



 **Nelson City Council**
te kaunihera o whakatū

AGENDA

Ordinary meeting of the

Governance Committee

**Thursday 25 September 2014
Commencing at 9.00am
Council Chamber
Civic House
Trafalgar Street, Nelson**

Membership: Councillor I Barker (Chairperson), Her Worship the Mayor Rachel Reese, Councillors Luke Acland (Deputy Chairperson), Eric Davy, Kate Fulton, Brian McGurk, Paul Matheson, Gaile Noonan, Pete Rainey, and John Murray and John Peters

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.

Apologies

1. Confirmation of Order of Business

2. Interests

2.1 Updates to the Interests Register

2.2 Identify any conflicts of interest in the agenda

3. Public Forum

3.1 Murchison Information Centre Closure

Marcia Rowe will speak about the closure of the Murchison Information Centre, on behalf of the Murchison Community Resource Centre.

4. Confirmation of Minutes – 14 August 2014

9-17

Document number A1233236

Recommendation

THAT the minutes of the meeting of the Nelson City Council – Governance Committee, held on 14 August 2014, be confirmed as a true and correct record.

5. Status Report – Governance 25 September 2014

There are no Status Report updates for this meeting.

6. Chairperson's Report

GOVERNANCE

7. Draft Annual Report 2013/14 18-19

Document number A1237175

Recommendation

THAT the report Draft Annual Report 2013/14 (A1237175) and its attachment (A1236944) be received.

Note: Attachment 1, the Draft Annual Report 2013/14, is circulated as a separate item.

8. Long Term Plan 2015-2025: Draft Assumptions 20-26

Document number A1238496

Recommendation

THAT the report Long Term Plan 2015-25: Draft Assumptions (A1238496) and its attachment (A1238431) be received.

Recommendation to Council

THAT Council approves the draft assumptions outlined in Attachment 1 (A1238431) to be included in the Long Term Plan 2015-2025.

9. Development Contributions Interim Policy 27-40

Document number A1231342

Recommendation

THAT the report Development Contributions Interim Policy (A1231342) and its attachments (A1231506 and A1231510) be received.

Recommendation to Council

THAT Council adopts the amendments to the Development Contributions Policy identified in Attachment 1 to this report (A1231506);

AND THAT Council approves the delegations under the Local Government Act 2002 in relation to development contributions as

identified in Attachment 2 to this report (A1231510);

AND THAT Council approves the fees in respect of administering the Development Contributions Policy as \$255.00 for an Application for Reconsideration where original documentation provided by the applicant was incomplete or incorrect, and \$2,750.00 for a deposit for a Development Contributions Objection Hearing.

10. Draft Significance and Engagement Policy 41-53

Document number A1241702

Recommendation

THAT the report Draft Significance and Engagement Policy (A1241702) and its attachments (A1245401 and A1243347) be received;

AND THAT the content of the draft Significance and Engagement Policy is approved for consultation as outlined in this report.

11. Statutory and Internal Compliance Reporting Review for Reporting Period Ending 30 June 2014 54-75

Document number A1237390

Recommendation

THAT the report Statutory and Internal Compliance Reporting Review for Reporting Period Ending 30 June 2014 (A1237390) and its attachments (A1237145 and A1237144) be received;

AND THAT the Committee note the progress made on identifying and reducing risks associated with non-compliance to date.

12. 2014 Resident Survey Results 76-120

Document number A1241476

Recommendation

THAT the report 2014 Resident Survey Results (A1241476) and its attachment (A1234788) be received;

AND THAT the results be published in Live Nelson.

13. Sister Cities Update 2014 121-127

Document number A1246468

Recommendation

THAT the report Sister Cities Update 2014 (A1246468) and its attachment (A1246473) be received.

FINANCE

14. 2013/14 Capital Programme – Carry Forwards into 2014/15 128-131

Document number A1237456

Recommendation

THAT the report 2013/14 Capital Programme – Carry Forwards into 2014/15 (A1237456) be received.

Recommendation to Council

THAT \$1,856,618 of unspent capital budget from 2013/14 be carried forward for use in 2014/15;

AND THAT \$153,237 of capital spent in 2013/14 be offset against 2014/15 budgets;

AND THAT a net amount of \$164,077 operating budget be carried forward for use in 2014/15.

PUBLIC EXCLUDED BUSINESS

15. 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>Nelson Airport Limited – Land Exchange with Nelson Golf Club</p> <p>This report contains information regarding negotiations in relation to a land exchange between Nelson Airport Limited and Nelson Golf Club.</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
2	<p>Rates Remission for land affected by December 2011 Rainfall event - 2014</p> <p>This report contains information regarding rates for land that continues to be affected by the December 2011 Rainfall Event.</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)(a) To protect the privacy of natural persons
3	<p>Directors' Fees and Rotations 2014</p> <p>This report contains information regarding the appointment and remuneration of directors for Nelmac and the Bishop Suter Trust Board</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)(a) To protect the privacy of natural persons • Section 7(2)(h) To carry out commercial activities

16. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Minutes of a meeting of the Governance Committee

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

On Thursