterial road on adjacent residential properties and businesses through the consideration of the road as a Liveable Arterial and though improving pedestrian access across the arterial. Establish monitoring regime to record level of service on sides roads entering Waimea Road.	Studies and strategies	50000	50000		100000
Nelson City Council	Ministry of Transport	SuperGold Card Allocations	SuperGold Card Allocations.	Super gold card	78000			78000
Nelson City Council	Public transport services	Public Transport Programme 2012/15		Bus services	337376	337376	337376	1012128
Nelson City Council	Public transport services	Public Transport Programme 2012/15		Passenger transport facilities operations and maintenance	20000	20000	20000	60000
Nelson City Council	Public transport services	Public Transport Programme 2012/15		Total mobility operations	252000	256000	261000	769000
Nelson City Council	Public transport services	Public Transport Programme 2012/15		Total mobility flat rate payments	58000	59000	60000	177000
Nelson City Council	Public transport services	Public Transport Programme 2012/15		Public transport information operations and maintenance	47882	47882	47882	143646
Nelson City Council	Public transport infrastructure	Minor improvements 2012/15	Varies	Passenger transport infrastructure	36030	36030	36030	108090
Nelson City Council	New and improved infrastructure for local roads	Minor improvements 2012/15	Varies	Minor improvements	222253	222253	222253	666759
Nelson City Council	New and improved infrastructure for local roads	Minor Improvements using R funding	Retaining wall replacements supporting roads and seismic bridge strengthening to ensure lifelines to city water supply treatment plant up The Brook Valley and access to city water supply pipeline up Maitai Valley.	Replacement of bridges and other structures	191000	247000	468000	906000
Nelson City Council	New and improved infrastructure for local roads	W/C/S Package - PackageSchools variable speed signs	Variable speed schools signs in 11/12 and 12/13.	New traffic management facilities	370000			370000
Nelson City Council	New and improved infrastructure for local roads	W/C/S Package - Schools variable speed signs	as above	New traffic management facilities	360000			360000

Organisation Name	Activity Class Name	Project Name	Project Description	Work Category Name	Cost 2012	Cost 2013	Cost 2014	Total Cost for 3 years
Nelson City Council	New and improved infrastructure for local roads	W/C/S Package - Streetlighting Improvements	To raise the quality of streetlighting in Nelson, focussing on the safety of all users, encouraging walking/cycling and Public Transport mode shift and arterial traffic.	New traffic management facilities	250000	250000	250000	750000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Bishopdale shared path / Princes Dr extension crossing	Railway Reserve / Princess Drive Extension Overbridge (dependent on Subdivision timing).	Cycling facilities	50000	50000		100000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Bishopdale shared path / Princes Dr extension crossing	as above	Cycling facilities			400000	400000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Bishopdale to The Ridgeway shared path	Link from Bishopdale shared path to the Ridgeway parallel to Waimea Road, over the old railway abutments, under Waimea Road at the Arthur Cotton Bridge and up and along Chings Road to and across The Ridgeway, with a branch connection down the shared path to Jenkins Place and onto Beatson Road and across the Beatson Road roundabout.	Cycling facilities	350356			350356
Nelson City Council	Walking and cycling facilities	W/C/S Package - Bishopdale to The Ridgeway shared path	as above	Cycling facilities	40000			40000
Nelson City Council	Walking and cycling facilities	W/C/S Package - City/Maitai to Dun Mountain trail start	Develop shared path link from the Maitai /City to the start of the cycle trust network at The Brook/Codgers intersection. Route to go along Maitai (track widening along here is a separate project) along Dommett Street, across Nile Street, up Harper Street, along Manuka Street, then left onto Brook Street and all the way up the Brook.	Cycling facilities		450000		450000
Nelson City Council	Walking and cycling facilities	W/C/S Package - City/Maitai to Dun Mountain trail start	as above	Cycling facilities	50000			50000
Nelson City Council	Walking and cycling facilities	W/C/S Package - City/Maitai to Dun Mountain trail start	as above	Cycling facilities	30000			30000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Integration activities	Small projects that compliment the overall walk/cycle/schools package	Cycling facilities	300000	300000	300000	900000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Maitai Shared Path (Akerston Street to Nile Street)	Design in 2011/12, Construction to include linkage under Queen Elizabeth II Drive back up to State Highway and lowering of path under bridge to allow adequate headroom for cyclists. Design and construction of Saltwater Creek bridge widening / replacement to allow 3 metre wide shared path in Year 3 and 5. Nile Street to Collingwood Street path widening, aligned to SW to complete Q50 design of the Maitai so any changes can be incorporated into construction.	Walking facilities		1000000		1000000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Maitai Shared Path (Akerston Street to Nile Street)	as above	Cycling facilities			50000	50000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Maitai Shared Path (Akerston Street to Nile Street)	as above	Cycling facilities			450000	450000

Organisation Name	Activity Class Name	Project Name	Project Description	Work Category Name	Cost 2012	Cost 2013	Cost 2014	Total Cost for 3 years
Nelson City Council	Walking and cycling facilities	W/C/S Package - Maitai Shared Path (Akerston Street to Nile Street)	as above	Cycling facilities	95000			95000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Other walk/cycle projects	Ridgeway cycle lanes may involve removal of on-street parking. Maitai Valley Road on-road cycle improvements (Nile Street to Sharlands). Nile Street (Tasman to Tory). St Vincent Street (Gloucester to Halifax). Ridgeway / Suffolk Road. Halifax Street (Haven Road to Rutherford). Central Business District Cycle parking facilities (Bike Pods), Rocks Road Pedestrian Island , and Wakefield Quay Pedestrian Island and Collingwood / St John Pedestrian Refuge installed in 11/12 and funding application deferred due to moratorium.	Cycling facilities	50000			50000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Other walk/cycle projects	as above	Cycling facilities		300000	450000	750000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Other walk/cycle projects	as above	Cycling facilities	150000			150000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Poormans Stream walk/cycle connection	Provide shared path from Neale Avenue to Main Road Stoke.	Cycling facilities			30000	30000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Poormans Stream walk/cycle connection	as above	Cycling facilities	52994			52994
Nelson City Council	Walking and cycling facilities	W/C/S Package - Rocks Road shared path	Rocks Road walk / cycleway. Investigation to be undertaken by New Zealand Transport Agency and Council on 50/50 basis. Include in the investigation consideration of the condition of the Rocks Road retaining walls and the New Zealand Transport Agency cliff management strategy (831886). Include in the investigation consideration of the heritage status and condition of the Rocks Road chains and stations (refer 814666). Also consider the safety requirements of the railings in terms of safety and building consent compliance.	Cycling facilities	100000			100000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Rocks Road shared path	as above	Cycling facilities		250000		250000
Nelson City Council	Walking and cycling facilities	W/C/S Package - Rocks Road shared path	as above	Cycling facilities			2500000	2500000
Nelson City Council	Walking and cycling facilities	W/C/S Package - School approach and frontage treatments	School approach and frontage treatment to attract more active transport and Public Transport and improve parking and safety at Nile Street (Collingwood to Tasman), Hampden Street (Waimea to Ngatitama), Trafalgar Street (Bronte to Examiner), Vanguard Street (Toi Toi to Motueka), Nayland Road (Langbein to Exeter), Atawhai Crescent and Dodson Valley.	Walking facilities		200000	200000	400000
Nelson City Council	Walking and cycling facilities	W/C/S Package - School approach and frontage treatments	as above	Walking facilities	50000			50000

Organisation Name	Activity Class Name	Project Name	Project Description	Work Category Name	Cost 2012	Cost 2013	Cost 2014	Total Cost for 3 years
Nelson City Council	Walking and cycling facilities	W/C/S Package - Walkway connections	Iwi Road to Atawhai Drive walkway improvements Year 1. Princess Drive /Observatory to Emano Street Year 2. Improve Days Track for cycle pushing Year 3. Remaining projects to be identified.	Walking facilities	55113	100000	100000	255113
Nelson City Council	Walking and cycling facilities	W/C/S Package - Waterfront to Annesbrook roundabout cycle connection	Waterfront to Annesbrook Drive walk / cycle route. Project to find route to improve cycle safety from Rocks Road to the Annesbrook walk/cycle routes. Currently cyclists have no cycle lanes along SH6. Investigation to include on road cycle lanes (probably requiring the removal of parking), the widening of a footpath to enable a shared path, or an alternative route, such as via Muritai Street.	Cycling facilities		50000		50000
Nelson City Council	New and improved infrastructure for local roads	Waimea Road Enhancement Package - Waimea / Motueka Street Intersection Improvements	Install traffic lights at intersection (note this project was deferred from 2011/12 due to New Zealand Transport Agency moratorium on funding).	New traffic management facilities	1224000			1224000
Nelson City Council	New and improved infrastructure for local roads	Waimea Road Enhancement Package - Waimea Road / Market Road Intersection	Scheme assessment, modelling and design undertaken together and earlier than would be otherwise required to enable design early to align with York Valley SW design under the intersection. Further modelling only to be undertaken once the Waimea/Motueka lights have been installed.	New traffic management facilities	50000		90000	140000
Nelson City Council	New and improved infrastructure for local roads	Waimea Road Enhancement Package - Waimea Road / The Ridgeway Intersection	This intersection has been recognised as a high speed, unsafe intersection by Council and the Regional Transport Committee for a number of years although any work on it has been delayed pending the outcome of the ATS. The investigation should include a crash accident analysis, consideration of a roundabout, traffic lights and other intersection improvements. The key driver for this project is safety, although any solution should not, as much as is practical, deliver traffic delays. The design should allow for buses on Waimea Road and The Ridgeway in the future. Consideration of attracting traffic to The Ridgeway through the intersection safety improvements should also be considered. Investigation budget includes \$15,000 for community engagement. The design and investigation should determine the economic efficiency of the project to determine its funding eligibility.	New traffic management facilities	60000	75000		135000
Nelson City Council	New and improved infrastructure for local roads	Waimea Road Enhancement Package - Waimea Road / The Ridgeway Intersection	as above	New traffic management facilities			800000	800000

Organisation Name	Activity Class Name	Project Name	Project Description	Work Category Name	Cost 2012	Cost 2013	Cost 2014	Total Cost for 3 years
Nelson City Council	New and improved infrastructure for local roads	Waimea Road Enhancement Package - Waimea Road widening at Snows Hill	Project required to improve pedestrian safety on busy, narrow footpath beside high volume arterial, to provide cycle lanes and footpath to improve connectivity.	Road reconstruction			50000	50000
Nelson City Council	New and improved infrastructure for local roads	SH6 Whakatu Drive/Saxton Field roundabouts	This project is 1 portion of a project combined with New Zealand Transport Agency and Tasman District Council. The 3 individual portions of the "package" consist of 1. SH6 Whakatu Drive/Saxton Field roundabout optimisation (New Zealand Transport Agency), 2. Main Road Stoke roundabout upgrade (Nelson City Council), 3. Champion Road upgrade (Tasman District Council).	Road reconstruction	60000			60000
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Sealed pavement maintenance	491589	491530	491493	1474612
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Routine drainage maintenance	81750	80250	81000	243000
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Structures maintenance	171938	171938	171938	515814
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Environmental maintenance	189856	188216	186845	564917
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Traffic services maintenance	218723	217590	213625	649938
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Operational traffic management	376059	382248	318444	1076751
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Cycle path maintenance	4365	4496	4631	13492
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Level crossing warning devices	17813	17813	17813	53439
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Network and asset management	733091	738729	751449	2223269
Nelson Highway and Network Operations	Maintenance and operation of State highways	Maintenance, Operations and Renewals Programme 2012/15		Property management (State highways)	781250	781250	781250	2343750
Nelson Highway and Network Operations	Renewal of State highways	Maintenance, Operations and Renewals Programme 2012/15		Sealed road resurfacing	770347	753651	769353	2293351
Nelson Highway and Network Operations	Renewal of State highways	Maintenance, Operations and Renewals Programme 2012/15		Drainage renewals	73800	75075	69300	218175

Organisation Name	Activity Class Name	Project Name	Project Description	Work Category Name	Cost 2012	Cost 2013	Cost 2014	Total Cost for 3 years
Nelson Highway and Network Operations	Renewal of State highways	Maintenance, Operations and Renewals Programme 2012/15		Sealed road pavement rehabilitation	152715	194176	222837	569728
Nelson Highway and Network Operations	Renewal of State highways	Maintenance, Operations and Renewals Programme 2012/15		Structures component replacements	59925	55746	43618	159289
Nelson Highway and Network Operations	Renewal of State highways	Maintenance, Operations and Renewals Programme 2012/15		Environmental renewals	46800	32400	0	79200
Nelson Highway and Network Operations	Renewal of State highways	Maintenance, Operations and Renewals Programme 2012/15		Traffic services renewals	21900	12150	9600	43650
Nelson Highway and Network Operations	Renewal of State highways	Preventive Maintenance Nelson 12/15	Multiple sites proposed for treatment as detailed in the State Highway Preventative Maintenance Programme. The sites identified are those currently assessed as having the highest risk and the action to be taken at each site is the long term least cost option.	Preventive maintenance	104970	104970	104970	314910
Nelson Highway and Network Operations	Road user safety	Road Safety Promotion Nelson 12/15 - High Strategic Fit	New Zealand Transport Agency Highway and Network Operation's (State Highways) contribution to the education component of the regions Safer Journey strategy implementation 2010-2020 plan.	Community safety programmes	24000	24000	24000	72000
Nelson Highway and Network Operations	Transport planning	Activity Management Plan Nelson 12/15	The preparation and improvement of activity management plans for land transport activities.	Activity management planning	218750	218750	218750	656250
Nelson Highway and Network Operations	Transport planning	Nelson HNO Sub-regional Corridor Study	Studies to refine the form of the regional connectors and distributors within the region. Identify any gaps between the existing and expected levels of service and define proposals to close the limited gaps.	Studies and strategies		100000		100000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	Minor improvements 2012/15		Minor improvements	480000	480000	480000	1440000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	Property Acquisition Block and Fees - Nelson	Property acquisition for various small projects, minor improvements, and payment of fee's to property consultants.	Property purchase (State highways)	937500	937500	937500	2812500
Nelson Highway and Network Operations	New and improved infrastructure for State highways	Safety Retrofit - Nelson	Corridor type initiatives focussed on higher risk corridors such as extension of rumble strip strategy, barriers, hazard removal, seal widening and national initiatives such as wide centrelines, speed management, and vehicle activated warning signs.	Road reconstruction	240000	240000	240000	720000
Nelson Highway and Network Operations	Walking and cycling facilities	W/C/S Package - SH6 Clifton Terrace to The Glen off road Shared Pathway	Design and construct an off road shared pathway facility which runs from the northern terminus of the Atawhai Shared Pathway to The Glen. The path will parallel the highway in some areas and be remote from the highway in others.	Cycling facilities	151000			151000
Nelson Highway and Network Operations	Walking and cycling facilities	W/C/S Package - SH6 Rocks Road off road Shared Pathway	Refer Nelson City Council Rocks Road shared path for description.	Cycling facilities		110000		110000
Nelson Highway and Network Operations	Walking and cycling facilities	W/C/S Package - SH6 Rocks Road off road Shared Pathway	as above	Cycling facilities		250000		250000

Organisation Name	Activity Class Name	Project Name	Project Description	Work Category Name	Cost 2012	Cost 2013	Cost 2014	Total Cost for 3 years
Nelson Highway and Network Operations	Walking and cycling facilities	W/C/S Package - SH6 Rocks Road off road Shared Pathway	as above	Cycling facilities			2500000	2500000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Atawhai Drive Intersections	A package of safety improvements to Atawhai Drive intersections (SH6 RS 99/12.1-14.2, between Bayview and Neale Park).	Road reconstruction			1808000	1808000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Cable Bay Road Intersection	Realignment of the side road (Cable Bay Road) onto State highway 6 and provision of a right turn bay and associated works on the state highway.	Road reconstruction			852000	852000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Hillwood Drive Intersection Improvements	Reconstruct existing intersection to provide a right turn bay and left turn in deceleration lane.	Road reconstruction	123000			123000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Hillwood Drive Intersection Improvements	as above	Road reconstruction		203000		203000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Hillwood Drive Intersection Improvements	as above	Road reconstruction			987000	987000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Nelson Stock Effluent Facility Improvements	Construction of a Stock Effluent Disposal system with seal widening to accommodate truck turning movements.	New traffic management facilities		80000		80000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Nelson Stock Effluent Facility Improvements	as above	New traffic management facilities			468000	468000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Quarantine Road I/S	Upgrade of existing roundabout.	Road reconstruction		212000		212000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Quarantine Road I/S	as above	Road reconstruction			1202000	1202000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Rai Saddle Second Curve Realignment	Realignment of several tight curves between the end of the passing lane and the summit of the Rai Saddle on the Nelson side of the hill.	Road reconstruction		2370000	2428000	4798000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Teal River Bridge	To upgrade two intersections and the replacement of the existing Teal River Bridge.	Replacement of bridges and other structures			2099000	2099000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 The Glen Intersection Improvements	Upgrade intersection with dedicated left turn and right turn lanes. Provide lighting to improve night time delineation. Improve vertical geometry of the Glen Road.	Road reconstruction	186000			186000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 The Glen Intersection Improvements	as above	Road reconstruction		82000		82000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 The Glen Intersection Improvements	as above	Road reconstruction			612000	612000

Organisation Name	Activity Class Name	Project Name	Project Description	Work Category Name	Cost 2012	Cost 2013	Cost 2014	Total Cost for 3 years
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Whakatu Drive Northbound Capacity Improvements	Construct an additional northbound lane on Whakatu Drive between Songer Street Overbridge and Quarantine RAB to improve efficiency and capacity and reduce merging and congestion related crashes.	Road reconstruction	155000			155000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Whakatu Drive Northbound Capacity Improvements	Construct an additional northbound lane on Whakatu Drive between Songer Street Overbridge and Quarantine RAB to improve efficiency and capacity and reduce merging and congestion related crashes.	Road reconstruction		212000		212000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Whakatu Drive Northbound Capacity Improvements	as above	Road reconstruction			1100000	1100000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Whakatu Drive/Saxton Fields Roundabout	This project is 1 portion of a project combined with New Zealand Transport Agency and Tasman District Council . The 3 individual portions of the "package" consist of 1. SH6 Whakatu Drive/Saxton Field roundabout optimisation (New Zealand Transport Agency), 2. Main Road Stoke roundabout upgrade (Nelson City Council), 3. Champion Road upgrade (Tasman District Council).	Road reconstruction	206000			206000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Whakatu Drive/Saxton Fields Roundabout	as above	Road reconstruction		212000		212000
Nelson Highway and Network Operations	New and improved infrastructure for State highways	SH6 Whakatu Drive/Saxton Fields Roundabout	as above	Road reconstruction			2098000	2098000

Appendix II: Summary of NZTA state highway projects

Activity Management Plan Nelson 12/15

The development of the State Highway Asset Management Plan and Regional Asset Management Plans including development of levels of service targets and implementation plans, associated demand forecasting, asset performance and service gap analysis, development of forward works programmes, asset valuations, and asset deterioration models (e.g. dTims) and various optimisation processes. The plans and their associated improvement activities will be prepared in accordance with the National Asset Management Steering (NAMS) Groups International infrastructure management manual.

Maintenance, Operations and Renewals Programme 2012/15

To provide targeted transport services to customers using the SH portion of NZ's transport networks. To assist delivery by: providing SH network resilience on security, maintaining the reduction in Fatal and Serious Crashes, operating the SH network so that better use is made of the existing infrastructure and supporting efficient freight supply chains.

The network is in a reasonable condition in most aspects. Our recent levels of maintenance and renewal activities have been sufficient to maintain the network in a constant good condition, however unless targeted efficiency gains are feasible and can be implemented over 2012/15 or input prices rises are significantly below expectations there is an increasing risk over 2012/15 that asset condition will deteriorate and service levels will fall below expectation, and that we will need to increase repair works above budget to maintain state highways in a serviceable condition.

Minor improvements 2012/15

This includes projects to deliver a reduction of fatal and serious injuries on higher risk corridors and intersections.

Activities will be focussed on High Risk Rural Roads and High Risk Urban Intersections where there is a potential to significantly reduce the number of crashes resulting in death or serious injury by providing a low cost intervention.

Nelson HNO Sub-regional Corridor Study

This includes studies to refine the form of the regional connectors and distributors within the region. Identify any gaps between the existing and expected levels of service and define proposals to close the limited gaps.

The studies are targeted at ensuring a coordinated approach to identifying and treating these isolated hotspots that are operating below an acceptable level of service to ensure the need and treatment are appropriate to the corridor form. These can range from efficiency of intersections to assessment of wider issues such as freight efficiency along a corridor or through a network.

Preventive Maintenance Nelson 12/15

Multiple sites proposed for treatment as detailed in the State Highway Preventative Maintenance Programme. The sites identified are those currently assessed as having the highest risk and the action to be taken at each site is the long term least cost option.

The Preventive Maintenance programme is designed to facilitate the NZTA's Statement of intent 2011-14 impact areas. Primarily the area of Network Resilience and Security. Assessing the risks and taking 'preventive' action to avoid damage to and failure of the network is the most efficient option compared to delaying until emergency reinstatement is necessary.

Property Acquisition Block and Fees - Nelson

Property acquisition for various small projects, minor improvements, and payment of fees to property consultants

Road Safety Promotion Nelson 12/15 - High Strategic Fit

NZTA Highway and Network operations (State Highways) contribution to the education component of the regions Safer Journey strategy implementation 2010-2020 plan. Project primarily contributes to road safety education in various forms and promotes improved road user behaviour on the state highway network within the Region. Activities are evidenced based by using tools such as the NZTA Community at risk register, CAS data, and the "Briefing notes/crash analysis reports" (previously known as issues reports). Projects are rated as high strategic fit with medium effectiveness. Key target areas for this funding will be in line with the High Priority areas under the Safer Journey's Action plan to promote safe speeds, safe roads and roadsides, safe vehicles and safe road use. Typical focus areas may include alcohol & drugs, young drivers, speed and motorcycles. If

identified as a high risk area, intersections may be targeted under roads and roadsides. Where evidence highlights heavy commercial vehicles as a high priority for a region there may also be some programmes targeting that group.

SH6 Atawhai Drive Intersections

This project involves a package of safety improvements to Atawhai Drive intersections (SH6 RS 99/12.1-14.2, between Bayview and Neale Park).

The project improves safety by works to an existing intersection, constructing a new intersection, rationalising access to SH by routing 5 intersections and 23 private accesses onto a new local road parallel to SH6, and completing an off road shared path.

SH6 Cable Bay Road Intersection

Realignment of the side road (Cable Bay Road) onto State highway 6 and provision of a right turn bay and associated works on the state highway.

Sight distance for turning vehicles is restricted. Traffic volumes are growing as a result of industrial and rural residential development and increasing the risk of accidents at this intersection. This project will improve safety at this intersection.

SH6 Clifton Terrace to The Glen off-road Shared Pathway

Design and construct an off road shared pathway facility which runs from the northern terminus of the Atawhai Shared Pathway to The Glen. The path will run parallel to the highway in some areas and be remote from the highway in others.

This project forms part of the Nelson City Council Walking and Cycling Strategy to provide a contiguous off road shared pathway from the Nelson CBD to Cable Bay. There is no current pedestrian access and cycle access is via the SH (narrow shoulders/ high traffic volume).

SH6 Hillwood Drive Intersection Improvements

Reconstruct existing intersection to provide a right turn bay and left turn in deceleration lane.

This is a high speed rural intersection with no auxiliary lanes for turning traffic and increasing traffic volumes. This project will improve safety by providing a clear zone through the extension of a box culvert and provision of a guardrail at a large open drain.

SH6 Nelson Stock Effluent Facility Improvements

This project involves the construction of a Stock Effluent Disposal system with seal widening to accommodate truck turning movements. This is an identified site in RCA National Effluent Disposal Site Plan, required for stock movements from region to inter-island ferry and Nelson.

SH6 Quarantine Road I/S

Upgrade of existing roundabout.

This project will increase the capacity, efficiency and improve safety of a key intersection on SH6. Developer contributions are pending.

SH6 Rai Saddle Second Curve Realignment

Realignment of several tight curves between the end of the passing lane and the summit of the Rai Saddle on the Nelson side of the hill.

This project will improve the geometric alignment of SH6 in order to reduce the crash rate

SH6 Teal River Bridge

This upgrade project involves two intersections and the replacement of the existing Teal River Bridge.

This project will address a section of SH with a poorly aligned bridge located between two intersections. The intersections have limited visibility & manoeuvring space and are under increasing pressure due to development. This project will improve safety.

SH6 The Glen Intersection Improvements

Upgrade intersection with dedicated left turn and right turn lanes. Provide lighting to improve night time delineation. Improve vertical geometry of the Glen Road.

This project will improve safety by increasing the sight distances for vehicles turning at this intersection.

SH6 Whakatu Drive Northbound Capacity Improvements

Construct an additional northbound lane on Whakatu Drive between Songer St overbridge and the Quarantine Rd roundabout to improve efficiency and capacity and reduce merging and congestion related crashes.

This project will provide additional capacity that will improve journey times on a key regional strategic highway for Nelson.

SH6 Whakatu Dr / Link Rd roundabout

This project is 1 portion of a "package" project involving two other roundabouts on Tasman District Council and Nelson City Council land. Improvements required to improve SH network.

Safety Retrofit - Nelson

Corridor type initiatives focussed on higher risk corridors such as extension of rumble strip strategy, barriers, hazard removal, seal widening and national initiatives such as wide centrelines, speed management, and vehicle activated warning signs. All activities carried out shall have a BCR greater than 2.0.

Appendix III: Summary of Nelson City Council projects

NCC Walking / Cycling & Schools Package 2012/13 to 2014/15 with NZTA components

Waterfront to Annesbrook Drive walk / cycle route (Investigation and engagement [level 2] - \$50k in Year 2, Design - \$100k in Year 4, Construction - \$250k in Year 5)

- Outcome from ATS decision. Project to find route to improve cycle safety from the beach / Rocks Road to the Annesbrook walk/cycle routes. Currently cyclists have no cycle lanes along SH6. Investigation to include on-road cycle lanes (probably requiring the removal of parking), the widening of a footpath to enable a shared path, or an alternative route, such as via Muritai Street.

Rocks Road walk / cycleway (Investigation and engagement [level 1] - \$220k in Year 1, Design and RC's - 500k in Year 2, Construction in Year 3 - \$5M)

- Investigation to be undertaken by NZTA, engagement to be undertaken by Council, although in reality project will be run by a combined team.
- Take account of the ATS recommendations agreed with NZTA and the final recommendation by Council.
- Determine preliminary design and NZTA funding profile without the retention of the ability to install a peak hour clearway along the SH in the future (subject to NZTA approval of the terms of reference).
- Include in the investigation consideration of the condition of the Rocks Rd retaining walls and the status of the NZTA cliff management strategy.
- Include in the investigation consideration of the heritage status and condition of the Rocks Rd chains and stanchions. Also consider the safety requirements of the railings in terms of safety and building consent compliance.

Clifton Terrace to SH6 / The Glen intersection extension of Atawhai shared walk / cycle path (Investigation and Scheme Plan - \$151k in Year 1).

Waimea Road Enhancement Package 2012/13 to 2014/15

Waimea / Ridgeway Intersection

(Investigation and design - \$60k in Year 1, \$75k in Year 2, Construction - \$800k in Year 3)

- This intersection has been recognised as a high speed, unsafe intersection by Council and the RTC for a number of years although any work on it has been delayed pending the outcome of the ATS. Investigation to improve this intersection may now proceed. The investigation should include a crash accident analysis, consideration of a roundabout, traffic lights and other intersection improvements. The key driver for this project is safety, although any solution should not, as much as is practical, deliver traffic delays.
- The design should allow for buses on Waimea Road and The Ridgeway in the future. Consideration of attracting traffic to The Ridgeway through the intersection safety improvements should also be considered.
- Investigation budget includes \$15k for community engagement.
- The design and investigation should determine the economic efficiency of the project to determine its funding eligibility.

Waimea Road / Market Road Intersection

(Design and engagement - \$50k in Year 1, detailed design \$90k in Year 3, Construction - \$875k in Year 6)

- Scheme assessment, modelling and design undertaken together and earlier than would be otherwise required to enable design early to align with York Valley SW design under the intersection. Further modelling only to be undertaken once the Waimea/Motueka lights have been installed.
- Higher value artwork as prominent location.
- Paramics modelling indicated that improvements to AM peak traffic are available as well as improvement in LOS exiting from Market Road.
- Potential to make Boundary Road left in / left out only, or to close the side road altogether to prevent rat running along the local roads to Vanguard Street.

Waimea Road Widening at Snows Hill

(Design and engagement [level 3] - \$50k in Year 3, Construction - \$750k in Year 5)

- Project required to improve pedestrian safety on busy, narrow footpath beside high volume arterial, provide cycle lanes and a wider footpath
- Project would require some land negotiation regarding the Girls College playing fields and would include some retaining to the existing frittering bank, a suspended footpath over Girls College playing field, along with road markings.

NCC Walking / Cycling and Schools Package 2012/13 to 2014/15

Projects undertaken in 11/12 included in Package

- Bishopdale to the Ridgeway Shared Path – design \$40k
- Variable Speed Signs – installations \$370k
- Other walk/cycle projects – installations - \$150k
- The Brook Shared Path – investigation - \$30k
- Maitai Shared Path - Akerston Street to Trafalgar Street – design \$95
- Poormans Stream Walk / Cycle Improvements -Construction - \$52k

Bishopdale to the Ridgeway Shared Path

(Construction - \$350k in 2012/13)

- Link from Bishopdale shared path to the Ridgeway parallel to Waimea Rd, over the old railway abutments, under Waimea Rd at the Arthur Cotton Bridge and up and along Chings Rd to and across The Ridgeway, with a branch connection down the shared path to Jenkins Place and onto Beatson Rd and across the Beatson Rd roundabout.

Variable Speed Signs

(\$370k in 2011/12)

- Collingwood and Manuka St (St Josephs School), Atawhai Drive (Clifton Terrace school), Waimea Rd, Hampden, Ngatiawa and Van Diemen St (Hampden St school), Marsden Valley Rd (Nelson Christian Academy), Durham St (Birchwood School), Tasman St (Maitai School), Tipahi St (Nelson Intermediate), and Haven Rd (Auckland Point School), refer report 1058544

The Brook Shared Path – City / Maitai to Dun Mountain Trail Start

(detailed design - \$50k in Yr 1, Construction - \$450k in Year 2)

- Path is to link to the Cycle Trust network back to the city and Maitai shared path network.

Maitai Shared Path - Akerston Street to Trafalgar Street

(Construction - \$1M in Year 2, Design - \$50k in Year 3, Construction - \$300k in Year 5)

- Design in 2011/12, additional funding available from HON C2 - \$615k, and from Parks and Facilities Trafalgar Park account.
- Construction to include linkage under QEII Drive back up to SH and lowering of path under bridge to allow adequate headroom for cyclists.
- Design and construction of Saltwater Creek bridge widening / replacement to allow 3m wide shared path in Year 3 and 5.

Maitai Shared Path - Collingwood Street to Nile Street

(Construction - \$450k in Year 3)

- Project from Heart of Nelson, ref C1 - Nile Street to Collingwood Street path widening.
- Project postponed a little to allow SW to complete Q50 design of the Maitai so any changes can be incorporated into construction.

Railway Reserve / Princess Drive extension overbridge

(\$50k in Year 1 and 2 and \$400k in Yr 3– dependent on S/D timing, no design allocated at this stage and estimate very rough)

- Project subject to S/D extending Princess Drive down to Waimea Road, under the route of the Southern Arterial following Councils decision to retain this corridor.
- With construction of road under the proposed Southern Arterial it is proposed that a 4m wide bridge be constructed to enable the railway reserve shared walk /

cycleway to remain level, and prevent unnecessary conflict with princess Drive traffic.

- Note: Council is funding this overbridge to offset the additional cost the developer has agreed to undertake the earthworks and road construction under to allow for a potential future two-lane road to be built on the southern transport corridor (subject to resource consent)

Other Walk / Cycle Projects

(\$50k in Yr 1, \$300k in Yr 2, \$450k in Yr 3)

- Ridgeway cycle lanes – may involve removal of on-street parking.
- Maitai Valley Road on-road cycle improvements (Nile Street to Sharlands).
- Nile Street (Tasman to Tory).
- St Vincent Street (Gloucester to Halifax).
- Ridgeway / Suffolk Road.
- Halifax Street (Haven Road to Rutherford).
- CBD Cycle parking facilities (Bike Pods).

Poormans Stream Walk / Cycle Improvements

(Design - \$30k in Year 3, Construction - \$300k in Year 5)

- Footbridge over Poormans Stream to Primary School in 2011/12.
- Provide shared path from Neale Avenue to Main Road Stoke, currently there is no connection. Likely to be undertaken with SW improvements to the stream.

Walkway Connections

(\$55k in Yr 1 then \$100k / year)

- Iwi Road to Atawhai Drive walkway improvements Year 1, including land purchases.
- Princess Drive /Observatory to Emano Street Year 2.
- Improve Days Track for cycle pushing Year 3.
- Remaining projects to be identified.

School approach & frontage treatments

(Investigation in Yr 1-\$50k, detailed design and build in Yrs 2 and 3 - \$200k/yr)

- School approach and frontage treatment to attract more active transport and PT and improve parking and safety at Nile Street (Collingwood to Tasman), Hampden Street (Waimea to Ngatitama), Trafalgar Street (Bronte to Examiner), Vanguard Street (Toi Toi to Motueka), Nayland Road (Langbein to Exeter), Atawhai Crescent and Dodson Valley.

Miscellaneous Works

- Integration activities (\$300k/yr)
- Includes streetlight improvements (\$250k/yr)

Parking Strategy

(\$100k in Year 1 and Year 7)

- Review parking allocation around all primary, intermediate and secondary schools with a view to optimising parking availability and improving safety around schools.
- Review parking allocation in the CBD, the CBD fringe and Stoke with a view to optimising parking availability, removing superfluous no-stopping lines and enhancing the physical environment.
- Investigate short and long stay parking demand for the CBD and Stoke centre.
- Undertake line marking audit throughout the city with the intent of providing additional parking where it is safe to do so, and removing (or not remarking) no-stopping lines where they are unnecessary under current legislation (i.e. at intersections, across and within 1m of driveways).
- Investigate parking space utilisation along the key arterials and strategic policy on arterial road parking to ensure parking does not impinge on arterial road capacity and safety.

Issues Definition Report
(\\$50k in Year 1)

- Agree the terms of reference for the report with Council and the NZTA to ensure clarity and agreement on scope prior to commencement.
- To assess the options available for the protection of the route of the Southern Arterial Transport Corridor including any proposals to modify the Regional Policy Statement (RPS), the Regional Land Transport Strategy (RLTS), the Long Term Plan (LTP) and the Nelson Resource Management Plan (NRMP) through a Plan Change.
- This report should also consider the continued Council and NZTA ownership of strategic land as a means of ensuring that the Southern Arterial could be implemented in the future.
- Consideration of land use and access along St Vincent Street is required to ensure the integrity of the route isn't undermined by access and development along the corridor.

Minor Improvements

(5% of total maintenance budget annually, local share component is 47%)

- Programme determined annually by prioritisation matrix (based on value for money, pedestrian and cycle safety, traffic volumes etc) within 5 key categories as follows:
 - School related projects – which aid safety and encourage walking, cycling and PT travel near to schools
 - Walking and cycling projects – which aid safety and provide minor walking and cycling linkages
 - Speed issues – known areas where speed complaints are common
 - Safety projects – minor safety infrastructure works
 - Minor minor works – small quick and cost-effective projects needing little design
- Programme signed off by Council and NZTA each year, although priorities are likely to change should NZTA approve the walk cycle schools package as bullet points 1 and 2 above would be funded through that package.

Minor Improvements using 'R' funds

- Champion Tce retaining wall - Replace failing wall supporting road, \$191k in 12/13
Arapiki Rd retaining wall - rebuild collapsing wall supporting road, \$84k in 13/14
Konini St retaining wall - replace collapsing wall supporting road, \$138k in 13/14
Mahoe St retaining wall - replace collapsing wall supporting road, \$375k in 13/14
Westbrook/Brook bridge seismic strengthening - Security of these lifeline bridges to ensure access to city water supply treatment plant up The Brook Valley in case of earthquake 21k +20% (fees, design etc)= 25k in 13/14. Gibbs and Poleford Bridge - seismic strengthening, Security of these lifeline bridges to ensure access to city water supply pipeline up Maitai Valley in case of earthquake, Design and construction in one year as small scope project. Total cost - \$37.5k const + \$40k const + 20% fees, design & supervision = \$93k in 14/15

Appendix IV: Projects not requiring prioritisation

Some activities will not need to be prioritised but must be automatically included in the RLTP as follows:

- *Committed activities:* Commitments arising from approved activities do not have to be prioritised as they have already been accepted by NZTA as approved activities.
- *Local road maintenance and renewals:* Local road 'maintenance' and 'renewals' are classified by the PPFM as local road activities covering the following work categories: sealed pavement maintenance, unsealed pavement maintenance, routine drainage maintenance, structures maintenance, environmental maintenance, traffic services maintenance, operational traffic maintenance, cycle path maintenance, network and asset management, unsealed road metalling, sealed road surfacing, drainage renewals, sealed road pavement rehabilitation, structures component replacements, environmental renewals, traffic services renewals and associated improvements.

Improvements to road infrastructure outside of these work categories are considered to be 'improvement' projects.

- *Local road minor capital works:* These have been determined by the Regional Transport Committee to mean capital projects associated with local roads, including associated property purchase, that meet all of the following criteria:
 - have a capital cost of less than or equal to \$4.5 million
 - are not on a regional arterial road (where classified); or
 - do not use R Funds.
- *Existing public transport services:* Are those activities that fall within the following work categories (as classified in the PPFM): bus services, passenger ferry services, bus and passenger ferry concession fares, passenger transport facilities operations and maintenance, passenger rail services, Total Mobility services, Total Mobility facilities operations and maintenance, wheelchair hoists and Total Mobility flat rate payments.

Existing services also means the level of services in place in the financial year prior to the period to which the RLTP relates, but may include minor changes to those services. Minor changes to services include changes to routes, service frequency or other aspects of service quality with a total cost of:

- < 5% of the current passenger transport annual block allocation; or
- \$250,000 whichever is the greater.

Minor, improved or replaced facilities associated with maintaining existing services up to the levels allowed in the above work categories.

Auckland Point Pedestrian Crossing Safety Improvements

1. Purpose of Report

- 1.1 To confirm the preferred layout and operation type of the Auckland Point pedestrian crossing.

2. Recommendation

THAT the report Auckland Point Pedestrian Crossing Safety Improvements (A1106535) and its attachments (A663472) be received;

AND THAT the zebra crossing on Haven Road at Auckland Point be reconfigured during the 2014/15 financial year to have a single lane in each direction.

3. Background

- 3.1 Council considered the report "Amendment to the Speed Limits Bylaw 2011 (210) – Deliberations" at the 6 August 2013 Council meeting. This report recommended that options for improving safety at the pedestrian crossing on Haven Road at Auckland Point be investigated.

- 3.2 Council resolved at this meeting:

THAT funds be allocated in the current financial year to investigate improving the safety of the pedestrian crossing outside Auckland Point School, while acknowledging Council policy to protect the route of the Southern Arterial.

- 3.3 Between 2006 and 2012 there were 13 recorded crashes outside of Auckland Point School, of which four directly relate to the pedestrian crossing.

- 3.4 New Zealand Transport Agency (NZTA) design guidelines indicate the Haven Road situation should either be narrowed to one lane, have the crossing removed or have it controlled by signals. Chapter 15 of the NZTA Pedestrian Planning and Design Guide includes a table of unsuitable locations for zebra crossings. The first item is multi-lane or divided roads which note the following difficulties:
- Stationary vehicles can obscure pedestrians;
 - Some drivers will overtake a car stopped in another lane.
- 3.5 The preceding curves in the road exacerbate pedestrian visibility issues caused by vehicles already waiting at the crossing. This combined with high vehicle speeds as drivers jostle for lane position means the crossing operates dangerously.
- 3.6 Data obtained from the Police shows that this section of road is among the highest in Nelson in terms of speed camera offences outside a school, at 6.03 per 100 vehicles.
- 3.7 Capacity modelling and safety analysis was undertaken to make recommendations on a technical basis for potential safety improvements to the existing pedestrian crossing. The primary objectives were identified as follows:
- Provide safer crossing for pedestrians;
 - Reduce vehicle speeds on Haven Road to more closely match the posted 50km/h speed limit;
 - The queue of vehicles on the southbound lane must not interfere with the operation of the QEII Drive/Haven Road roundabout;
 - Any solution must enable the route to be developed in the future for the Southern Arterial; and
 - Minimise delay to the through traffic.
- 3.8 A survey of vehicle speeds on Haven Road past the pedestrian crossing has been undertaken. The 85th percentile speed from this survey was measured at 57km/h for southbound traffic and 59km/h for northbound traffic.
- 3.9 The crossing provides a connection between Haven Road and the path that runs around the outside of the Trafalgar Centre which has connections to the CBD and Millenium Path Way and thus forms an important crossing point for both pedestrians and cyclists. A pedestrian survey identified that school use of the crossing is currently low with only four children using the crossing at each end of the school day however the teen parent unit that is co-located at the Auckland Point Primary School generates additional demand.

4. Discussion

Options Considered

4.1 The following options were identified:

Option 1

4.1.1 Single lane zebra crossing – reduce the road widths to a single lane in each direction and retain the zebra crossing;

Option 2

4.1.2 Signalised pedestrian crossing – retain the lane layout and control the crossing with traffic signals;

Option 3

4.1.3 Retain the existing lane layout and zebra crossing control but improve the visibility of the crossing point with flashing warning signs; and

Option 4

4.1.4 Single lane with zebra removed - reduce the road widths to a single lane in each direction, remove the zebra crossing and control the crossing point during school times with a kea crossing.

Capacity

4.2 The first three options are able to operate without interfering with the operation of the QEII Drive/Haven Road roundabout. Option four when a kea crossing is in operation at the start and end of the school day may cause a queue that extends into the intersection once or twice a day.

4.3 Haven Road carries around 18,000 vehicles per day or approximately 1,600 vehicles per hour. Currently this traffic is accommodated on four lanes. The practical capacity of the two lane options is in the order of 24,000 vehicles per day or 2,400 vehicles per hour, thus the options that reduce the layout to two lanes will have adequate capacity.

4.4 Options one and four which both reduce Haven Road to one lane in each direction would primarily be achieved by changing the road markings. This protects Council interest in the Southern Arterial and allows any future change back to four lanes to be undertaken at minimal cost.

Safety

- 4.5 Each of the options and their associated safety benefits are summarised in Table 1 below:

Table 1: Summary of options and benefits

Option Number	Option description	Expected reduction in pedestrian crashes from existing	Pedestrian Level of Service	Change in driver average delay (seconds)	Sensitivity to increased traffic volumes	Estimated cost
1	Single lane zebra crossing	40%-50%	High	Nil	Moderate	\$99,000
2	Signalised pedestrian crossing	50%-60%	Medium	Nil	Low	\$218,000
3	Improve visibility of existing	0%-5%	High	Nil	Low	\$148,000
4	Single lane with zebra removed	50%-60%	Low	-6	Low	\$133,000

- 4.6 Options two and three that retain four lanes will not reduce vehicle speeds on this section of Haven Road.
- 4.7 From a purely technical point of view the option of reducing the carriageway to a single lane and removing the zebra crossing has been identified as providing the largest safety improvement. While this may represent the safest option at a relatively low cost it is not necessarily an option that will be viewed positively by the community or the school management, parents and board of trustees.

Consultation

- 4.8 The consultant sought feedback on the options from the surrounding businesses, school and other relevant stakeholders. Their feedback is summarised in Table 2 over the page:

Table 2: Consultation feedback summary

Submitter	Summary of Submission	Response
Auckland Point School (Principal Sonja Hockley)	Agrees that improvements need to be made. Prefers a signalised option but would like the crossing further toward Maori Road.	Crossing location is fixed by existing location of footpath next to Saltwater Creek.
NZTA	Agrees that improvements are needed. Would be supportive of single lane solution provided capacity at QEII Haven Road roundabout is not compromised.	Modelling shows that options 1, 2 and 3 would meet NZTA's approval.
Nelson Police (Jenni Richardson and Phil Wooding)	Support one laning of the carriageway past each crossing point, especially with regard to reducing vehicle speeds on Haven Road.	One laning of Haven Road is expected to reduce speeds.
Bicycle Nelson Bays (Chris Allison)	Support one laning of the carriageway past each crossing point. Particularly interested in seeing speeds reduced on Haven Road.	One laning of Haven Road is expected to reduce speeds.
Road Transport Forum (Derek Nees)	Does not think there is a problem at this site and does not support any reduction in the number of traffic lanes.	Dual lane options do not provide the same safety benefits or are costly.
Automobile Association (Paul Heywood)	Recognise that safety improvements for pedestrians will be provided by single laning but question whether it is needed given the relatively low number of pedestrians. Do not support any reduction in the number of lanes and prefer a signalised option.	Dual lane options do not provide the same safety benefits or are costly.
Fire Service	No response.	
St Johns	No concerns	No concerns
John Hansen (Property owner)	Concerned that the single laning of Haven Road northern carriageway will make access to 81 and 83 Haven Road more difficult. Wants to see the speed limit reduced.	Reducing carriageway to a single lane is expected to reduce speeds. Width of sealed formation is not changing and in fact will be an increase in space outside the traffic lane which is expected to improve ease of access.
All property owners and occupiers (67-89 Haven Road)	No response.	

5. Conclusion

- 5.1 There is an observed safety deficiency at the Auckland Point zebra crossing on Haven Road due to fast moving traffic and a dual lane configuration obscuring the visibility to pedestrians.
- 5.2 The current traffic volumes on Haven Road plus the expected growth in the short to medium term (until Southern Arterial is progressed) on Haven Road can be comfortably accommodated on two lanes.

- 5.3 It is recommended that the pedestrian crossing at Auckland Point be reconfigured to have single lanes in each direction and retain the existing zebra crossing control as shown in the plan in Attachment 1.
- 5.4 It is recommended that the changes to the crossing be implemented in the 2014/15 financial year and funded from the Minor Improvement budget allocation.

Rhys Palmer
Senior Asset Engineer - Transport and Roading

Attachments

Attachment 1: Auckland Point Pedestrian Crossing Single Lane Zebra Option
Plan [A663472](#)

Supporting information follows.

Supporting Information

1. Fit with Purpose of Local Government

These facilities will improve pedestrian and cycling facilities and is in line with Council's role in providing good quality local infrastructure.

2. Fit with Community Outcomes and Council Priorities

This project aligns with Council's priority to improve pedestrian and cycle safety in the City.

3. Fit with Strategic Documents

The improvement in pedestrian and cycling facilities aligns with the Transport Activity Management Plan 2012 and the Regional Land Transport Strategy 2012-2015.

4. Sustainability

The facilities will encourage the use of active forms of transport.

5. Consistency with other Council policies

No known consequential inconsistencies with other Council policies.

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

Project proposed to be funded from Roothing Minor Improvements budget in 2014/15.

7. Decision-making significance

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

8. Consultation

Initial engagement with the Auckland Point Area residents and businesses has been undertaken. This report takes the responses into account.

9. Inclusion of Māori in the decision making process

Maori groups have not been included specifically in the engagement.

10. Delegation register reference

This is a Works and Infrastructure Committee decision.

Water Supply and Wastewater Bylaws

1. Purpose of Report

- 1.1 To approve public consultation on the draft water supply and wastewater bylaws.

2. Recommendation

THAT the report Water Supply and Wastewater Bylaws (A1181459) and its attachments (A1181512, A1181471, A1181533, A1181535, A1181600 and A1181552) be received;

AND THAT in accordance with section 155 of the Local Government Act 2002 Council determines that making the proposed Water Supply Bylaw is the most appropriate way of addressing the safety and security of supply issues for the Nelson City water supply network;

AND THAT in accordance with section 156 of the Local Government Act 2002 Council agrees to revoke the Nelson City Council Water Supply Bylaw No. 217, such revocation to come into effect upon the adoption of the proposed Water Supply Bylaw 2014 (No. 223);

AND THAT the Statements of Proposal dated June 2014 and the summary of information contained in the Statements of Proposal (documents A1181512, A1181533, A1181600 and A1181552 be approved and advertised using the Special Consultative Procedure (section 83 of the Local Government Act 2002);

AND THAT the Works & Infrastructure Committee hear and deliberate on submissions on the proposed water supply and wastewater bylaws in documents A1181471 and A1181535.

3. Background

Expiry dates of the existing bylaws

- 3.1 The Trade Waste Bylaw (No. 214) came into effect on 1 October 2007 and the Water Supply Bylaw (No.217) came into effect on 13 October 2008.
- 3.2 If a bylaw is not reviewed within five years of taking effect, it is automatically revoked seven years after it came into effect.
- 3.3 Neither of these bylaws were reviewed within five years. That means the Trade Waste Bylaw will be revoked on 1 October 2014, and the Water Supply Bylaw on 13 October 2015. They will not be enforceable after these dates. However, they can be replaced by new bylaws.
- 3.4 The replacement Water Supply Bylaw 2014 and Wastewater Bylaw 2014 are proposed to be adopted in December 2014, which is before the deadline for the Water Supply Bylaw 2008 and shortly after that of the Tradewaste Bylaw 2007. The Water Supply Bylaw 2008 will need to be formally revoked at the time of adopting the Water Supply Bylaw 2014.
- 3.5 Nelson City Council will be without a Tradewaste Bylaw for a period of approximately eight weeks until the replacement bylaw is in place. It is considered that sufficient safeguards exist within sections 192-196 and 224-228 of the Local Government Act 2002, the Building Act 2004 and the Resource Management Act 1991 to provide for the security of the wastewater network for this short period. It is also noted that no enforcement action has been required under the Tradewaste Bylaw since it was adopted in 2007.
- 3.6 Charges for Water and Wastewater services are established under the Annual Plan 2014/15.

4. Discussion

Process for adoption of bylaws

- 4.1 A Councillor workshop on 13 March 2014 considered the draft water supply and wastewater bylaws. These consisted of the existing bylaws, modified to meet current needs. There was agreement at that workshop to reinstate clause (6.1(iii)) in the draft Water Supply Bylaw permitting the driving of motor vehicles on the Maungatapu track. This change has been made, with some additional recognition of the different requirements for two and four wheeled motor vehicles.
- 4.2 The Councillors at the workshop supported bringing Statements of Proposals and draft bylaws to a Committee meeting, seeking approval to carry out formal public consultation.
- 4.3 The Council must carry out public consultation on the draft bylaws before they can be adopted. This involves advertising the availability of the Statements of Proposals (including the draft bylaws), inviting written

submissions on the proposals to adopt bylaws, hearing any submitters who wish to speak to their submission, and deliberating on all the submissions, before making any consequent changes to the bylaws and adopting them.

- 4.4 Section 148 of the Local Government Act 2002 outlines special requirements for bylaws relating to trade wastes. Council must provide for a minimum two month public consultation period (beginning from the date of the first publication of the public notice), with particular emphasis on consulting with owners or occupiers of trade premises, and must also send a copy of the proposed bylaw to the Minister of Health for her/his comments.
- 4.5 Not less than one months' consultation period (beginning from the date of the first publication of the public notice), is required for the draft Water Supply Bylaw.
- 4.6 A draft timeline for the process is shown below, with adoption of both bylaws scheduled for December 2014.

Action	Date
Works and Infrastructure Committee meeting to approve public consultation on the draft water supply and waste water bylaws	12 June 2014
Water Supply Bylaw consultation period	14 June – 21 July 2014
Two month consultation period for Wastewater Bylaw	14 June – 20 August 2014
Hearing of submitters by the Works and Infrastructure Committee	2 September 2014
Works and Infrastructure Committee meeting to make decisions on submissions	16 September 2014
Works and Infrastructure Committee meeting to recommend adoption of the amended bylaws to Council	27 November 2014
Council adoption (via minutes only)	18 December 2014

Statements of Proposals

- 4.7 The Statements of Proposals are shown in Attachments 1 and 3. They both include the following options:
 - Make some changes to the existing bylaws
 - Make no changes to the existing bylaws

- Do not have a water supply or wastewater bylaw

Water Supply Bylaw

- 4.8 The draft Water Supply Bylaw covers the operation, administration and security of the water supply network, including raw water sources.
- 4.9 The administration sections of the bylaw include the terms and conditions of connection to the water supply system – with details of customers’ responsibilities, water meters and charging.
- 4.10 The existing bylaw operates effectively with few issues arising on a day to day basis. The most significant issue is the processing of credits for water losses due to leaks, which has been established under the bylaw and is referenced in both the bylaw and as part of the rates remission policy in the Long Term Plan.
- 4.11 The draft Water Supply Bylaw generally proposes minor changes to the text to remove uncertainties in interpretation. A more significant proposed change is to remove the detail of all fees and charges from the bylaw, including remission and credit criteria, and instead to include these in the financial charges section of future Annual or Long Term Plans. This will avoid the need to go through a change of bylaw every time Council wishes to amend charge or credit criteria.
- 4.12 Section 150 of the Local Government Act enables fees to be prescribed by bylaw or by using the special consultative procedure set out in section 83 of the Local Government Act 2002. Any changes to the charging process would need to be considered in the Long Term Plan 2015-25.

Wastewater Bylaw

- 4.13 The existing Trade Waste Bylaw 2007 controls discharges from trade or industrial processes or operations into the wastewater network. This can also include domestic type wastewater from the trade or industrial site. The current bylaw does not cover wastewater from domestic properties.
- 4.14 In August 2013 the Council resolved that the existing Trade Waste Bylaw should be replaced by a Wastewater Bylaw. The main reason for broadening the bylaw is to enable the Council to use the bylaw to regulate all discharges to the wastewater network, from all properties in Nelson, and remove an uncertainty about the bylaw being restricted to “Trade Premises” and “Trade Wastes”.
- 4.15 This change will help clarify that wastewater from public institutions such as schools, hospitals, retirement homes, and police and defence installations can be regulated by the Wastewater Bylaw.
- 4.16 A wastewater bylaw offers Council the most effective way of dealing with issues of disposal of waterborne wastes from residential and trade premises, and the regulation of the disposal of stormwater to the wastewater network, by enabling the following:

- Monitoring of the nature and number of discharges into the wastewater network;
 - Confirming Council's right to recover the costs of collecting and treating wastewater;
 - The ability to ensure that discharges from Council's network do not compromise the contract with the Nelson Regional Sewerage Business Unit;
 - The ability to prohibit the discharge of stormwater into the wastewater network.
- 4.17 The draft Wastewater Bylaw permits discharge of domestic wastewater to the wastewater network if it complies with the permitted discharge characteristics listed in Schedule A of the bylaw. Any departure from permitted standards will either require a tradewaste permit or will be prohibited.
- 4.18 As with the Water Supply Bylaw, the proposal is to remove detailed fees and charges information from the bylaw, and to instead include it in future Annual and Long Term Plans. A clause is included in the draft bylaw that states customers are "responsible to meet all fees and charges related to the discharge of wastewater from their premises as may from time to time be imposed by the Council and set out in the Annual Plan". It will continue to be an offence under the bylaw not to pay fees and charges.
- 4.19 The trade waste discharge application form in Schedule E of the existing Trade Waste Bylaw is proposed to be removed from the bylaw, and instead made available on the Council's website and through the Customer Service Centre. This will enable Council to make any administrative changes to the form in future, without the need to review the bylaw as a whole.

5. Conclusion

- 5.1 The draft Water Supply and Wastewater Bylaws updates these bylaws to address minor application issues and broadens the regulation of the wastewater network.
- 5.2 Transfer of the fees and charges element of the water supply and wastewater bylaws to the Annual Plan and Long Term Plan will better align these fee setting processes with other Council fees and charges. Removing the application form from the wastewater bylaw will improve the Council's ability to make minor changes without triggering a bylaw review.

- 5.3 Public consultation on the draft Water Supply and Wastewater Bylaws will enable new bylaws to be adopted in 2014, providing for ongoing regulation, related to the provision of these core services.

Phil Ruffell
Senior Asset Engineer - Utilities

Attachments

- Attachment 1: Statement of Proposal – Water Supply Bylaw 223 [A1181512](#)
- Attachment 2: Draft Water Supply Bylaw 223 [A1181471](#)
- Attachment 3: Statement of Proposal – Wastewater Bylaw 224 [A1181533](#)
- Attachment 4: Draft Wastewater Bylaw 224 [A1181535](#)
- Attachment 5: Summary of Statement of Proposal – Draft Water Supply Bylaw 223 [A1181600](#)
- Attachment 6: Summary of Statement of Proposal – Draft Wastewater Bylaw 224 [A1181552](#)

Supporting information follows.

Supporting Information

1. Fit with Purpose of Local Government

Adopting water supply and wastewater bylaws supports the provision of good quality local infrastructure by enabling the Council to:

- control customer activities that impact on the water supply network, and
- control discharges to the wastewater network.

2. Fit with Community Outcomes and Council Priorities

Adoption of a wastewater bylaw enables the Council to avoid impacts on the wastewater network, to minimise risks to public health and pollution of soil and water.

Adoption of a water supply bylaw supports the health of the community by ensuring the integrity of the potable water supply for the city.

3. Fit with Strategic Documents

The draft water supply and wastewater networks are aligned with the Wastewater and Water Supply Asset Management Plans.

4. Sustainability

Controlling impacts on the water supply and wastewater network supports the health of the community and the wider environment.

5. Consistency with other Council policies

Not applicable.

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

Provision of water supply and wastewater services are two of Council's core activities, as outlined in the Long Term Plan and Annual Plans.

7. Decision-making significance

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

8. Consultation

This will be carried out using the special consultative process outlined in section 83 of the Local Government Act 2002.

9. Inclusion of Māori in the decision making process

Māori have not yet been consulted in the preparation of this report and the attached statements of proposals, but will be able to make submissions on the draft bylaws.

10. Delegation register reference

The Works and Infrastructure Committee has delegated authority to approve statements of proposals, and to hear and deliberate on submissions for Special Consultative Procedures falling within the Committee's areas of responsibility.

ATTACHMENT 1



Statement of Proposal to Adopt a Nelson City Council Water Supply Bylaw (Bylaw No. 223)

June 2014

This document constitutes the Statement of Proposal for the purposes of Section 83(1)(a) of the Local Government Act 2002.

1. Introduction

- 1.1. The Nelson City Council Water Supply Bylaw 2008 is due to expire in October 2015. Council proposes to revoke that bylaw and replace it with a new bylaw.
- 1.2. Adopting a replacement water supply bylaw will enable the Council to continue to control customer activities which have the potential to impact on the water supply network.
- 1.3. The draft bylaw is attached to this Statement of Proposal. The draft bylaw consists of the existing Water Supply Bylaw 2008 with suggested changes shown in strikethrough and underlining.

2. Proposal

- 2.1. Council proposes to adopt a new Nelson City Council Water Supply Bylaw 2014 (Bylaw No. 223).
- 2.2. In accordance with section 86(2) of the Local Government Act 2002, when adopting a bylaw the Council is required to include the following in the Statement of Proposal:
 - a) A draft of the bylaw proposed to be made;
 - b) A statement that the existing bylaw is to be revoked;
 - c) The reasons for the proposal; and
 - d) A report of any relevant determinations by Council under section 155 of the Local Government Act 2002.

3. Reasons for the proposal to adopt a Water Supply Bylaw

- 3.1. The existing bylaw is to be revoked as the timeframes for reviewing the bylaw under section 158 of the Local Government Act 2002 have passed.
- 3.1. Adopting a Water Supply Bylaw enables the Council to protect the quality of the urban water supply. Activities which have potential to impact on the water supply are most effectively addressed through bylaw provisions, including:
 - access to the supply via fire hydrants
 - below ground excavations near the water supply network
 - activities in the water supply catchments, including washing or bathing, or depositing refuse or waste material, or spillages which could compromise the water supply.
- 3.2. The draft bylaw also includes provisions related to the supply and metering of water, and the ability to charge for the availability and supply of water to premises. It establishes terms and conditions for connection to the water supply system, including the customer's agreement to pay for the supply of water in accordance with the Council's schedule of rates and charges. These provisions, and the water usage restrictions in the bylaw, enable the Council to manage demand for water, and to restrict supply during water shortages or in emergencies.

- 3.3. The draft bylaw also includes provisions related to connections to the water supply system. It sets out that the Council is not responsible for supplying water at any particular rate of flow or pressure and is not responsible for any loss, damage or inconvenience that may arise as a result of any interruption in the supply of water. This avoids liability issues.
- 3.4. It is an offence against this bylaw to interfere with the water supply network either directly or indirectly, or to waste water. This helps the Council to protect the quality and quantity of the urban water supply.
- 3.5. Where breaches of the bylaw occur, Council can restrict or disconnect water supply, and can also prosecute any person offending against the bylaw.
- 3.6. A proposed change from the existing water supply bylaw is to remove the specific detailing of fees and charges, including remission and credit criteria, from the bylaw and allow them to be dealt with under the financial charges section of future Annual or Long Term Plans rather than within the bylaw. This will avoid the need to go through a change of bylaw every time Council wishes to amend the charges or credit criteria.

4. Issues and options to address them

- 4.1. In developing a draft Water Supply Bylaw, the Council considered how best to address the issues identified in section 3 of this Statement of Proposal.

4.2. Option A

Council's preferred option is to adopt a new Water Supply Bylaw which is an amended version of the existing Water Supply Bylaw 2008. The draft bylaw is attached to this Statement of Proposal.

4.3. Option B

Council also considered the status quo option of adopting a new Water Supply Bylaw that is the same as the Water Supply Bylaw 2008. The disadvantage of this option is it is not aligned with the Council's process for setting other fees and charges, through the Annual Plan/Long Term Plan. Any changes to the fees and charging regime would trigger a review of the whole bylaw.

This option does not allow for minor changes to the 2008 bylaw to remove uncertainties in interpretation.

4.4. Option C:

Another option is to not have a water supply bylaw. This option is the least acceptable because it removes the Council's ability to regulate activities that could impact on the quality and quantity of the urban water supply.

5. Ability to make bylaws related to water supply

- 5.1. Section 146(b)(ii) of the Local Government Act 2002 provides for a territorial authority to make bylaws for its district for the purposes of managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of, the land, structures, or infrastructure associated with water supply.

6. Section 155 of the Local Government Act 2002

- 6.1. Section 155 (1) of the Local Government Act 2002 requires a local authority to determine whether a bylaw is the most appropriate way of addressing a perceived problem.
- 6.2. It is not a legal requirement to have a water supply bylaw. However, as outlined in section 3 of this Statement of Proposal, there are a number of potential risks to the water supply system which are most appropriately addressed through a bylaw.
- 6.3. The bylaw regulates activities which pose a risk to the quality of the water supply. In addition, metering and charging for water based on the volume used has significantly reduced peak demand since this was established in 1999. Managing water demand helps the Council to meet the conditions of the resource consents to take water from the Maitai and Roding rivers for the urban water supply.
- 6.4. Section 155 (2) states that if a local authority has determined that a bylaw is the most appropriate way of addressing the perceived problem, it must, before making the bylaw, determine whether the proposed bylaw –
- a) Is the most appropriate form of bylaw, and
 - b) Gives rise to any implications under the New Zealand Bill of Rights.
- 6.5. The draft Water Supply Bylaw 2014 is the most appropriate form of bylaw because it meets the following tests:
- It is authorised by statutory authority under section 146(b)(ii) of the Local Government Act 2002
 - It is not repugnant to the general laws of New Zealand
 - The bylaw is certain and provides clear direction
 - The bylaw is reasonable
 - The bylaw is not overly restrictive, onerous on any person, or impractical.

7. Does the Proposed Bylaw give rise to any implications under the New Zealand Bill of Rights Act 1990

- 7.1 Part 2 of the New Zealand Bill Of Rights Act (the "Act") sets out 20 rights that are affirmed and protected, subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society" (section 5 of the Act). Section 18 (freedom of movement) of the Act is particularly relevant because the draft Water Supply Bylaw proposes to restrict activities within the water reserves. However, the proposal is consistent with section 18 of the Act because walking, jogging and biking on existing tracks is permitted within these areas, as is driving a two wheeled motor vehicle on the Maungatapu Track. People can also apply for permits to carry out the following restricted activities within the water reserves catchments:

Activities permitted in catchments pursuant to a permit

No person shall carry out any of the following activities within any catchment without first obtaining a permit from the Council or its approved agent, authorising the same:

- i) Camping*
- ii) Hunting, trapping, shooting or fishing or carrying any rifle or other hunting or fishing equipment*
- iii) Distributing or removing any soil rock or tree, shrub or other vegetation*
- iv) Removing any mineral or any artefact or historic object*
- v) Lighting or maintaining any fire other than in a barbeque or other contained cooking apparatus*
- vi) Using pesticides or other poisons or toxic substances other than personal insect repellents*
- vii) Using the Maungatapu Track for organised motor sport or other four wheeled motor vehicle activity*
- viii) Walking any dog or taking or allowing any livestock into any area*
- ix) Walking/jogging/biking off existing tracks.*

Prohibited activities

No person shall in any catchment carry out any of the following activities:

- i) Washing or bathing in any natural water*
- ii) Depositing any refuse or waste material of any kind, including defecating, in other than an authorised facility*
- iii) Damaging or destroying any artefact or historic place or object*

8. Submissions

- 8.1. Any person or organisation is welcome to make a submission on this Statement of Proposal to adopt a Nelson City Council Water Supply Bylaw (Bylaw No. 223). Council will be taking account of all submissions made when it decides on the final content of the Water Supply Bylaw.
- 8.2. Submissions must be received by Council no later than 4.00pm on Monday, 21 July 2014.
- 8.3. A submission form is available on the Nelson Council website www.nelson.govt.nz or can be obtained from Nelson City Council offices at 110 Trafalgar Street Nelson.
- 8.4. Submissions can also be sent in letter or email form and should be:

Posted to: Water Supply Bylaw Consultation
 Nelson City Council
 PO Box 645
 Nelson 7040

Or emailed to: submissions@ncc.govt.nz

Please state in your submission whether or not you wish to speak at a hearing in support of your submission.

- 8.5. Submitters should note that their submission will be copied and made available to the public after the submission period closes.
- 8.6. Council will contact all submitters who wish to be heard, in writing to advise the confirmed time, date and venue of the hearing.
- 8.7. All enquiries should be directed to Phil Ruffell, Senior Asset Engineer - Utilities, on telephone 545-8739 or by email to phil.ruffell@ncc.govt.nz.

9. Related Documents

- 9.1. The Nelson City Council Draft Water Supply Bylaw (Bylaw No. 223) is attached to this Statement of Proposal. Additional copies are available to view or download from the Nelson City Council website www.nelson.govt.nz (search phrase = draft water supply bylaw).
- 9.2. Copies of the Nelson City Council Draft Water Supply Bylaw (Bylaw No.223) are available free of charge from the customer service centre at Civic House, or on request.

ATTACHMENT 2



DRAFT WATER SUPPLY BYLAW (NO. 223)

June 2014

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~~Incorporating amendments approved by Council Resolution 17 March 2011.~~

1.0 PREAMBLE

The Nelson City Council, in pursuance of the powers and authorities vested in it by the Local Government Act 2002, The Bylaws Act 1910, The Health Act 1956, and all other Acts, powers and authorities enabling it in that behalf, hereby makes the following bylaw.

2.0 SHORT TITLE AND COMMENCEMENT

These bylaws may be cited at the Nelson City Council Water Supply Bylaw ~~2232008~~.

These bylaws come into effect on the [day and date] ~~13th day of October 2008 and will be reviewed by December 2019.~~

3.0 REPEALS AND SAVINGS

The following bylaw is hereby ~~repealed~~ revoked.

The Nelson City Council Bylaw 199/99 "~~Water Supply~~". Water Supply Bylaw No 217 (2008)

The ~~repeal~~ revocation of the bylaw mentioned above shall not affect any document made, signed or acknowledged, or anything done or suffered, or any appointment, right or benefit created or conferred under or by virtue of such bylaws.

4.0 INTERPRETATION

AIR GAP SEPARATION means a minimum vertical air gap between the outlet of the water supply fitting which fills a storage tank, and the highest overflow water level of that storage tank.

ANNUAL PLAN means the document produced by Council in compliance with Section 95 of the Local Government Act 2002.

APPROVED means approved in writing by an officer of the Council authorised for that purpose and approval has a corresponding meaning.

BACKFLOW means a flow of water or other liquid through any service pipe or supply pipe in a reverse direction to the normal supply flow.

CATCHMENT AREA means an area of land under the control of the Council from where a public water supply is drawn.

CITY means the territory contained within the City of Nelson as defined in Part 2 of Schedule 2 to the Local Government Act 2002.

CONNECTION means the installation of the service pipe and associated permanent fittings for the provision of water to any premises.

COUNCIL means the Nelson City Council, or any officer delegated the authority to exercise the powers of the Council under this bylaw, and includes any person authorised by the Council or an officer to undertake any work in relation to the water supply system.

CUSTOMER means any person who has made application for and obtained a permit to connect any premises in respect of which they are the ratepayer, to the water supply system, and includes the owner of the premises; and in respect of any vacant allotment means the owner thereof.

DIRECT CONNECTION includes any underwater outlet or any arrangement of pipes, hoses, or fittings temporary or otherwise, which renders possible back flow into the water supply system and directly connected has a corresponding meaning.

DISCONNECTION means the physical cutting off of the water supply to any premises.

DOMESTIC SUPPLY means the supply of water to a customer to be used solely for domestic purposes (that is to say water for the use of the customer, the customer's family and up to 4 other persons, all of whom constitute and conduct themselves as one household, for drinking, for ordinary personal ablution, for cooking, for washing linen or clothes, for washing or cleansing floors, windows, domestic or other furniture or utensils or any part of the consumer's dwelling house or premises, and for water closets, baths, and urinals except automatic flushing water closets and urinals). Such purposes shall also include the use of a hose for:

- i) Washing down a car, boat or other contrivance
- ii) Garden watering by hand or by sprinkler
- iii) Filling a spa or swimming pool of less than 100m³ capacity

And may include use in a fire sprinkler system installed in accordance with the appropriate standards for a domestic sprinkler system.

EXTRAORDINARY SUPPLY means any water supplied from the waterworks which is used for purposes other than that of a domestic supply.

FIRE HOSE REEL means a hose, permanently connected to the supply pipe on the customer's premises side of the water meter.

FIRE SPRINKLER SYSTEM means the system of pipes fitted with sprinkler nozzles which open by extraordinary rise in temperature to automatically drench an area for the purpose of extinguishing fire. ~~and is maintained with a superimposed pressure so that an alarm is actuated when a nozzle opens allowing the pressure to fall to mains pressure.~~

PERSON includes a corporation sole and also a body of persons whether corporate or not.

POINT OF METERING is the point at which the meter serving any premises is placed. Typically this will be at the point of supply but it may be situated anywhere along the supply pipe.

POINT OF SUPPLY means the termination point of the Service Pipe, where the service valve is located, as determined by the Council. This marks the boundary of responsibilities between the customer and the Council. Such point may or may not relate to the boundary of the customers' premises or the point of metering.

PREMISES means:

- a) Any property or allotment, or part thereof, which is held or capable of being held under a separate Certificate of Title whether freehold or leasehold or both.
- b) Any separately occupied portion of any land or building whether capable of being held under a separate Certificate of Title or not; and
- c) Includes any property consisting of two or more allotments which are occupied by a single customer and which are contiguous, or which are separated only by a road.

PUBLICLY NOTIFIED means published on one occasion in the Nelson Mail or Live Nelson; or under emergency conditions in the most effective way to suit the particular circumstances as determined by the Council.

RATEPAYER has the same meaning as in Section 10 of the Local Government (Rating) Act 2002.

RESTRICTED FLOW SUPPLY means a connection to the Water Supply System through which a limited flow is available, due to the presence of a flow control device, ~~to a storage tank provided by the customer.~~

ROADING AUTHORITY means the Council, Land Transport Agency or such other body having jurisdiction in respect of any road.

RURAL WATER SUPPLY means any area of the City designated by the Council as an area serviced by a reticulated water supply system which supplies water via restricted flow supplies.

SPRINKLER means any hose which is not held by hand and includes a revolving spray or other sprinkler pipe to distribute water for garden or lawn watering, including a fixed irrigation system.

SCHEDULE OF RATES AND CHARGES means the list of items and terms for services associated with the supply of water from time to time as approved by the Council by resolution publicly notified.

SERVICE PIPE means that section of water pipe between a watermain and the point of supply and includes the service valve and fittings at its connection to the supply pipe. This pipe is owned and maintained by the Council.

STANDARD FORM means such forms as the Council shall supply for use under this bylaw.

STREET means any public street or other roadway which is under the ownership of or the control of the Council.

STORAGE TANK means any tank, having a free water surface under atmospheric pressure to which water is supplied across an air gap separation.

SUPPLY PIPE means that section of pipe between the point of supply and the customer's premises through which water is conveyed to the premises. This pipe is owned and maintained by the customer.

URBAN WATER SUPPLY AREA means any area of the City designated by the Council as an area serviced by a reticulated water supply system which supplies water on demand.

WATER METER MANIFOLD means the water meter and all fittings associated with the meter, and where the water meter is located at the point of supply includes the service valve at the junction of the service and supply pipes.

WATER SUPPLY SYSTEM means the arrangement of pipes, fittings, temporary or otherwise, that conveys water from the water works to the point of supply, and includes the fittings associated with the point of supply and point of metering.

WATER WORKS includes all rivers, streams, lakes, waters, and underground waters, and all rights appertaining thereto, and all land, watersheds, catchment areas, water collection areas, reservoirs, dams, bores, tanks, and pipes, and all buildings, machinery, and appliances of every kind, vested in the council or acquired or

constructed or operated by or under the control of the council, for or relating to the purpose of water supply, whether within or outside the district.

5.0 PROTECTION OF WATER SUPPLY

5.1 Access to water supply system

No person shall without the consent of the Council have access to or carry out any work on any part of the water supply system.

5.2 Fire hydrants

No person other than the following shall access and draw water from any fire hydrant:

- i) The Council or its duly authorised agents;
- ii) Fire Service personnel for fire fighting, practice and testing;
- iii) Fire hydrant permit holders during the period for which the permit has been issued and the appropriate fee paid.

Without prejudice to other remedies available, the Council may remove and retain possession of any equipment used by any person to gain unauthorised access to any fire hydrant or to facilitate any unauthorised use of water from any fire hydrant.

5.3 Supplies from standpipes or hydrants

The Council may authorise an extraordinary supply of water to be taken by means of a standpipe placed upon a specified fire hydrant. Application for such supply shall be submitted in writing on the standard form together with the appropriate application fee. A successful applicant shall be required to pay a charge set to cover the estimated volume of water used.

5.4 Working around below ground services

Any person proposing to carry out work involving excavation shall before commencing such work consult with the Council regarding the potential location of water supply services, and comply with any requirements which may be imposed by the council on such work.

Any person causing damage to any part of the water supply system shall meet all costs associated with the repair of the damage so caused and any other costs incurred by the Council, as a result of the incident.

Note: Information relating to the location of the Council below ground services shall be available for inspection at the Council's offices free of charge during normal office hours. Charges will be levied to cover the costs of making copies of any records so held.

6.0 PROTECTION OF WATER SOURCE

6.1 Access to catchments

The following activities are permitted within the catchments:

- i) Walking/jogging on existing tracks
- ii) Mountain biking on existing tracks
- iii) Riding two wheeled motor bikes on the Maungatapu Track.
- iv) Subject to 6.2(vii) hereunder, driving a four wheeled motor vehicle (Note: This track is generally only suitable for four wheel drive vehicles.)

6.2 Activities permitted in catchments pursuant to a permit

No person shall carry out any of the following activities within any catchment without first obtaining a permit from the Council or its approved agent, authorising the same:

- i) Camping
- ii) Hunting, trapping, shooting or fishing or carrying any rifle or other hunting or fishing equipment
- iii) Distributing or removing any soil rock or tree, shrub or other vegetation
- iv) Removing any mineral or any artefact or historic object
- v) Lighting or maintaining any fire other than in a barbeque or other contained cooking apparatus
- vi) Using pesticides or other poisons or toxic substances other than personal insect repellents
- vii) Using the Maungatapu Track for organised motor sport or other four wheeled motor vehicle activity
- viii) Walking any dog or taking or allowing any livestock into any area
- ix) Walking/jogging/biking off existing tracks.

6.3 Presentation of permit

Unless otherwise authorised, no person to whom any permit has been issued shall enter an area to which the permit relates without notifying the Council of his/her intention of entering, and the anticipated length of their stay in such area.

Every person in any area shall upon demand produce any such permit for inspection by the Council.

No person to whom any permit has been issued shall permit any other person to make use of or attempt to make use of such permit.

The Council may at any time, by notice in writing delivered or posted to the permit holder, revoke or suspend any permit for such time as may be stated in such notice.

6.4 Prohibited activities

No person shall in any catchment carry out any of the following activities:

- i) Washing or bathing in any natural water
- ii) Depositing any refuse or waste material of any kind, including defecating, in other than an authorised facility
- iii) Damaging or destroying any artefact or historic place or object

6.5 General Requirements

- i) Spillages and adverse effects

Any person who accidentally or inadvertently causes spillage, or any event which has the potential to compromise the water supply shall advise the Council with due urgency, and take all reasonable steps to contain the spillage or otherwise limit the effect on the water supply.

- ii) Interference with users

No person whether or not holding any permit (other than a duly appointed officer of the Council), shall commit or cause or permit to be committed any act which may interfere with or be likely to interfere with the free and lawful exercise of any rights vested in any other person in any catchment.

7.0 SUPPLY OF WATER

7.1 Application for supply

Every person wishing to obtain a supply of water to any premises or to replace an existing connection with a new connection shall make application in writing on the standard form for a permit to connect to the water supply system.

Every application shall be accompanied by the appropriate application fee, a plan showing the details of the pipe work and fittings for the proposed connection and the location of the service pipe, and such other information as the Council might require.

7.2 Applicant is not the owner

The applicant, if not the owner of the premises, shall supply such evidence as the Council considers appropriate to show that they have authority to act on behalf of the owner of the premises for which the supply is sought.

7.3 Agreement for supply of water

The Council may require any applicant to enter into a separate specific agreement in relation to the supply for which the application is made.

Any person to whom water is supplied pursuant to this bylaw shall be deemed to have accepted the provisions of this bylaw and the terms and conditions set out within the permit under which the said supply is provided, and any fees or charges levied in respect of that supply.

7.4 Extraordinary supply

The Council may refuse an application for an extraordinary supply.

7.5 Installation

The applicant for a supply of water shall be responsible for all costs associated with the supply and installation of the connection including the supply and installation of the service pipe to the point of supply including the meter and all fittings.

No person other than a contractor nominated or approved by the Council shall undertake the installation.

All installations shall be in accordance with the Nelson City Council engineering standards of the day.

7.6 Use of water

The supply of water to any premise shall be for the purposes detailed within the approved application and no person shall use or permit the use of any water for other than the purposes so detailed. Where water is being supplied to any premises at the date of the coming into effect of this bylaw such supply shall be deemed to be a new supply as at that date and thereafter subject to the provisions of this bylaw together with any specific conditions attached to the original supply approval and the terms and conditions pertaining to a new supply.

No person shall, without the consent of the Council, use water or water pressure directly from the water system for driving lifts, machinery, eductors, condensers, or any other similar device.

7.7 Change of use

Any customer to whom water is supplied pursuant to this bylaw who wishes to change the use of the water or to change the supply from a domestic to extraordinary supply, or vice versa, shall lodge a new application for supply.

7.8 Disconnection

Any customer wishing to disconnect any premises from the Water Supply system shall give notice to the Council in writing on the standard form and pay all disconnection fees as set out in the Annual Plan.

7.9 Point of supply (Refer Appendix A)

Council is responsible for the maintenance of the public water supply network up to the point of supply of any connection.

The point of supply for individual dwelling units shall be located adjacent to the front or street boundary of the site as shown in Appendix A, or as close as possible to such boundary where fences, walls, other permanent structures or physical features make it difficult to locate it at the required position. Location of the point of supply in any other position shall only be with the specific approval of the Council.

The point of supply in relation to multiple units having access to any street via a private street, access lot or right of way shall be located adjacent to the front or street boundary of the private street, access lot, or right of way, or in such other position as the Council might approve.

For each individual customer there shall be one point of supply unless otherwise approved by Council.

The supply pipe from such point of supply shall not be extended by hose or any other pipe beyond that customer's property without approval by Council.

Any water supplied to a customer in respect of specific premises shall not be provided to any other premises without approval by Council.

No person shall, without the consent of Council, make any connection to any service pipe between the watermain and the point of supply.

Council reserves the right to change the point of supply should the existing point of supply for any connection become un-viable for any physical or legal reason.

8.0 METERING OF WATER SUPPLY

8.1 Point of metering (Refer Appendix A)

The point of metering in relation to any customers' premises will generally be at the point of supply but in relation to multiple unit premises, whether served by a single supply pipe or multiple supply pipes may be located at a position along the supply pipe serving the premises concerned, at the discretion of the Council.

i) Single Dwelling Units

The point of metering will be located adjacent to or as near as practical to the point of supply.

ii) Multiple Dwelling Units

The point of metering for each unit within a multiple unit dwelling complex shall generally be located at a point on the supply pipe serving that unit which ensures that only the water being supplied to that unit passes through the meter installed on that supply. This may be on private property.

For multiple unit construction where units are owned by one entity and rented or leased to others a single supply line and meter may be installed at Council's discretion and all charges directed to the property owner.

Multiple dwelling units under a company scheme (Body Corporate) may be regarded as a single dwelling unit for the purposes of metering at the discretion of the Council with all charges directed to the Body Corporate. Should the Body Corporate be dis-established Council reserves the right to require the unit owners to meet the costs of installing any new meters and reticulation that may be necessary to establish individual unit connections.

iii) Any single dwelling unit or any unit being part of a multiple dwelling unit complex in existence at the time of the coming into effect of this bylaw shall be provided with a meter on a single supply pipe at a point to be determined by the Council, such point may be on private property.

8.2 Connections

No person shall, without the consent of the Council, carry out any connection to the water supply system between the point of metering and the point of supply.

8.3 Rights of access

Where the point of metering is on private property No person shall obstruct or prevent Council access to, and about the point of metering whether the point of metering is on private or public property.

The customer shall maintain the area in and around the point of metering keeping it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access by Council.

Where free access is not available and a return visit is required to effect a read of the water meter a fee may be charged for the ~~as for "Special Water Meter"~~ reading as set out in the Annual Plan.

8.4 Fees and charges

The customer shall be responsible to meet all fees and charges relating to the availability and/or supply of water to their premises as may from time to time be imposed by the Council and set out in the Annual Plan.

9.0 QUALITY, CONTINUITY OF SUPPLY AND PRESSURE

9.1 Continuity of supply and pressure

The Council provides no guarantee that an uninterrupted supply of water will be available to any property or premises or that any specific maximum or minimum pressure will be maintained in the water supply system.

9.2 Uninterrupted flow

Any customer or any other person using the water supplied to any property or premises, having particular requirements for an uninterrupted level of service, (being pressure, flow or quality) shall provide all necessary measures on the premises to ensure this service, including all storage, back up facilities and equipment.

9.3 Quality of Water

The Council water supply will provide water in accordance with the requirements of the Health Act 1956. No guarantee is provided as to quality beyond the minimum requirements for drinking water under that Act.

9.4 Liability

The Council shall not be liable for any loss, damage or inconvenience which the customer (or other person using the supply) may sustain as a result of any change in or interruption to the water supply including change of pressure, change of rate of flow and change in quality of water supplied.

10.0 PROHIBITION AND RESTRICTION OF SUPPLY

10.1 Demand management

All persons using water supplied to any premises shall comply with any water usage restriction, which may be imposed by the Council from time to time to manage high seasonal or other demands and/or water supply shortages. Such restrictions will be publicly notified and the user shall be deemed to have notice thereof as from the date of such public notification. It shall be an offence for any person to use water supplied from the water supply system contrary to any water usage restrictions in respect of which such notice has been given.

10.2 Emergency

The Council may declare any natural event (such as a flood, drought or earthquake) or an accident which results in any disruption to the supply of water by the Council, to be an emergency.

During an emergency the Council may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its customers. Any restrictions imposed shall be publicly notified and the customer and any other users of the water shall be deemed to have notice thereof as from the date of such public notification. It shall be an offence for any person to use water from the water supply system contrary to any water usage restrictions imposed in relation to any emergency.

11.0 FIRE PROTECTION

11.1 Connection

Any proposed connection to the water supply system for the sole purpose of fighting or extinguishing a fire (hereinafter referred to as a fire protection supply) shall be the subject of a separate application to the Council. Any approved connection shall be subject to the provisions of these Bylaws.

11.2 Fire sprinkler systems

All fire sprinkler systems shall be constructed, installed and maintained in good order, and where an unmetered connection has been provided for an approved fire protection supply, any water so supplied shall be used for no purpose other than fighting or extinguishing a fire and testing the customer's fire protection system. The Council may at any time install or require the installation of a meter on any connection used for the purposes of a fire protection supply in which case the provisions of Clause 9 shall then apply.

11.3 Fire hose reels

No supply of water to a fire hose reel shall be permitted through an un-metered connection.

11.4 Supply

The Council shall be under no obligation to provide water to any approved fire protection supply at any particular rate of flow or pressure and shall not be responsible for any damage that may arise as a result of any interruption in the supply of water via any approved connection, or any failure in the water supply system howsoever occurring.

11.5 Adequacy

It shall be the customer's responsibility to ascertain and monitor whether the fire protection supply available is adequate for the intended purpose and the Council's approval of any connection and/or supply shall not be interpreted as in any way relieving the customer of this responsibility.

12.0 OFFENCES AND ADMINISTRATION

12.1 Breach of bylaw

In the event of a breach of this bylaw, the Council will serve notice on the customer advising the nature of the breach and the steps to be taken to remedy it. If, the customer persists in the breach, and/or fails to take proper steps to remedy the breach to the satisfaction of the Council, the Council may, in respect of a domestic supply restrict the supply without further notice.

Provided that where the breach is such as to threaten the integrity of the water works or the water supply system or likely to create a hazard or cause damage to any property, the Council may disconnect the supply at the same time as giving notice to the customer.

Where the offence relates to an extraordinary supply the Council may temporarily or permanently disconnect the supply without further notice.

12.2 Reconnection

Any resumption of the supply of water, including removal of any restriction on the supply to the customers' property or premises shall only occur after all outstanding charges and any additional fees and charges as determined by the Council have been paid and all other breaches of this Bylaw have been remedied to the satisfaction of the Council.

12.3 Interference

Any tampering or interfering by any person with any equipment forming part of the water works or water supply system either directly or indirectly, shall constitute an offence against this Bylaw. Without prejudice to its other rights and the remedies, where the interference or tampering relates to any meter the Council shall estimate the water consumption which it has reason to believe has not been recorded and recover the charges for this water and any costs incurred in reinstating the water system to its approved means of supply from the customer.

12.4 Wastage of water

Any person who is supplied with water from the Water Supply System must not waste the water or allow it to be wasted.

12.5 Prosecution

The Council may in addition to or instead of taking the action outlined in the preceding paragraphs in respect of any breach, prosecute any person offending against this bylaw.

Any person convicted of an offence against ~~the~~ this bylaw is liable to a fine not exceeding \$20,000.

Any person convicted of an offence in relation to the unauthorised use of water from a fire hydrant is liable for a fine not exceeding \$5,000.

The Council will take whatever action is appropriate to ensure that any leak which occurs on any supply pipe is repaired in a timely manner, and any person who wastes any water or allows it to be wasted after receiving a written requisition from the Council to repair the leak commits an offence and is liable on conviction to a fine not exceeding \$5,000.

12.6 Administration

The Council may by resolution publicly notified set the fees and charges payable in respect of any service given or provided in relation to the water works or water supply system.

~~The foregoing bylaw was duly made by the Nelson City Council at the ordinary meeting of the Council held on [date] the 2nd day of October 2008 and amended by Council resolution at the ordinary meeting of the Council held on the [date], 17th day of March 2011.~~

~~The COMMON SEAL of the
NELSON CITY COUNCIL _____
was hereto affixed in the _____
presence of:~~

Mayor

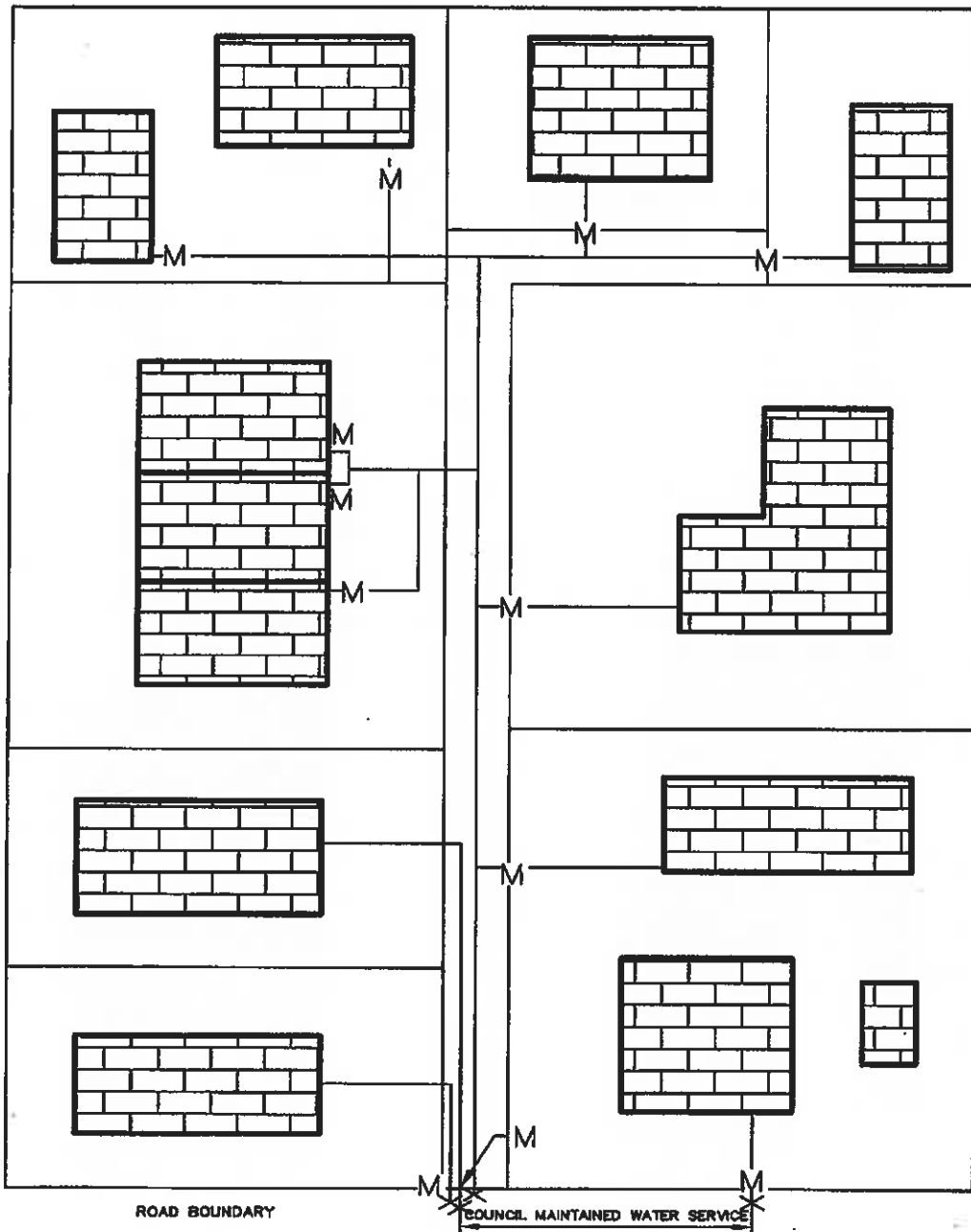
Chief Executive

APPENDIX A

POINT OF SUPPLY and POINT OF METERING LOCATIONS

(SCHEMATIC ONLY)

SUPPLY AND POINT OF METERING



- × POINT OF SUPPLY
- M WATER METER LOCATION
- ▤ RESIDENTIAL DWELLING

APPENDIX B
WATER SUPPLY CATCHMENTS



NELSON CITY CATCHMENT AREAS

APPENDIX C

TERMS AND CONDITIONS OF CONNECTION TO THE WATER SUPPLY SYSTEM

1. CUSTOMER'S RESPONSIBILITY

Plumbing systems

The customer shall ensure that the plumbing system serving the premises is designed, installed and maintained, both in its component parts and its entirety, in compliance with the Building Act and the Building Code at the time applying to the system.

No quick-closing valve of any kind, or other equipment which may cause pressure surges to be transmitted, shall be used on any pipe work directly connected to the supply pipe, that is, in any position where it is required to close against mains pressure. The Council may approve the use of such valves subject to them being an integral part of a domestic appliance or where a suitable air chamber being is fitted in the supply pipe.

Care of equipment

The customer shall take all appropriate steps to protect from damage all Council equipment including pipe work, valves, and meters.

Prevention of waste and leaks

The customer shall take all reasonable steps to prevent and shall not intentionally allow water to run to waste from any pipe, tap or other fitting.

The customer shall be responsible for the repair of all leaks on the pipeline and fittings from the point of supply, and including reticulation on the customers property, as soon as practicable within two weeks of the earliest of the following:

- The date of the first invoice to identify a higher than usual water usage or the date of discovery (Usual being the amount used in the same period as the last year, these amounts are shown on every water account) or
- when it could have reasonably been discovered.

Backflow prevention

It is the customer's responsibility under the Building Act ~~1991~~ 2004 and the ~~Health (Drinking Water) Amendment Act 2007~~ Health Act 1956, and pursuant to these Bylaws, to take all necessary measure on the customer's side of the point of supply to prevent water which has been drawn from the Council's water supply from returning to that supply.

For premises covered in the Building Act ~~1991~~ 2004 this includes:

- i) Backflow prevention either by providing an adequate air gap, or by the use of a backflow prevention device which complies with the New Zealand Building Code;
- ii) The prohibiting of any direct cross connection between the Council water supply and

- a) Any other water supply
- b) Any other water source
- c) Any storage tank
- d) Any other pipe, fixture or equipment containing chemicals, liquids, gases or other non-potable substances.

Customers with supplies serving premises not covered by the Building Act and the New Zealand Building Code, e.g. stock or horticultural water supplies, shall at all times comply with the relevant sections of the ~~Health (Drinking Water) Amendment Act 2007~~ Health Act 1956 regarding protection of the water supply system from pollution.

Each water supply point available to shipping, including fire connections pursuant to a fire protection supply, shall be equipped with an approved backflow prevention device located to prevent the flow of water from the ship to any supply and/or service pipe.

Notwithstanding the above all property owners proposing to either: construct a new building, change the use of any existing building or activity, or substantially alter any existing building, shall fit a Council approved backflow prevention device on the Council side of the point of supply. Should the property owner fail to carry out the necessary works prior to drawing water from the Council main the Council may (at the customers cost) fit a backflow prevention device on the Council side of the point of supply. All backflow prevention devices connected directly to the Council side of the point of supply become the property of the Council.

Access to water meter

The Customer shall permit access by the Council or its approved contractors to the water meter for meter reading purposes.

Change of ownership

The outgoing customer or their legal representative shall notify the Council of the proposed change of ownership at least two working days prior to the change taking effect, whereupon the Council shall arrange for a final reading of the water meter. In addition to all water consumption and other charges up to the final reading of the water meter, an additional 'special reading' charge shall be levied and included in the outgoing customer's final account.

Unless the Council is otherwise notified, in the event of a change of ownership of any premises to which water is supplied the Council will automatically record the new owner as being the customer at those premises, and the supply of water to the premises shall continue on the same terms and conditions as the supply immediately prior to the change of ownership.

Disconnections

When for any reason a supply of water is no longer required by the customer, the customer, after giving notice to the Council of their requirement for termination of the supply shall arrange, at their cost, for the disconnection to be undertaken.

Replacement connection

Where the application is for a replacement connection the customer shall be responsible for arranging the disconnecting of the existing service pipe at the watermain, and to meet the cost of such work.

2. METERING

The Customer acknowledges that:

- i) Both ordinary and extraordinary supplies of water shall be metered and charged for.
- ii) All water meters required to meter the supply of water to any premises shall be owned and maintained by the Council.
- iii) Each water supply will be metered separately unless specifically agreed to in writing by Council.
- iv) Should any meter be faulty ~~out of repair~~ or cease to register, or be removed, the Council shall estimate the consumption for the period since the previous reading of such meter in a reasonable and fair manner with all available information, and the customer shall pay according to such an estimate. Where, by reason of a large variation of consumption due to seasonal or other causes the Council considers it would be an unreasonable estimate of the consumption to take an average consumption, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate and the customer shall pay all charges according to such an estimate. The Council's decision on the appropriate estimate of consumption shall be final.
- v) Where the seal or dial of a meter is broken, or where there is evidence of tampering, the Council may declare the reading void and estimate consumption as provided in (iv) above.
- vi) The accuracy of meters shall be tested as and when required by the Council to ensure performance to within $\pm 4\%$ of its reading
- vii) A customer who disputes the accuracy of a meter may apply to the Council for it to be tested provided that it is not within 3 months of the most recent test.
- viii) Tests will be undertaken at an approved, recognised testing facility and a replacement meter will be installed. If the test shows non-compliance with the accuracy requirement above then the customer will not be charged for the test or for the installation of a replacement meter. If the test shows compliance then the customer shall pay for the removal, testing, and re-installation costs.
 - a) Meters shall be tested by running a measured quantity of not less than 400 litres through the meter in accordance with BS 5728: Part 3. A copy of an independent certification of the test result will be made available to the customer.
 - b) Should any meter, after being tested, be found to register a greater or lesser consumption than the quantity of water actually passed through such meter the Council shall make an adjustment in accordance with the results shown by such tests backdated for a period at the discretion of the Council but not exceeding 12 months, and the customer shall pay according to such adjustment.
- ix) The Council will retain ownership of and responsibility to maintain the:
 - The service pipe as well as all fittings between the watermain and the point of supply;
 - The water meter and its manifold whether or not such is sited at the point of supply or along the supply pipe.

Note: The water meter and manifold, irrespective of its position, remains the property of the Council.

3. CHARGING

Payment

The Customer agrees:

- i) To pay for the supply of water in accordance with the Council current schedule of rates and charges which will be reviewed, and set each year as part of the Council's Annual Plan Process
- ii) To meet all other fees or charges levied in respect of the services provided in relation to the water supply as may be set by the Council pursuant to Clause 12.6 of the bylaw.
- iii) In the case of Company Share/Block Schemes (Body Corporate) the customer will pay the amount invoiced and he/she will be responsible to claim from individual users in the scheme.
- iv) In the case of Unit Title where each owner cannot be invoiced separately, the payment will be as in (iii) above.
- v) Where a customer requests a special reading of the water meter serving his premises, being a reading which is taken at a time other than the 'normal reading time', for reasons including change of ownership, change of commercial tenants, etc, the outgoing consumer/owner will be charged a special reading fee, as set and published in the Annual Plan, or such other amount as the Council may, from time to time, resolve.
- vi) Where a customer's water supply has been restricted by the Council, for whatever reason, the consumer will be charged a fee as set and published in the Annual Plan. The fee will cover all the Council's costs for installing and subsequently removing the restrictor.
- vii) Where a customer's water supply is temporarily disconnected by the Council for whatever reasons, the customer will be charged a fee as set and published in the Annual Plan. The fee will cover all the Council's costs in disconnecting and where appropriate re-connecting the water supply.
- viii) All premises with an unmetered fire protection supply connection, including a connection to a fire sprinkler system, will be subject to a daily charge for that connection as set out in the Annual Plan.

Meter Reading

The Customer acknowledges and agrees that:

- i) Meters will be read and accounts rendered as set out in the Annual Plan. Where access to meters is not available for any reason an account will be provided, according to a scale of charges as set out in the Annual Plan. monthly, 3-monthly or 6-monthly intervals, or as the Council may from time to time decide.

Remission of Charges for Excess Water Arising from Leaks

The customer acknowledges and agrees that:

- i) Credits for excess water charges arising from the following will always be processed:
 - a. Misreading of the meter or faulty meter.
 - b. Errors in data processing.
 - c. The meter was assigned to the wrong account.
 - d. Leak on a Council fitting adversely impacting on the metered usage

Other Conditions and Criteria include:

- ii) Leaks from pipes or fittings on farms*, commercial, industrial properties and unoccupied properties (regardless of temporary or long term) or reserves or from irrigation, stock water, swimming pools, ponds, landscaping or similar systems on occupied properties. No credit.

** For the purpose of assessing credits for excess water arising from leaks "farm" is defined as any property that is or can be used for the growing of crops, including trees or rearing of livestock, with a land area greater than 5000 square metres.*

- iii) Leaks from pipes that are, or should be visible, such as header tanks, overflows from WC's, above ground pipes or fittings and attached to raised flooring or in walls or ceilings. No credit.
- iv) Where the leak is a previously unknown underground leak on the main lateral between the water meter and a residential dwelling or under the concrete floor of a residential dwelling. Credit the lost water where the leak has been repaired with due diligence. Only one leak per property, and maximum two consecutive water supply invoices covering the leak, per five year rolling timeframe will be credited. Credit will be based on Council's assessment of the property owner's usual usage for the period.
- v) Due diligence is defined as within two weeks of the earliest of the following:
 - The date of the first invoice to identify a higher than usual usage or the date of disco very or when it could have reasonably been discovered. Usual being the amount used in the same period as last year, these amounts are shown on every water account.
- vi) The leak must be repaired by a Licensed or Certifying plumber with a brief report on the leak by that person to establish where on the line the leak was found, dates and an opinion, if possible, as to how long the leak had been occurring.
- vii) Extraordinary circumstances outside of the above, which could lead to cases of genuine financial hardship for owner / occupier, or where timely detection of a leak could not have reasonably occurred, could be granted at the discretion of the Council's Chief Financial Officer.

This section inserted by Council resolution at the ordinary meeting of Council held on the 17th day of March 2011.

ATTACHMENT 3



**Statement of Proposal to Adopt a Nelson City
Council Wastewater Bylaw (Bylaw No. 224)**

June 2014

**This document constitutes the Statement of Proposal for the purposes of
Section 83(1)(a) of the Local Government Act 2002.**

1. Introduction

- 1.1. The Nelson City Council Trade Waste Bylaw 2007 is due to expire in October 2014.
- 1.2. Adopting a replacement wastewater bylaw will enable the Council to continue to avoid impacts on the wastewater network, and to minimise risks to public health and to soil and water.
- 1.3. The draft bylaw is attached to this Statement of Proposal. The draft bylaw consists of the existing Trade Waste Bylaw 2007 with proposed changes shown in strikethrough and underlining.

2. Proposal

- 2.1. Council proposes to adopt a Nelson City Council Wastewater Bylaw 2014 (Bylaw No. 224).
- 2.2. In accordance with section 86 (2) of the Local Government Act 2002, when adopting a bylaw the Council is required to include the following in the Statement of Proposal:
 - a) A statement that the proposed bylaw is to be adopted;
 - b) The reasons for the proposal; and
 - c) A report of any relevant determinations by Council under section 155 of the Local Government Act 2002.

3. Reasons for the proposal to adopt a Wastewater Bylaw

- 3.1. Adopting a Wastewater Bylaw will enable the Council to control discharges to the wastewater network. Aspects of discharges which need to be managed include:
 - the volume
 - speed of discharge
 - timing of the discharge
 - presence of any hazardous substances
 - reactivity with other wastes
 - potential impacts of the discharge (after treatment) on the receiving environment
 - pre-treatment prior to discharge.
- 3.2. The draft Wastewater Bylaw also seeks to avoid the discharge of stormwater to the wastewater network. The reason for this is to avoid exceeding the capacity of the wastewater system, which can result in overflows of sewage into the environment.
- 3.3. The bylaw enables the Council to require premises discharging to the wastewater network to maintain their grease, silt or oil traps in an operable condition. This helps to avoid discharges of grease, silt and oil, as they can impact on the functioning of the wastewater system.

- 3.4. Flow metering and compliance monitoring is provided for in the draft bylaw, as well as the ability to charge for discharges to the wastewater system.
- 3.5. The Council proposes to remove the details of fees and charges from the bylaw, and to manage this through the Annual Plan/Long Term Plan process instead. This will provide greater consistency with the process for setting other fees and charges. Providing the trade waste application form on the website and through the Customer Service Centre instead of in Schedule E of the bylaw will make it more accessible. Both of these amendments will enable administrative changes to be made without triggering a review of the bylaw.

4. The Proposed Option and Options Considered

- 4.1. In developing a draft Wastewater Bylaw, the Council considered how best to address the issues identified in section 3 of this Statement of Proposal.

- 4.2. **Option A**

Council's preferred option is to adopt a new Wastewater Bylaw that controls wastewater from both domestic and commercial premises, and that does not include the details of the charging regime or trade waste application form. Broadening the bylaw to become the "Wastewater Bylaw" would enable the Council to use the bylaw to regulate wastewater from all properties in Nelson and avoid uncertainties about whether the bylaw applies to public institutions such as schools, hospitals, retirement homes, and police and defence installations. The details of this option are further outlined in section 3 of this Statement of Proposal.

- 4.3. **Option B**

Council also considered the status quo option of adopting a new Trade Waste Bylaw that only controls waste from commercial premises, as is the case with the Trade Waste Bylaw 2007. The disadvantages of this option are that it is not clear whether it covers public institutions and it does not provide the ability to control contaminants and stormwater entering the wastewater system from domestic sources.

- 4.4. **Option C:**

Another option is to not have a wastewater bylaw. This option is the least acceptable because it removes the Council's ability to regulate discharges to the wastewater system. Adverse impacts on the functioning of the wastewater system has potential to significantly impact on public health and the wider environment.

5. Ability to make bylaws related to wastewater

- 5.1. Section 146(b)(iii) of the LGA specifically states that a territorial authority may make bylaws for its district for the purposes of managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of, the land, structures, or infrastructure associated with wastewater, drainage, and sanitation.

6. Section 155 of the Local Government Act 2002

- 6.1. Section 155 (1) of the Local Government Act 2002 requires a local authority to determine whether a bylaw is the most appropriate way of addressing a perceived problem.
- 6.2. It is not a legal requirement to have a wastewater bylaw. However, as outlined in section 3 of this Statement of Proposal, there is a need to manage the type and volume of discharges to the wastewater network, to prevent damage to the wastewater system, because this has potential to impact on public health and the wider environment.
- 6.3. Section 155 (2) states that if a local authority has determined that a bylaw is the most appropriate way of addressing the perceived problem, it must, before making the bylaw, determine whether the proposed bylaw –
- a) Is the most appropriate form of bylaw, and
 - b) Gives rise to any implications under the New Zealand Bill of Rights.
- 6.4 The draft Wastewater Bylaw 2014 is the most appropriate form of bylaw because it meets the following tests:
- It is authorised by statutory authority under section 146(b)(iii) of the Local Government Act 2002
 - It is not repugnant to the general laws of New Zealand
 - The bylaw is certain and provides clear direction
 - The bylaw is reasonable
 - The bylaw is not overly restrictive, onerous on any person, or impractical.

7. Does the Proposed Bylaw give rise to any implications under the New Zealand Bill of Rights Act 1990

- 7.1 Part 2 of the New Zealand Bill Of Rights Act (the "Act") sets out 20 rights that are affirmed and protected, subject to "such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society" (section 5 of the Act). The draft wastewater bylaw does not impose restrictions on any of the rights listed in the Act.

8. Submissions

- 8.1. Any person or organisation is welcome to make a submission on this Statement of Proposal to adopt a Nelson City Council Wastewater Bylaw (Bylaw No. 224). Council will be taking account of all submissions made when it decides on the final content of the Wastewater Bylaw.
- 8.2. Submissions must be received by Council no later than 4.00pm on Friday, 13 August 2014.
- 8.3. A submission form is available on the Nelson Council website www.nelson.govt.nz or can be obtained from Nelson City Council.

- 8.4. Submissions can also be sent in letter or email form and should be:

Posted to: Wastewater Bylaw Consultation
 Nelson City Council
 PO Box 645
 Nelson 7040

Or emailed to: submissions@ncc.govt.nz

Please state in your submission whether or not you wish to speak at a hearing in support of your submission.

- 8.5. Submitters should note that their submission will be copied and made available to the public after the submission period closes.
- 8.6. Council will contact all submitters (who wish to be heard) in writing to advise the confirmed time, date and venue of the hearing.
- 8.7. All enquiries should be directed to Phil Ruffell, Senior Asset Engineer – Utilities on telephone 545-8739 or by email to phil.ruffell@ncc.govt.nz.

9. Related Documents

- 9.1. The Nelson City Council Draft Wastewater Bylaw (Bylaw No. 224) is attached to this Statement of Proposal. Additional copies are available to view or download from the Nelson City Council website www.nelson.govt.nz (search phrase = draft wastewater bylaw).
- 9.2. Copies of the Nelson City Council Draft Wastewater Bylaw (Bylaw No. 224) are available free of charge from the customer service centre at Civic House, or on request.



DRAFT WASTEWATER BYLAW (NO. 224) -

including Trade Waste and Domestic Wastewater

June 2014

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1. INTRODUCTION

1.1. Commencement and Application

1.1.1. This Bylaw came into ~~force~~effect on [day and date] ~~1 October 2007~~.

1.2. Revocation

1.2.1 The following bylaw is hereby revoked: Nelson City Council ~~Trade Waste Bylaw 181 (1989)~~ Tradewaste Bylaw 214 (2007).

1.3. Scope of Bylaw

1.3.1. The Bylaw provides for the:

- (a) Acceptance of long term, intermittent, or temporary discharge of Trade Waste ~~or domestic wastewater~~ to the wastewater system;
- (b) Establishment of three grades of ~~Trade Waste wastewater~~: Permitted, Conditional and Prohibited;
- (c) Evaluation of individual Trade Waste discharges against specified criteria;
- (d) Correct storage of materials in order to protect the wastewater system from spillage;
- (e) Installation of flow meters, samplers or other devices to measure flow and quality of the ~~Trade Waste wastewater~~ discharge;
- (f) Pre-treatment of waste before it is accepted for discharge to the wastewater system;
- (g) Sampling and monitoring of ~~Trade Waste wastewater~~ discharges to ensure compliance with the Bylaw;
- (h) Council to accept or refuse a Trade Waste discharge;
- (i) Charges to be set to cover the cost of conveying, treating and disposing of, or reusing Trade Waste ~~or domestic wastewater~~, and the associated costs of administration and monitoring;
- (j) Administrative mechanisms for the operation of the Bylaw; and
- (k) Encouragement of waste minimisation and cleaner production in the commercial and industrial sectors.

1.3.2. Compliance with other Acts

Nothing in this Bylaw shall derogate from any of the provisions of the Health Act, the Health and Safety in Employment Act, the Resource Management Act, the Building Act, the Hazardous Substances and New Organisms Act and its regulations or any other relevant statutory or regulatory requirements.

1.3.3. Trade Premises and other Users to which this Bylaw Applies

This Bylaw shall apply to all Trade Premises within the City where Trade Waste ~~or domestic wastewater s-are is~~ discharged or likely to be discharged to a wastewater system. The Bylaw shall also apply to tankered wastes collected for the purpose of discharge to a wastewater system.

Pursuant to Section ~~195 and~~ 196 of the Local Government 2002 the Council may refuse to accept any type of Trade Waste ~~or domestic wastewater~~ which is not in accordance with this Bylaw.

1.4. Interpretation

Analyst means a testing laboratory approved in writing by an Authorised Officer.

Approval or **Approved** means Approval or Approved in writing by an Authorised Officer.

Authorised Officer means any officer appointed by the Council as an enforcement officer under Section 177 of the Local Government Act 2002.

Biosolids means wastewater sludge that has been treated and/or stabilised to the extent that it is able to be safely applied to land and includes any products containing Biosolids (e.g. composts) but does not include products derived from wastewater treatment plants which solely treat Industrial Waste.

Characteristic means any of the physical or chemical Characteristics of a Trade Waste ~~or domestic wastewater~~.

City means the territory contained within the City of Nelson as defined in Part 2 of Schedule 2 to the Local Government Act 2002.

Cleaner Production means the implementation on trade premises, of effective operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes by:

- (a) Using energy and resources efficiently,
- (b) avoiding or reducing the amount of wastes produced;
- (c) Producing environmentally sound products and services;

Cooling Water means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter from the trade or commercial process or operation into solution or suspension.

Conditional Trade Waste means Trade Waste which is accepted for discharge to a wastewater system subject to conditions placed upon the Permit Holder by the Council.

Consent refer to Trade Waste Permit.

Contaminant includes any substance (including gases, odorous compounds, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat:

- (a) When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or
- (b) When discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.

Contingency Management Procedures means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects on the environment of an unexpected or unscheduled event resulting in discharge, or potential discharge of Contaminants of concern into the wastewater system.

Council means the Nelson City Council.

Disconnection or Disconnect means the physical cutting and sealing of any private drain from the Council's water services, utilities, drains or sewer.

Domestic Wastewater means foul water (with or without matter in solution or suspension therein) discharged from premises used solely for residential purposes.

Flow Metering means the measuring of flow for the purposes of assessing compliance with this bylaw.

Foul Water means the discharge from any sanitary fixtures (any fixture which is intended to be used for washing and/or excretion carried out in a manner or condition such that the effect on health is minimised, with regard to dirt and infection) or sanitary appliance (an appliance which is not a sanitary fixture such as machines for washing dishes and clothes).

Hazardous Substance means any substance –

- a) With one or more of the following intrinsic properties:
 - (i) Explosiveness:
 - (ii) Flammability:
 - (iii) A capacity to oxidise:
 - (iv) Corrosiveness:
 - (v) Toxicity (including chronic toxicity):
 - (vi) Ecotoxicity, with or without biocaccumulation; or
- b) Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition.

Hazardous Wastes means Trade Waste_s-which contain any hazardous substances.

Liquid Waste Operator means any person who collects for disposal wastewater via the use of a vehicle. Refer also Tankered Waste.

Management Plan means any plan for the management of operations of Premises from which Trade Waste or domestic wastewater s is are discharged, and may include provision for Cleaner Production, waste minimisation, Contingency Management Procedures, and any relevant industry Code of Practice.

Mass Limit means the total mass of any characteristic that may be discharged to a Wastewater System over any stated period from any single point of discharge or collectively from several points of discharge.

Maximum Concentration means the instantaneous peak concentration that may be discharged to a wastewater system at any instant in time.

NRSBU means the Nelson Regional Sewerage Business Unit or its agents.

Occupier means the person occupying the trade premises connected to and discharging to the wastewater system.

Permit refer to Trade Waste Permit

Permitted Discharge means any discharge of domestic wastewater of any discharge of Trade Waste that complies with this bylaw and has been approved by, or is acceptable to, the Council without conditions.

Permit Holder means the person occupying trade premises who has obtained a permit to discharge or direct the manner of discharge of Trade Waste from any premises to a wastewater system, and includes any person who does any act on behalf of or with the express or implied consent of the Permit Holder (whether for reward or not) and any licensee of the Permit Holder.

Person includes a corporation sole and also a body of Persons whether incorporated or unincorporated.

Point of Discharge is the boundary between the public sewer and a private drain which for the purposes of monitoring, sampling and testing, shall be as designated in the Trade Waste permit.

Pre-Treatment means any processing of Trade Waste or domestic wastewater designed to reduce or vary any characteristic in such waste before discharge to the wastewater system in order to comply with a Trade Waste permit.

Premises means either:

- (a) A property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent has been or may be issued; or
- (b) A building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or
- (c) Land held in public ownership (e.g. reserve) for a particular purpose; or
- (d) Individual units in buildings which are separately leased or separately occupied.

Private Drain means that section of drain between the premises and the point of discharge.

Prohibited Wastewater means any discharge of Trade Waste or wastewater that does not comply with this bylaw or has not been approved by the Council. This includes any discharge of stormwater to the wastewater system.

Residential Purposes means the use of land and buildings by people for living accommodation where the occupiers intend to live at the site for a period of one month or more, and will generally refer to the site as their home and permanent address; and includes accessory buildings and leisure activities. This excludes all commercial, trade or industrial activities.

Stormwater means surface water run-off resulting from precipitation.

Tankered Waste is water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal (excluding domestic wastewater being conveyed within house buses, caravans, buses and similar vehicles).

Temporary Discharge means any discharge of an intermittent nature or of short duration. Such discharges include the short-term discharge of an unusual waste from premises subject to an existing permit.

Trade Premises means:

- (a) Any premises used or intended to be used for any industrial or trade purpose; or
- (b) Any premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- (c) Any other premises from which a contaminant is discharged in connection with any industrial or trade process;
- (d) Any other premises discharging other than domestic wastewater, and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

Trade Waste is any liquid, with or without matter in suspension or solution, that is or may be discharged from a trade premise to a wastewater system in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include by special approval condensing or cooling waters and/or stormwater which cannot be practically separated, or domestic wastewater.

Trade Waste Permit means a Consent in writing authorising the person named in the permit to discharge Trade Wastes to a wastewater system.

WasteTRACK is an internet based database which consolidates manifest, facility and carrier data to track liquid and hazardous wastes from generation, through transport to treatment or disposal.

Wastewater means foul water and may include Trade Wastes.

Wastewater Sludge means the material settled out and removed from wastewater during the treatment process.

Wastewater System means the collection, treatment and disposal of wastewater, which included domestic wastewater and Trade Wastes, including all sewers, pumping stations, storage tanks, wastewater treatment plants, outfalls, and other related structures operated by either the Council or NRSBU and used for the reception, treatment and disposal of Trade Wastes and domestic wastewater.

Working Day means any day of the week other than:

- (a) A Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day; and

~~(a)~~ ~~(b)~~ if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and

~~(b)~~ ~~(c)~~ A day in the period commencing with the 25th day of December in a year and ending with the 2nd day of January in the following year, or an adjusted period as required to accommodate the observation days for New Years day and New Years Holiday.

1.5. Abbreviations

Note: For abbreviations involving Litres the capital "L" has been used in the place of (internationally accepted) lower case "l" to avoid confusion with the letter "I" (capital i) or the number "1"

\$/m ³	dollars per cubic metre
°C	degrees Celsius
BOD5	Biochemical Oxygen Demand
COD	Chemical Oxygen Demand
g/m ³	grams per cubic metre
H ₂ S	hydrogen sulphide
kg/day	kilogram per day
L/s	litre per second
L/s/Ha	litres per second per hectare
m ³	cubic metre
mL/L	millilitre per litre
NRSBU	Nelson Regional Sewerage Business Unit
pH	measure of acidity/alkalinity
ppm	parts per million

1.6. General

- 1.6.1. In this Bylaw one gender includes all genders, the singular includes the plural, and the plural includes the singular.
- 1.6.2. The word "shall" identifies a mandatory requirement for compliance with the Standard. The word "should" refers to practices which are advised or recommended.

2. COMPLIANCE WITH THE BYLAW

2.1. Control of Discharges

2.1.1. No person shall:

- (a) Discharge, or allow to be discharged, any Trade Waste or domestic wastewater to any wastewater system except in accordance with the provisions of this Bylaw;
- (b) Discharge, or allow to be discharged, a Prohibited Trade Waste wastewater into a wastewater system;
- (c) Without specific approval add or permit the addition of condensing or cooling water to any Trade Waste or domestic wastewater which discharges into a wastewater system;
- (d) Without specific approval add or permit the addition of stormwater to any Trade Waste or domestic wastewater which discharges into a wastewater system.

2.1.2. Where any person discharges any ~~trade~~ Trade waste Waste or domestic wastewater from any premises to any wastewater system contrary to Clause 2.1.1, the Council may disconnect the premises from the said wastewater system if no agreement as to a reasonable alternative can be achieved with the occupier of the premises.

~~2.1.3.~~ Any person discharging to any wastewater system shall also comply with the requirements of the Hazardous Substances and New Organisms Act 1996 and the Resource Management Act 1991.

~~2.1.4.~~ It is the responsibility of the person discharging to ensure they meet the requirements of the tradewaste permit or permitted conditions of this bylaw.

2.2. Storage, Transport, Handling and use of Hazardous or Harmful Materials

2.2.1. All persons ~~on-trade premises~~ on all premises shall take all reasonable steps to prevent the accidental entry of any of the materials listed in 2.2.3 of this Bylaw into the wastewater system.

2.2.2. No person shall store, transport, handle or use, or cause to be stored, transported, handled or used any hazardous substance or any of the materials listed in 2.2.3 in a manner that may cause the material to enter the wastewater system.

2.2.3. Materials referred to in 2.2.1 and 2.2.2 include those:

- (a) Products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials;
- (b) Likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, when mixed with the wastewater stream;
- (c) Likely to be deleterious to the health and safety of the Council staff, or its contractors or the public or be harmful to the wastewater system.

3. ~~TRADE WASTE WASTEWATER DISCHARGES AND TRADE WASTE PERMITS~~

3.1. ~~Classification of Trade Waste Wastewater Discharges~~

3.1.1. ~~Trade Waste Wastewater~~ discharges shall be classified as one of the following types:

- (a) Permitted: a ~~Domestic Wastewater discharge; or a~~ Trade Waste discharge that has been approved by, or is acceptable to, the Council and as long as it continues to have physical and chemical characteristics which comply with Schedule A of this Bylaw.
- (b) Conditional: a Trade Waste discharge which is permitted only subject to specific conditions.
- (c) Prohibited: a Trade Waste discharge ~~for which no permit has been granted and which has physical and chemical characteristics which do not fully comply with Schedule A of this bylaw. This includes the discharge of stormwater into the wastewater system.~~

3.1.2. The Council is not obliged to accept any ~~Trade Waste wastewater.~~

No application for a Trade Waste permit for a prohibited ~~trade waste wastewater~~ shall be approved.

3.2. ~~Application for a Trade Waste Permit~~

3.2.1. Formal Application

Every person who does, proposes to, or is likely to:

- (a) Discharge into the wastewater system any Trade Waste; or
- (b) Vary the characteristics of a Trade Waste for which permit to discharge has previously been granted; or
- (c) Vary the conditions of any permit to discharge that has previously been granted; or
- (d) Significantly change the method or means of pre-treatment of a Trade Waste for which a permit has previously been granted:

shall complete an application in the prescribed form (~~available from: Council offices, 110 Trafalgar Street, Nelson; or Council website www.nelson.govt.nz~~) (~~refer Schedule E~~).

3.2.2. The Council may require an application to be supported by an independent report from a suitably experienced and external auditor to verify any or all information supplied by the applicant, and may also require the provision of a management plan.

3.3. ~~Information and Analysis~~

3.3.1. On the receipt of any application the Council may:

- (a) Require the applicant to submit any additional information which it considers necessary to reach an informed decision;
- (b) Require the applicant to submit a management plan to the satisfaction of the Council;

- (c) Require the applicant to undertake sampling and monitoring as provided for in Clauses 5.1 and 5.3.

3.4. Consideration Criteria for Trade Waste Permit

3.4.1. In considering any application for a Trade Waste permit to discharge from any trade premises or to discharge any tankered waste into the wastewater system, and in imposing any conditions on such permit, the Council shall give consideration to the quality, volume, and rate of discharge of the Trade Waste from such premises or tanker having regard to:

- (a) The health and safety of the Council staff, its agents and the public;
- (b) The limits and/or maximum values for characteristics of Trade Waste as specified in Schedule A of this Bylaw;
- (c) The extent to which the Trade Waste may react with other Trade Waste, domestic wastewater or foul water to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the wastewater system etc;
- (d) The flows and velocities in any sewer, or sewers and the material or construction of the sewer or sewers;
- (e) The capacity of any sewer or sewers and the capacity of any wastewater treatment works, and other facilities;
- (f) The nature of any wastewater treatment process and the degree to which the Trade Waste is capable of being treated in the wastewater treatment plant;
- (g) The timing and balancing of flows into the wastewater system;
- (h) Any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of wastewater sludges, beneficial use of biosolids, and any discharge to air;
- (i) The possible effect of the Trade Waste discharge on the ultimate receiving environment;
- (j) The conditions of any resource consents for the wastewater system and the disposal of residuals or discharges from it;
- (k) The possibility of unscheduled, unexpected or accidental events and the degree of risk to which humans, the wastewater system and the environment could be exposed;
- (l) Consideration for other existing or future discharges;
- (m) Amenability of the Trade Waste to pre-treatment;
- (n) Existing pre-treatment works on the premises;
- (o) Cleaner production techniques and waste minimization practices;
- (p) Requirements and limitations related to wastewater sludge disposal and reuse;
- (q) Control of stormwater on the trade premises;
- (r) Management plans relating to the trade premises; and

- (s) Tankered waste being discharged at an approved location(s).

3.5. Conditions of Trade Waste Permit

- 3.5.1. Any Trade Waste permit to discharge may be granted subject to such conditions that the Council considers appropriate, including but not limited to:
- (a) The particular public sewer or sewers to which the discharge will be made;
 - (b) The maximum daily volume of the discharge, the maximum rate of discharge, and the duration of maximum discharge;
 - (c) The maximum limit or permissible range of any specified characteristics, including concentrations and/or mass limits determined in accordance with Clause 4.2;
 - (d) The period or periods of the day during which the discharge, or a particular concentration, or volume of discharge may be made;
 - (e) The degree of acidity, or alkalinity of the Trade Waste at the time of discharge;
 - (f) The temperature of the Trade Waste at the time of discharge;
 - (g) The provision by the permit holder of screens, grease traps, silt traps or other pre-treatment works to control discharge characteristics to the permitted levels;
 - (h) The provision and maintenance by the permit holder of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
 - (i) The provision and maintenance by the permit holder of a sampling, analysis and testing programme and flow measurement requirements;
 - (j) The method or methods to be used for measuring flow rates and/or volume and taking samples of the discharge for use in determining the amount of any rates or charges applicable to that discharge;
 - (k) The provision and maintenance by the ~~permit-Permit holder-Holder~~ of such meters or devices as may be required to measure the volume or flow rate of any Trade Waste being discharged from the premises, and for the testing of such meters;
 - (l) At the request of Council, in a Council approved format, the permit holder shall provide flow and/or volume records and results of analyses (including pre-treatment by-products e.g. wastewater sludge disposal);
 - (m) The provision and implementation of a management plan;
 - (n) The undertaking of a risk assessment of potential damage to the environment arising from an accidental discharge of a chemical into the wastewater system;
 - (o) The introduction of Waste minimisation and management;
 - (p) The introduction of Cleaner production techniques;
 - (q) Remote control of discharges;
 - (r) Third party treatment, carriage, discharge or disposal of by-products of pre-treatment of Trade Waste (including wastewater sludge disposal);

- (s) The provision of a bond or insurance in favour of the Council where failure to comply with the permit could result in damage to any part of the wastewater system or could result in the Council being in breach of any statutory obligation;
- (t) Remote monitoring of discharges.

3.6. Duration

3.6.1. Permitted and Conditional Discharges

Permitted and Conditional discharge permits shall remain in force until either:

- (a) The permit is cancelled under Clause 2.1.2 or Clause 3.8;
- (b) The quantity and nature of the discharge changes significantly.
- (c) If in the opinion of the Council the nature of the Trade Waste or domestic wastewater being discharged changes or is likely to change to such an extent that it becomes a conditional or prohibited Trade Waste;
- (d) The Council changes the Trade Waste wastewater management procedures by implementation of changed Trade Waste Wastewater Bylaw conditions or any amendment to, or replacement of, its Trade Waste Wastewater Bylaw; or
- (e) The conditions imposed on any resource consent for the wastewater system and the residuals or discharges from it are changed.
- (f) A fixed termination date, or duration if set by Council
- (g) The permit holder ceases to undertake the trade from which the discharge arises.

In all cases, after appropriate consultation with the Council, the holder of any permit terminated pursuant to this clause shall within 10 working days of the event occurring apply for a conditional permit in accordance with Clause 3.2 No new discharge shall take place until such time as this application has been approved.

3.7. Technical Review and Variation

- 3.7.1. The Council may at any time require a person undertaking a permitted discharge to apply for a permit in accordance with Clause 3.2.
- 3.7.2. The Council may at any time during the term of a Trade Waste permit, by written notice to the Permit Holder, review any condition as the Council considers necessary to give effect to any new information which may become available or to meet any new resource consent imposed on the discharge from the wastewater treatment plant, or to ensure compliance with any other legal requirements imposed on the Council.
- 3.7.3. A Permit Holder may at any time during the term of a permit, by written application to the Council, request a variation of any condition of such permit, imposed pursuant to Clause 3.5.

3.8. Cancellation of the Right to Discharge

3.8.1. Suspension or Cancellation on Notice

The Council may at any time following 20 working days notice to the Permit Holder suspend or cancel any consent, permit or right to discharge for one or more of the following reasons unless the permit holder within that 20 days takes action, or commences action to remedy the situation. :

- (a) For failure to comply with any condition of the permit;
- (b) For failure to maintain effective control over the discharge;
- (c) For failure to limit in accordance with the requirements of any permit the volume, nature, or composition of Trade Waste being discharged;
- (d) For any negligent act or omission which, in the opinion of the Council, threatens the safety of, or threatens to cause damage to any part of the wastewater system or threatens the health or safety of any person;
- (e) If any occurrence happens that, in the opinion of the Council, poses a potential serious threat to the environment;
- (f) In the event that the discharge results in a breach of a resource consent held by the Council issued under the Resource Management Act 1991;
- (g) Failure to provide and when appropriate update a Management Plan as required for a conditional permit;
- (h) Failure to follow the Management Plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- (i) Failure to pay any charges under this Bylaw; or
- (j) If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the right to discharge.

3.8.2. Summary Cancellation

Notwithstanding Clause 3.8.1 above the Council may on giving to the Permit Holder written notice cancel any Trade Waste permit where:

- (a) The discharge contains any prohibited substance;
- (b) The Council is lawfully directed to withdraw or otherwise to terminate the permit summarily;
- (c) The Permit Holder discharges any Trade Waste without the appropriate consent;
- (d) If the continuance of the discharge is, in the opinion of the Council, an immediate threat to the environment or public health;
- (e) If in the opinion of the Council the continuance of the discharge puts at risk the ability of the Council to comply with any conditions of a resource consent and/or requires identified additional treatment measures or costs to seek to avoid a breach of any such resource consent, or contractual obligation.

4. TRADE WASTE DISCHARGE APPROVAL CRITERIA

4.1. Pre-treatment

- 4.1.1. The Council may approve a Trade Waste discharge subject to the provision, operation and maintenance by the Permit Holder of appropriate pre-treatment systems to enable the person discharging to comply with the Bylaw.
- 4.1.2. No refuse or garbage grinder or macerator shall be used within any trade premises discharging to a wastewater system except with the express approval of the Council.
- 4.1.3. The person discharging shall not, except with the express approval of the Council, add or permit the addition of any potable, condensing, cooling water or stormwater to any Trade Waste wastewater stream.

Note: Condensing and cooling water shall not be discharged to a stormwater drain or natural waterway without the express approval of the Council.

4.2. Mass Limits

- 4.2.1. A conditional Trade Waste permit to discharge may impose controls on a Trade Waste discharge by specifying mass limits for any characteristic. — Any characteristic permitted by mass limit shall also have its maximum concentration limited to the value specified in Schedule A of this bylaw unless approved otherwise.
- 4.2.2. When setting the mass limit for a particular characteristic the Council shall consider:
 - (a) The operational requirements of and risk to the wastewater system, and risks to occupational health and safety, public health, and the state of the ultimate receiving environment;
 - (b) Whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or wastewater sludge;
 - (c) Conditions in the wastewater system near the Trade Waste discharge point and elsewhere in the wastewater system;
 - (d) The extent to which the available industrial capacity of the wastewater system was used in the last financial period and is expected to be used in the forthcoming period;
 - (e) Whether or not the applicant uses cleaner production techniques within a period satisfactory to the Council;
 - (f) Whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another to justify any increased application for industrial capacity;
 - (g) Any requirements on the Council to reduce the pollutant discharge from the wastewater system;
 - (h) The proportion which the mass flow of the characteristic of the discharge will be of the total mass flow of that characteristic in the wastewater system;
 - (i) The total mass of the characteristic allowable in the wastewater system, and the proportion (if any) to be reserved for future allocations; and

- (j) Whether or not the characteristic will interact with other characteristics and thereby increase or decrease the effect of either characteristic on the wastewater system, or on the receiving environment.

4.2.3. Tankered Wastes

No person shall discharge any tankered wastes into any wastewater system other than in compliance with the Liquid and Hazardous Wastes Code of Practice and a Customer Contract with the NRSBU.

Tankered wastes shall:

- (a) Be transported by a Liquid Waste Operator with the necessary resource consents and/or NRSBU Customer Contract to discharge domestic septic tank or industrial wastes;
- (b) If requested, have material safety data sheets (MSDS) supplied to the Council detailing the contents of a waste;
- (c) Be tested to determine their character if the contents of the waste are not known. Specialist advice on pre-treatment or acceptance may be required. The cost of all testing and advice shall be borne by the Permit Holder;
- (d) Not be picked up and transported to the disposal site until appropriate arrangements and method for disposal have been determined by the Council;
- (e) Only be transported in a tanker which has been thoroughly washed prior to collecting any load for disposal into the wastewater system; and
- (f) Only be disposed after at least 24 hours notice has been given for the disposal of wastes, other than those sourced from domestic septic tanks.
- (g) Be recorded by the liquid waste operator using WasteTRACK or similar waste tracking system approved by Council.

Any person illegally disposing of, or causing to be disposed, tankered waste either by incorrect disclosure of contents (characteristics and/or amount) or dumping into the Council's wastewater system other than at an approved location in accordance with items (a)-(g) above will be in breach of the Bylaw.

No person shall engage a liquid waste operator to collect, transport or dispose of any liquid waste if that operator does not utilise a waste tracking system as required in (g) above.

4.2.4. Disinfected/Super Chlorinated Water

Any water used during the repair and construction of water mains shall be de-chlorinated to provide a residual chlorine level of less than 0.5ppm prior to discharge into the wastewater system.. Any chemical neutralisation of the chlorine shall not introduce any substances that exceed the limits specified in Schedule A of this bylaw.

NOTE: No such water shall be disposed of to any stormwater drain or water course except in compliance with the Freshwater Rules of the Resource Management Plan and the Council's Stormwater Bylaw 2006.

4.2.5. Swimming Pool and Spa Pool Water

No water, other than backwash water, from a swimming pool or spa pool draining facility shall be discharged to the sewer and such shall only be discharged once the residual chlorine level is less than 0.5 ppm and only in quantities associated with a standard backwash of filters. If the reason for discharge is due to a chemical imbalance (including $\text{pH} < 6$ or > 9) then Council must be consulted before the discharge occurs. All discharges other than backwash shall be made after 8pm and before 7am. Discharges outside these times shall only be with the approval of the Council. Council reserves the right to limit the rate and timing of the discharge. Discharges are not allowed less than 3 days after a rain event.

4.2.6. Discharges via Grease Traps or Silt and Oil Traps

Any premise that has or is likely to have any discharge from a grease trap or silt and oil trap shall obtain a Trade Waste permit.

The Network Utility Operator (NCC) has identified a grease trap with a minimum capacity of 500L as being appropriate to protect the wastewater network.

All grease traps and silt and oil traps shall be maintained in an operable condition in accordance with the following criteria:

- (a) All traps shall be serviced at least once every three (3) months to remove all sediment, fat oil and grease
- (b) At no time shall the sediment layer in any trap exceed 20 % of the depth or volume of the trap
- (c) At no time shall the fat/oil/grease layer exceed 20% of the depth or volume of the trap
- (d) Servicing shall be also undertaken at any time as necessary to maintain operational efficiency of the trap
- (e) All servicing shall be conducted by an approved liquid waste operator who complies with Clause 4.2.3 above.

~~(e)~~ (f) Silt/oil interceptors for washdown bays must be roofed or suitably banded with a first flush system installed and operating in accordance with the LDM.

4.2.7. Discharges via Enzyme Based Grease Converters.

The installation of an Enzyme based grease converter is prohibited.

Existing enzyme based grease converters will be permitted to remain provided all of the following criteria are met at all times:

- (a) A Trade Waste permit is obtained for any discharge from the converter
- (b) The converter has previously been explicitly approved by a Trade Waste consent or permit or building consent
- (c) The converter is fitted with an automatic enzyme dosing apparatus (whether or not this was required as part of any original consent (or permit))
- (d) The trade operator is able to provide satisfactory records of purchase of enzymes of a type and quantity matching the manufacturer's recommendation
- (e) The operator is able to provide records of regular (at a minimum weekly) checks of the system to ensure that it is operating correctly, and
- (f) The Council is satisfied that there is no risk to the wastewater system by the continued use of the converter.

5. SAMPLING, TESTING AND MONITORING

5.1. Flow Metering

- 5.1.1. The Council may as a condition of any permit or at any time that it considers necessary require a permit holder to undertake flow metering of any discharge.
- 5.1.2. The Permit Holder shall be responsible for the supply, installation, reading and maintenance of any flow metering equipment required to be installed. All equipment shall be subject to the approval of the Council, but shall remain the property of the Permit Holder.
- 5.1.3. Records of flow and/or volume shall be available for viewing at any time by the Council, and shall be submitted to the Council at prescribed intervals by the ~~permit holder~~ Holder in a format approved by the Council.
- 5.1.4. The equipment shall be installed according to the manufacturer's installation instructions and be located in relation to the discharge in a position which provides the required degree of accuracy and shall be readily accessible for reading.
- 5.1.5. The Permit Holder shall arrange for in situ calibration of the flow metering equipment and instrumentation by a person and a method approved by the Council upon installation and if required at Council's request thereafter to ensure its performance. The meter accuracy should be $\pm 5\%$. A copy of the independent certification of each calibration result shall be submitted to the Council at least annually.
- 5.1.6. Should any meter, after being calibrated, be found to have an error greater than that specified in 5.1.5 as a repeatable measurement, the Council may make an adjustment in accordance with the results shown by such tests back-dated for a period at the discretion of the Council but not exceeding 12 months, and the Permit Holder shall pay or be credited a greater or lesser amount according to such adjustment.

5.2. Estimating Discharge

- 5.2.1. Where no meter or similar apparatus is warranted, the Council may agree that a percentage of the water supplied to the premises (or other such basis as seems reasonable) be used for estimating the rate or quantity of discharge for the purposes of charging.
- 5.2.2. If on any reading it is found that any meter is out of repair or has ceased to register, or been removed, the Council may estimate the discharge for the period since the previous reading of such meter, based on the average of the previous 12 months charged to the person discharging and charges shall be levied accordingly. Provided however that where by reason of a large variation of discharge due to seasonal or other causes, the average of the previous 12 months would be an unreasonable estimate of the discharge, the Council may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the person discharging shall pay according to such estimate.
- 5.2.3. Where in the opinion of the Council, a meter has been tampered with, the Council (without prejudice to the other remedies available) may declare the reading void and estimate the discharge on the basis provided for in Clause 5.2.2 above.

5.3. Sampling and Analysis

- 5.3.1. The Council may at any time undertake sampling, testing and/or monitoring of any discharge for the purposes of determining whether:

- (a) A discharge complies with the provisions of any permit or of this Bylaw;
- (b) A discharge is to be classified as a permitted, conditional, or prohibited discharge (refer to Clause 3.1);
- (c) A permitted discharge complies with the provisions of Schedule A and
- (d) Trade Waste permit charges are applicable to that discharge.

5.3.2. The taking, preservation, transportation and analysis of the sample shall be undertaken by an authorised officer or agent of the Council, or the person discharging in accordance with accepted industry standard methods, or by a method specifically approved by the Council. Where a discharge does not comply with the bylaw or conditional permit the person discharging shall be responsible for all reasonable costs. Where a dispute arises as to the validity of the methods or procedures used for sampling or analysis, the dispute may be submitted to a mutually agreed independent arbitrator.

5.3.3. Any authorised officer or authorised agent of the Council, or any analyst may enter any premises believed to be discharging Trade Waste at any time in order to determine any characteristics of any actual or potential discharge by:

- (a) Taking readings and measurements of such discharge;
- (b) Carrying out an inspection;
- (c) Taking samples for testing, of any solid, liquid, or gaseous material or any combination or mixture of such materials being discharged;
- (d) Observing accidental occurrences and clean up.

5.4. Monitoring

5.4.1. Monitoring for Compliance

The Council may at any time undertake monitoring of any Trade Waste discharge. Such monitoring shall be carried out as follows:

- (a) The Council or its authorised agent will take the sample of the discharge and arrange for this sample to be analysed in an approved laboratory by accepted analytical methods;
- (b) The sampling procedure will be appropriate to the type of Trade Waste and the analysis;
- (c) The Council will audit the sampling and analysis carried out by a self-monitoring Trade Waste discharger. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process;
- (d) The Council will audit the sampling and analysis carried out by an analyst. Analysis will be performed by an approved laboratory. Inter-laboratory checks are to be part of this process; and
- (e) The Council will audit the Trade Waste permit conditions including any management plans. Where non compliance is found, all costs of monitoring shall be met by the discharger either through direct payment to the laboratory or to the Council.

5.4.2. Sampling Methodology

Sampling shall be by way of a single grab sample which will be split equally into two parts to be dealt with as follows:

- (a) One portion of the sample will be provided to the Trade Waste discharger for analysis and/or storage;
- (b) The other portion of the sample shall be analysed at a laboratory approved by the Council;

Due consideration will be applied to any changes that could occur in retained Trade Waste samples and provisions to mitigate against changes will be adopted where practicable.

In all cases the samples shall be handled in an appropriate manner such that the characteristics being tested for are, as far as reasonably possible, preserved.

All samples shall be preserved, handled, transported and delivered to an approved laboratory according to best possible practice and approved standards.

6. BYLAW ADMINISTRATION

6.1. Review of Decisions

- 6.1.1. If any person is dissatisfied with any decision by an authorised officer made under this Bylaw, that person may, by notice delivered to the Chief Executive Officer of the Council not later than 20 working days after receipt of the decision request the Chief Executive to review the decision. The decision of the Chief Executive Officer shall be final.

6.2. Accidents and Non-compliance

- 6.2.1. The Permit Holder shall inform the Council immediately on discovery of any accident including spills or process mishaps which may cause a breach of this bylaw.
- 6.2.2. In the event of any accident occurring when the person holds a conditional permit, the Council may review the permit under Clause 3.7 or may require the Permit Holder, within 20 working days of the date of such requirement to review the contingency management procedures and re-submit for approval the management plan with the Council.
- 6.2.3. In the event of an accident occurring on the premises of a permitted discharge, the Council may require the person discharging to apply for a conditional permit.

6.3. Charges and Payments

~~6.3.1. Fees and charges payable will be set each year by the Council in its Annual Plan.~~

~~6.3.2. Fees and Charges~~

~~The customer shall be responsible to meet all fees and charges relating to the discharge of wastewater from their premises to the wastewater system, as may from time to time be imposed by the Council and set out in the Annual Plan.~~

~~Fees and charges shall be payable in accordance with Schedule B.~~

~~6.3.3. Invoicing~~

~~All charges determined in accordance with 6.3.1 shall be invoiced in accordance with the Council's standard practice. The invoice shall provide each person discharging with a copy of the information and calculations used to determine the extent of any charges and fees due, in to a discharge.~~

~~6.3.4. Cessation of to Discharging~~

~~The person discharging shall be deemed to be continuing the discharge of Trade Waste and shall be liable for all charges, until notice of disconnection is given to the Council by the permit holder.~~

~~6.3.5. Failure to Pay~~

~~All fees and charges payable under this Bylaw shall be recoverable as a debt. If the person discharging fails to pay any fees and charges under this Bylaw the Council may cancel the right to discharge in accordance with 3.8.~~

6.4. Transfer or Termination of Rights and Responsibilities

- 6.4.1. A Trade Waste permit to discharge shall be issued in the name given on the application form. The Permit Holder shall not, unless written approval is obtained from the Council:
- (a) Transfer to any other party the rights and responsibilities provided for under this Bylaw, and under the permit;
 - (b) Allow a point of discharge to serve any other premises, or the private drain to that point to extend by pipe or any other means to serve another premises; or
 - (c) In particular and not in limitation of the above, allow wastewater from any other party to be discharged at their point of discharge.
- 6.4.2. Renewal of a Trade Waste permit on change of ownership of premises shall not be unreasonably withheld if the characteristics of the wastewater remain unchanged.
- 6.4.3. The ~~permit~~ ~~Permit holder~~ ~~Holder~~ shall give 48 hours notice in writing to the Council of their requirement for disconnection of the discharge connection and/or termination of the discharge permit, except where demolition or relaying of the discharge drain is required, in which case the notice shall be within seven working days. The person discharging shall notify the Council of the new address details for final invoicing.
- 6.4.4. When a ~~P~~ ~~permit~~ ~~H~~ ~~holder~~ ceases to occupy premises from which Trade Wastes are discharged into the wastewater system any permit granted shall terminate but without relieving the person discharging from any obligations existing at the date of termination.

6.5. Offences

- 6.5.1. Every person or Permit Holder or owner or occupier of ~~Trade~~ Premises who:
- (a) Fails to comply with or acts in contravention of any provision of this Bylaw;
 - (b) Breaches the conditions of any permit to discharge granted pursuant to this Bylaw, or
 - (c) Fails to comply with a notice served under this Bylaw, commits an offence and is liable to a fine not exceeding \$200,000.

6.6. Transitional Provisions

6.6.1. Applications

Any application for a permit to discharge Trade Waste made under this NCC ~~Trade Waste~~ ~~Wastewater~~ Bylaw ~~214-2##~~ (20072014) for which a permit has not been granted at the time of this new Bylaw coming into force shall be deemed to be an application made under Clause 3.2 of this Bylaw.

6.6.2. Existing Trade Waste Consents

Every existing Trade Waste consent (or permit) shall continue in force as if it were a permit issued under this Bylaw subject to 6.6.3. Provided that the Council may review and amend any conditions of any existing consent (or permit) to ensure such align with this Bylaw.

6.6.3 The Council can review conditions of existing consents when:

- a) new information becomes available;
- b) if the information made available during the application contained inaccuracies which materially influenced the setting of conditions of the consent;
- c) the consented discharge is found to have an adverse impact on the Council's wastewater network.

7. DATE BYLAW MADE

This Bylaw was made by the Nelson City Council at a meeting on
27 September 2007

The common seal of the Nelson City Council is attached in the presence of

Mayor

Chief Executive Officer

SCHEDULE A: PERMITTED DISCHARGE CHARACTERISTICS

1. DISCHARGE CHARACTERISTICS

1.1. Acceptable Criteria

1.1.1. The tables in this section and the contaminant concentrations shown are maximum limits of what is acceptable. The acceptance criteria/characteristics are generally sourced from the guidelines for wastewater systems - acceptance of Trade Waste (industrial waste).

1.2. Factors affecting acceptance conditions

1.2.1. The following factors may be considered by Council when assessing an permit application:

- (a) Volume, concentration, contaminant hazard assessment of the Trade Waste;
- (b) Effectiveness and reliability of industry-based pre-treatment, if any. Reliability includes an industry's proven track record in operating a pre-treatment plant;
- (c) Effectiveness and reliability of the Council's wastewater collection, treatment and disposal of facilities in relation to the proposed discharge characteristics;
- (d) Treated wastewater disposal location, e.g. high energy coastal outfall, inland waterways, irrigated land disposal system, wetland;
- (e) Reuse of treated wastewater and/or biosolids;
- (f) Sludge disposal method by both industry and the Council. Disposal to a Class A landfill will require less control over the resultant sludge than disposal to a Class B landfill or reuse as biosolids;

(g) Occupational health and safety requirements;

(e)(h) Requirements of any legislation in force or as may be enacted from time to time.

2. PHYSICAL CHARACTERISTICS

2.1. Flow

- 2.1.1. The 24 hour flow volume shall be less than 5m³
- 2.1.2. The maximum instantaneous flow rate shall be less than 2.0L/s
- 2.1.3. The maximum flow rate shall be less than 0.54L/s/Ha

2.2. Temperature

2.2.1. The temperature shall not exceed 40°C

2.3. Solids

- 2.3.1. Non-faecal gross solids shall have a maximum dimension which shall not exceed 15mm
- 2.3.2. The suspended solids content of any wastewater shall have a maximum concentration which shall not exceed 1000g/m³

- 2.3.3. The settleable solids content of any wastewater shall not exceed 50mL/L
- 2.3.4. The total dissolved solids in any wastewater shall have a maximum concentration which shall not exceed 3000 g/m³
- 2.3.5. Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of wastewater in the drainage system or treatment plant shall not be present
- 2.3.6. Trade waste containing solids that have been processed through any in or under sink macerator type device (such as, but not limited to, "in-sink-erator") is prohibited.

2.4. Fat, Oil and Grease

- 2.4.1. There shall be no free or floating layer of fat, oil or grease.
- 2.4.2. A Trade Waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of the Council is not biodegradable shall not exceed 100g/m³ as petroleum ether extractable matter when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with and diluted by a factor of 10 by raw wastewater, throughout the range of pH 6.0 to pH 9.0
- 2.4.3. A Trade Waste with oil, fat or grease unavoidably emulsified, which in the opinion of the Council is biodegradable shall not exceed 100g/m³ when the emulsion is stable at a temperature of 15°C and when the emulsion is in contact with, and diluted by, a factor of 10 by raw wastewater throughout the range pH 6.0 to pH 9.0
- 2.4.4. A Trade Waste eEmulsified oil, fat or grease shall not exceed 100g/m³ as petroleum ether extractable matter when the emulsion is unstable at a temperature of 15°C and when the emulsion is in contact with, and diluted by, a factor of 10 by raw wastewater throughout the range pH 6.0 to pH 9.0

2.5. Solvents and Other Organic Liquids

- 2.5.1. There shall be no free layer (whether floating or settled) of solvents or organic liquids

2.6. Emulsions of Paint, Latex, Adhesive, Rubber, Plastic or Similar Material

- 2.6.1. Where such emulsions are not treatable they may be discharged into the sewer subject to the total suspended solids not exceeding 1000g/m³
- 2.6.2. The Council may require pre-treatment of such emulsions if the emulsion wastewater is likely to unreasonably interfere with the operation of the Council's treatment plant, e.g. reduces % UVT (ultra violet transmission)
- 2.6.3. Such emulsions, of both treatable and non-treatable types, shall be discharged to the sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public sewer

2.7. Radioactivity

- 2.7.1. Radioactivity levels shall not exceed the National Radiation Laboratory Guidelines

2.8. Colour

- 2.8.1. No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the final effluent discharge consent

2.9. Inhibitory Substances

2.9.1. Should any characteristic of a discharge be found to inhibit the performance of the wastewater treatment process, such that the Council is significantly at risk or likely to be prevented from achieving its environmental statutory requirements, then the Council reserves the right to amend the corresponding permit or consent summarily

2.10. Chemical Characteristics

2.10.1. The pH shall be between 6.0 and 9.0 at all times

2.11. Organic Strength

2.11.1. The Biochemical Oxygen Demand (BOD₅) of any waste may require to be restricted where the capacity for receiving and treating BOD₅ is limited. A BOD₅ restriction may be related to mass limits. All trade waste permits will be reviewed against the requirements of the wastewater treatment plant operating conditions by the Council and appropriate conditions may be set.

2.11.2. Where there is no Council treatment system for organic removal of BOD₅ such shall not exceed 1000g/m³. For significant industry this may be reduced to 600g/m³

2.12. Maximum Concentrations

2.12.1. Introduction

The maximum concentrations permissible in respect of the chemical characteristics of an acceptable discharge are set out in the following tables:

Table 1A.1 – General chemical characteristics

Table 1A.2 – Heavy metals

Table 1A.3 – Organic compounds and pesticides

TABLE A.1: GENERAL CHEMICAL CHARACTERISTICS

(Mass limits may be imposed, refer to 4.2)	
Characteristic Maximum Concentration g/m³ (ppm)	
MBAS (Methylene blue active substances)	500
Ammonia (measured as N)	
- free ammonia	50
- ammonium salts	200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (measured as SO ₄)	200
Sulphite (measured as SO ₂)	15
Sulphide - as H ₂ S on acidification	1
Chlorine (measured as Cl ₂)	
- free chlorine	3
- hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br ₂)	5
Fluoride (as F)	5
Cyanide – weak acid dissociable (as CN)	5

TABLE A.2: HEAVY METALS

(Mass limits may be imposed, refer to 4.2)

Metal Maximum Concentration g/m³ (ppm)	
Antimony	5
Arsenic	1
Barium	10
Beryllium	0.005
Cadmium	0.5
Chromium	5
Cobalt	5
Copper	5
Lead	5
Manganese	10
Mercury	0.05
Molybdenum	5
Nickel	5
Selenium	5
Silver	1
Thallium	5
Tin	10
Zinc	5

TABLE A.3: ORGANIC COMPOUNDS AND PESTICIDES

(Mass limits may be imposed, refer to 4.2)	
Compound Maximum Concentration g/m³ (ppm)	
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs)	0.002
Polychlorinated biphenyls (PCBs)	0.00
Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general). (Includes insecticides, herbicides, fungicides but excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.2 in total
Organophosphate pesticides	0.1

SCHEDULE B: TRADE WASTE CHARGES AND FEE CATEGORIES

G	General and Administrative Charges
G1	Compliance monitoring — the cost of sampling and analysis of Trade Waste discharges.
G2	Non-compliance Inspection fee payable for each inspection (or re-inspection) visit by the Council, or representative, where a notice served under this Bylaw has not been complied with by the Trade Waste discharger.

SCHEDULE C: — GENERAL AND USER CHARGES FORMULAE

The Trade Waste user charges will be based on the total costs that need to be recovered by the Council through the Drainage Account for conveyance, treatment, and disposal of the effluent irrespective of which treatment system serves the premises.

METHOD A: THE QUALITY/QUANTITY APPROACH

1. — This method shall only be employed when the charges received by the Council is at least twice the cost of the monitoring required to calculate the charges.
2. — The estimated total cost to be recovered by the Council through the Drainage Account for receiving, conveying, treating and disposing of wastewater within its district is determined via the Annual Plan process.
3. — This cost is apportioned to the various stages of the service provided as follows:
 - (a) — Conveying
Capital charges and operating costs in relation to sewers and pumping stations are allocated with respect to the rate of discharge.
 - (b) — Treatment
Capital charges and operating costs in relation to wastewater treatment and disposal is allocated with respect to s_5 loadings.
4. — The charges in respect of special wastes shall be based upon the following criteria:
 - (a) — Rate of discharge, expressed as litres/minute; and
 - (b) — BOD_5 load expressed as Kg BOD_5 for one-off discharges and as Kg/Day BOD_5 for other discharges.
5. — The methods to be used for determining the rate of discharge and BOD_5 shall be as follows:
 - (a) — Rate of Discharge: the rate of discharge from any trade premises shall be deemed to be the average rate (in litres per minute) at which discharge is made over eight periods each of twenty-four consecutive hours duration, which are reasonably representative of peak conditions during each financial year or over such lesser numbers of periods as may be agreed between the Council and the discharger.
 - (b) — Biochemical Oxygen Demand: the amount of BOD_5 for which any trade premise is chargeable shall be calculated in accordance with the results of analysis of samples collected by the Council. Samples shall be proportional to flow and shall be taken over periods of 24 consecutive hours on eight occasions that are reasonably representative of peak conditions during each financial year or on such lesser number of occasions as may be agreed between the Council and the discharger. The analysis shall be carried out on a shaken proportionate sample, which shall be analysed by the standard five-day BOD test by a Council approved laboratory.
6. — The charges payable to the Council by trade operators in respect of the receiving, treatment and disposal of Trade Waste discharges from their respective trade premises shall, subject to the other provisions of this bylaw, be calculated annually.
7. — A wastewater or Trade Waste charge is set under Section 16 of the Local Government (Rating) Act 2002 to recover the costs required for Council's

wastewater disposal system. This charge is levied on all properties to which the Council's wastewater disposal service is provided.

8. ~~The total amounts calculated under Clause 4 above shall be reduced by deducting the wastewater charge under Clause 7.~~

9. ~~This final charge is expressed in the following formula:~~

$$D = (P_1 \cdot Q + P_2 \cdot R) - E$$

~~Where:~~

~~D = Total annual charge~~

~~P₁ = Cost of treatment in \$/annum/kg BOD/day~~

~~P₂ = Cost of conveying the volume received in \$/annum/litre/min~~

~~Q = BOD₅ as determined in Clause 5 hereof in kg per day units~~

~~R = Rate of discharge from the trade premises in litres/min as determined in Clause 5 hereof~~

~~E = Wastewater charge, see Clause 7 above~~

10. ~~In calculating such charge in accordance with Clauses 4 to 7 inclusive hereof, any domestic wastewater, which is discharged from the premises affected shall be deemed to be Trade Wastes.~~

Note: ~~The application of this formula shall not entitle an owner, occupier or Permit Holder to a rebate.~~

11. ~~Should final information with regard to rate of discharge or BOD₅ not be available in respect of any period for which payment becomes due, the Council may assess a provisional charge which shall be payable as if it were the proper charge, provided that as soon as the proper charge can be calculated by the Council, notice shall be sent to the owner and any refund or additional payment as the case may be shall be made within one calendar month from the date of such notice.~~

METHOD B: THE QUANTITY APPROACH

1. For trade premises, where the Council considers that the annual charge is likely to be less than twice the cost of monitoring, testing and calculating the charges using Method A, and for hotels, motels and camping grounds, the Trade Waste charge shall be calculated as:

$$D1 = (W \times F \times C) - E$$

Where:

D1 = Annual charge

W = Volume of water supplied from the Council supply to the premises during the period determined from the water meter.

F = Correlation factor between water usage and wastewater flows which shall be 0.8 (80%) unless another figure is agreed between the Council and the permit holder.

C = The cost per cubic metre for conveying and treating the City's wastewater. This figure shall be set annually by the Council and shall be based on the estimated total cost for conveying and treating wastewater within its district and the historical flow trends, expressed in \$/m³.

E = The wastewater or Trade Waste charge, see Clause 7 in Method A above.

Note: the charge is calculated quarterly. Overleaf is a worked example of Trade Waste B Charges.

Note: the application of this formula shall not entitle an owner-occupier or Permit Holder to a rebate.

Example Business Trade Waste B account where F is 80%, C = \$1.04 and E = \$250:

1st Quarterly Bill

Water consumption = W = 140m³

Trade waste flow = W x F = 140 * 0.8 = 112m³

Trade waste cost = 112 * C = YTD = \$116.48;

This invoice = YTD = \$116.48;

Since YTD is less than E nothing is payable this quarter. = \$0

2nd Quarterly Bill

Water consumption = W = 150m³

Trade waste flow = W x F = 150 * 0.8 = 120m³

Trade waste cost = 120 * C = \$124.80

Add this invoice to previous = \$124.80 + \$116.48 = YTD = \$241.28;

Since the YTD is still less than E nothing is payable this quarter. = \$0

3rd Quarterly Bill

Water consumption = W = 100m³

Trade waste flow = W x F = 100 * 0.8 = 80m³

Trade waste cost = 80 * C = \$83.20

Add this invoice to previous YTD total = \$241.28 + \$83.20 = YTD = \$324.48

Since YTD is now greater than E the difference is payable. \$324.48 - \$250.00 = \$74.48

4th Quarterly Bill

Water consumption = W = 180m³

Trade waste flow = W x F = 180 * 0.8 = 144m³

Trade waste cost = 144 * C = \$149.76

The credit for E has been used up, so the full cost for this quarter is payable = \$149.76

Summary

In summary total water used = 140 + 150 + 100 + 180 = 570m³

Trade Waste charges = 570 * 0.8 * 1.04 = \$474.24. Less credit for E (\$250) = \$224.24 (which equals the amount paid in the 3rd and 4th quarters above);

Because E is paid as part of the annual rates for the property this is given as a credit towards Trade Waste discharges. The trade operator will receive Trade Waste bills with \$0 payable until the credit for E is used up, then they will receive full bills for their Trade Waste discharges for the rest of the Council financial year. The total paid each year is the same by this method as it would be if there was one invoice per year.

SCHEDULE D: ~~REMISSION POLICY~~

~~The Council may provide a remission on Trade Waste B charges for permit holders who pay Trade Waste charges via charging Method B if the permit holder demonstrates that the ratio of water discharged to any sewer to the water used (as measured by Council water meter) is less than Council's standard assumption of 80%.~~

~~To enable Council to consider any application for remission the applicant must provide:~~

- ~~1. Previous trade waste bills for a period of 12 months (except for new businesses)~~
- ~~2. A list of ALL facilities within the premises using water (e.g. toilets, sinks, hoses, irrigation, process equipment, etc.)~~
- ~~3. Evidence of the amount of water being used and not being discharged to sewer by one of the following methods (in order of preference):~~
 - ~~(a) Second water meter on the water supply to the portion of trade operation where it is not possible for the water to be discharged to a sewer~~
 - ~~(b) Flow meter on sewer (where flows are high enough to allow accurate measurement)~~
 - ~~(c) Mass balance of production operations or processes showing water requirements and clearly showing water retention in final product or other mechanism that prevents discharge to sewer.~~

SCHEDULE E—TRADE WASTE DISCHARGE APPLICATION FORM

Section 3: Description of Premises and Trade Waste (Tick as many as applicable)

7. Trade Operation Description

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Bakery | <input type="checkbox"/> Medical laboratories including those with commercial macerators |
| <input type="checkbox"/> Beverage manufacturer (including wineries) | <input type="checkbox"/> Metal finishers, electroplaters, galvanisers, etc. |
| <input type="checkbox"/> Car/vehicle rental | <input type="checkbox"/> Mortuaries |
| <input type="checkbox"/> Car/vehicle sales yard | <input type="checkbox"/> Office, <u>not</u> involving any water-oriented processes or products |
| <input type="checkbox"/> Church (with catering facilities) | <input type="checkbox"/> Photo processors |
| <input type="checkbox"/> Clothing manufacturer | <input type="checkbox"/> Premises with commercial macerators |
| <input type="checkbox"/> Concrete batching plant | <input type="checkbox"/> Printers |
| <input type="checkbox"/> Dairy processing plant | <input type="checkbox"/> Pub/bar |
| <input type="checkbox"/> Dry-cleaner | <input type="checkbox"/> Public venue e.g. hall, stadium or theatre |
| <input type="checkbox"/> Food processor (including canneries) | <input type="checkbox"/> Restaurants/Cafés |
| <input type="checkbox"/> Foundry | <input type="checkbox"/> Schools, Polytechnics, universities |
| <input type="checkbox"/> Fruit and vegetable processors including medium (excluding those as canneries) | <input type="checkbox"/> Scientific and other laboratories |
| <input type="checkbox"/> Groengrocers and fishmongers | <input type="checkbox"/> Service station or other petroleum retail |
| <input type="checkbox"/> Hospitals (including day care surgical facilities) | <input type="checkbox"/> Spray painting facilities |
| <input type="checkbox"/> Hotels and motels (with catering facilities) | <input type="checkbox"/> Stock sale yards |
| <input type="checkbox"/> Laundries (excludes dry-cleaners) | <input type="checkbox"/> Take-away premises |
| <input type="checkbox"/> Manufacturers of chemicals (including those with petroleum, coal, rubber and plastic products laboratories) | <input type="checkbox"/> Tankered wastes |
| <input type="checkbox"/> Manufacturers of clay, glass, plaster, masonry | <input type="checkbox"/> Tanneries and leather finishings (including fellmongery) |
| <input type="checkbox"/> Manufacturers of fabricated metal products, machinery and equipment | <input type="checkbox"/> Textile fibre and textile processors |
| <input type="checkbox"/> Manufacturers of fertiliser | <input type="checkbox"/> Vehicle wash facilities |
| <input type="checkbox"/> Manufacturers of paper and paper products | <input type="checkbox"/> Waste management processors (excluding landfills with leachate discharge) |
| <input type="checkbox"/> Marae | <input type="checkbox"/> Wholesalers/retailers including butchers |
| <input type="checkbox"/> Mechanical workshops | <input type="checkbox"/> Wool scourers |
| <input type="checkbox"/> Medical (includes doctor, dental and veterinary; excludes hospitals) | |
| <input type="checkbox"/> Other unlisted (please describe): _____ | |

8. Does your trade premise contain only the following facilities that are connected to sewer?

- Toilet (maximum of 2) for staff use only
- Hand basins for staff use only
- Small kitchen containing no more than 1 standard sink and 1 domestic dishwasher and used for staff convenience only
- 1 other hand basin or laundry style tub that is only used for staff convenience

- Yes (no permit required - Go to Q11) No (Go to Q9)

9. Does your trade premise contain any of the following: (tick as many as applicable)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Commercial kitchen (i.e. a kitchen used for anything other than staff convenience) | <input type="checkbox"/> More than 2 toilets or wash facilities |
| <input type="checkbox"/> A wash-down area or facilities (either indoor or outdoor) that connects (or might be connected) to a sewer. | <input type="checkbox"/> Any production process, service or other trade where there is a connection(s) to sewer other than what is identified in Q8 above |
| <input type="checkbox"/> Accommodation (short term or long term) | <input type="checkbox"/> Any food production, storage or serving facility |
| <input type="checkbox"/> Floor drains | <input type="checkbox"/> Irrigation system |
| <input type="checkbox"/> Cooling systems that use water for cooling | <input type="checkbox"/> Store or utilise any hazardous substances as identified in Section 2.2 of the Bylaw |
| <input type="checkbox"/> Processes that are likely to result in a discharge to sewer that does not meet the physical characteristic limits as set out in Schedule 1A | <input type="checkbox"/> The ability to store wastewater on-site (e.g. holding tanks or buffer tanks) |
| <input type="checkbox"/> A residential dwelling on the same site, utilising the same water supply and/or sewer connection | <input type="checkbox"/> Grease trap or grease converter |
| <input type="checkbox"/> Silt and oil trap | |

10. Category B Trade Premise – detailed information

If you do not know all the information requested in Q10, please fill out as much as possible and contact Council's Tradewaste Officer to discuss.

Depending on the nature of your trade operation you may be required to provide evidence to support your answers to Q10.

a. Does your annual water usage exceed 250m³?

- Yes (go to C below) No

b. Does your average daily water usage exceed 1m³ per normal working day?

- Yes (go to C below) No (go to d below)

c. What is your estimated daily Trade Waste volume per normal working day?

Average _____ m³ Maximum _____ m³

d. What is your estimated Trade Waste flow rate?

Average _____ l/s Maximum _____ l/s

e. Is the temperature of your Trade Waste likely to exceed 40°C?

- Yes No (go to f below)

If yes, what temperatures do you expect?

Average _____ °C Maximum _____ °C

f. Is your Trade Waste likely to contain any of the following:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> High BOD ₅ (>600mg/l) | <input type="checkbox"/> High COD (>1000mg/l) |
| <input type="checkbox"/> High suspended solids (>300mg/l) | <input type="checkbox"/> pH <6 or >9 |
| <input type="checkbox"/> Fats, Oils or Grease regardless of quantity or source | <input type="checkbox"/> Solvents or other organic liquids |
| <input type="checkbox"/> Emulsions of paint, latex, adhesive, rubber, plastic or similar material | <input type="checkbox"/> Radioactive material |
| <input type="checkbox"/> Colour which may affect treatment processes or discolour mixed wastewater at the treatment plant and/or outlet | <input type="checkbox"/> Substances identified in Schedule A Table A.1 – General Chemical Characteristics, of the Bylaw |
| <input type="checkbox"/> Heavy metal as identified in Schedule A Table A.2 – Heavy Metals, of the Bylaw | <input type="checkbox"/> Substances identified in Schedule A Table A.3 – Organic Compounds and Pesticides, of the Bylaw |

11. Trade Premise Declaration

I _____
(Name of authorised representative)

hereby declare that:

To the best of my knowledge the information in this application is correct _____
Initial

I will maintain compliance with all aspects of the Trade Waste Bylaw _____
Initial

Should the trade operation change I will contact Nelson City Council and if necessary apply for an amended or new Trade Waste permit _____
Initial

I will pay Trade Waste charges required by the Bylaw _____
Initial

I understand that:

This Trade Waste application and declaration will be held on Council records. I can request to view and/or amend any information at any time (This may involve completing a new form) _____
Initial

An authorised officer of the Council is entitled to enter onto private land for the purposes of inspections and/or sampling. I am entitled to view the warrant confirming such officer's authority _____
Initial

Failure to comply with this permit or the Bylaw may result in prosecution under the Local Government Act 2002. _____
Initial

Signed for and on behalf of the trade operator

Dated

Nelson City Council Staff Use Only

Permitted Conditional Prohibited

Category:

A B C

Monitoring required:

Grease trap servicing

Enzyme based grease converter

Silt/oil trap servicing

Sampling

Type: _____

Frequency: _____

Other

Detail: _____

SCHEDULE F — TRADE WASTE PERMIT FORM



NELSON CITY COUNCIL

Trade Waste Permit Form

Pursuant to Nelson City Council's Trade Waste Bylaw 214 (2007)

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PERMIT TO DISCHARGE TRADE WASTE TO THE PUBLIC SEWER

Permit Number: _____

Name: _____ (Permit Holder trade name)

Address: (street address of trade premises)

Municipality Street Suburb

Phone

This permit is granted subject to the conditions below and any specific conditions attached. For and on behalf of the Nelson City Council:

Name: _____

Signed Dated

The person named above is hereby granted authority to discharge Trade Waste from the above premises, for the term and subject to the conditions set out below: (Delete any not applicable)

- 12. This permit relates to a proposed new discharge / an existing non-permitted discharge / renewal of a permit / variation to an existing permit
- 13. This is a permitted (non-conditions attached) / conditional permit (conditions attached)
- 14. The provisions of the Nelson City Council Trade Waste Bylaw 214 (2007) are to be complied with at all times
- 15. The Trade Waste discharge authorised under this permit shall consist only of wastes from the following processes:



NELSON CITY COUNCIL

Trade Waste Permit Conditions

Pursuant to Nelson City Council's Trade Waste Bylaw 214 (2007)

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PERMIT TO DISCHARGE TRADE WASTE TO THE PUBLIC SEWER

Permit Number: _____

Specific Conditions:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____



Summary of Statement of Proposal

DRAFT WATER SUPPLY BYLAW – JUNE 2014

This statement is made for the purposes of sections 83 and 89 of the Local Government Act 2002. That means it summarises the information in the Statement of Proposal to adopt a Water Supply Bylaw 2014, explains how to access the full Statement of Proposal, and provides details of the period during which the Council will accept submissions on the proposal.

Key points in the Statement of Proposal:

1. Nelson City Council's Water Supply Bylaw 2008 is due to expire in October 2015. The Council proposes to adopt a new Water Supply Bylaw in 2014 to replace it. This will enable the Council to continue to control customer activities with potential to impact on the water supply network.
2. The Draft Water Supply Bylaw No. 223 is attached to the Statement of Proposal. Council's preferred option is to adopt a new Water Supply Bylaw which is an amended version of the existing Water Supply Bylaw 2007. The proposed changes are shown in strikethrough and underlining.
3. The Draft Water Supply Bylaw includes minor changes to the 2007 bylaw to remove uncertainties in interpretation. The most significant proposed change is to remove specific detailing of fees and charges, including remission and credit criteria, from the bylaw and allow them to be dealt with under the financial charges section of future Annual or Long Term Plans rather than within the bylaw. This will avoid the need to go through a change of bylaw every time Council wishes to amend charges or credit criteria.
4. Adopting a Water Supply Bylaw enables the Council to protect the quality of the urban water supply. Activities which have potential to impact on the water supply are most effectively addressed through bylaw provisions, including:
 - access to the water supply via fire hydrants
 - below ground excavations near the water supply network
 - activities in the water supply catchments, including washing or bathing, or depositing refuse or waste material, or spillages which could compromise the water supply.
5. The draft bylaw also includes provisions related to the supply and metering of water, and the ability to charge for the availability and supply of water to premises. It establishes terms and conditions for connection to the water supply system, including the customer's agreement to pay for the supply of water in accordance with the Council's schedule of rates and charges. These provisions,

- and the water usage restrictions in the bylaw, enable the Council to manage demand for water, and to restrict supply during water shortages or emergencies.
6. The draft bylaw also includes provisions related to connections to the water supply system. It sets out that the Council is not responsible for supplying water at any particular rate of flow or pressure and is not responsible for any loss, damage or inconvenience that may arise as a result of any interruption in the supply of water. This avoids liability issues.
 7. It is an offence against this bylaw to interfere with the water supply network either directly or indirectly, and to waste water. This helps the Council to protect the quality and quantity of the water supply. Where breaches of the bylaw occur, Council can restrict or disconnect water supply, and can also prosecute any person offending against the bylaw.
 8. In developing a proposed Water Supply Bylaw, the Council considered three options: to adopt a water supply bylaw which includes some changes to the 2008 bylaw, to adopt the 2008 bylaw without changes, and to not have a water supply bylaw. These options are outlined in more detail in the Statement of Proposal.
 9. The Statement of Proposal (including the draft bylaw) is available to view or download from the Nelson City Council website www.nelson.govt.nz (search phrase = draft water supply bylaw). Paper copies of the Statement of Proposal (and draft bylaw) are also available free of charge from the customer service centre at Civic House at 110 Trafalgar Street Nelson, and on request by contacting the customer service centre on telephone 5460200.

Submissions

Any person or organisation is welcome to make a submission on the Statement of Proposal to adopt a Nelson City Council Water Supply Bylaw (Bylaw No. 223). Council will be taking account of all submissions made when it decides on the final content of the Water Supply Bylaw. Submissions must be received by Council no later than **4.00pm on Monday, 21 July 2014**.

A submission form can be obtained from Nelson City Council offices at 110 Trafalgar Street Nelson, and is also available on the Nelson City Council website www.nelson.govt.nz

Submissions can also be sent in letter or email form and should be:

Posted to: Water Supply Bylaw Consultation
Nelson City Council
PO Box 645
Nelson 7040

Or emailed to: submissions@ncc.govt.nz

Please state in your submission whether or not you wish to speak at a hearing in support of your submission.

Submitters should note that their submission will be copied and made available to the public after the submission period closes. Council will contact all submitters (who wish to be heard) in writing to advise the confirmed time, date and venue of the hearing.

All enquiries should be directed to Phil Ruffell, Senior Asset Engineer – Utilities, on telephone 545-8739 or by email to phil.ruffell@ncc.govt.nz.



Summary of Statement of Proposal

DRAFT WASTEWATER BYLAW – JUNE 2014

This statement is made for the purposes of sections 83 and 89 of the Local Government Act 2002. That means it summarises the information in the Statement of Proposal to adopt a Wastewater Bylaw 2014, explains how to access the full Statement of Proposal, and provides details of the period during which the Council will accept submissions on the proposal.

Key points in the Statement of Proposal:

1. Nelson City Council's Trade Waste Bylaw 2007 is due to expire in October 2014. The Council proposes to adopt a new Wastewater Bylaw in 2014 to replace it. This will enable the Council to avoid impacts on the wastewater network, to minimise the risk of impacts on public health and pollution of soil and water.
2. The draft Wastewater Bylaw No. 224 is attached to the Statement of Proposal. Council's preferred option is to adopt a wastewater bylaw that controls wastewater from both domestic and commercial premises, and that does not include the details of the charging regime or trade waste application form. The reason for broadening the bylaw to become a "wastewater bylaw" is that it would enable the Council to use the bylaw to regulate wastewater from all properties in Nelson.
3. The draft Wastewater Bylaw is an amended version of the existing Trade Waste Bylaw 2007. The proposed changes are shown in strikethrough and underlining.
4. Adopting a Wastewater Bylaw enables the Council to control discharges to the wastewater network. Aspects of discharges which need to be managed include:
 - the volume
 - speed of discharge
 - timing of the discharge
 - presence of any hazardous substances
 - reactivity with other wastes
 - potential impacts of the discharge (after treatment) on the receiving environment
 - pre-treatment prior to discharge.
5. The draft Wastewater Bylaw also seeks to avoid the discharge of stormwater to the wastewater network. The reason for this is to avoid exceeding the capacity of

the wastewater system, which can result in overflows of sewage into the environment.

6. The bylaw enables the Council to require premises discharging to the wastewater network that have a grease, silt or oil trap to maintain these traps in an operable condition. This helps to avoid discharges of grease, silt and oil, as they can impact on the functioning of the wastewater system.
7. Flow metering and compliance monitoring is provided for in the draft bylaw, as well as the ability to charge for discharges to the wastewater system.
8. The Council proposes to remove the details of setting of fees and charges from the bylaw, and to manage this through the Annual Plan/Long Term Plan process instead. This will provide greater consistency with how the Council's other fees and charges are consulted on. Providing the trade waste application form on the website and through the Customer Service Centre instead of in Schedule E of the bylaw will make this form more accessible and will enable it to be updated without triggering a review of the bylaw.
9. The Statement of Proposal (including the draft bylaw) is available to view or download from the Nelson City Council website www.nelson.govt.nz (search phrase = draft wastewater bylaw). Paper copies of the Statement of Proposal are also available free of charge from the Nelson City Council customer service centre at Civic House 110 Trafalgar Street Nelson, and on request by contacting the customer service centre on telephone 5460200.

Submissions

Any person or organisation is welcome to make a submission on the Statement of Proposal to adopt a Nelson City Council Wastewater Bylaw (Bylaw No. 224). Council will be taking account of all submissions made when it decides on the final content of the Wastewater Bylaw. Submissions must be received by Council no later than **4.00pm on Wednesday, 20 August 2014.**

A submission form can be obtained from Nelson City Council, and is also available on the Nelson City Council website www.nelson.govt.nz.

Submissions can also be sent in letter or email form and should be:

Posted to: Wastewater Bylaw Consultation
Nelson City Council
PO Box 645
Nelson 7040

Or emailed to: submissions@ncc.govt.nz

Please state in your submission whether or not you wish to speak at a hearing in support of your submission.

Submitters should note that their submission will be copied and made available to the public after the submission period closes. Council will contact all submitters (who wish to be heard) in writing to advise the confirmed time, date and venue of the hearing.

All enquiries should be directed to Phil Ruffell, Senior Asset Engineer – Utilities, on telephone 545-8739 or by email to phil.ruffell@ncc.govt.nz.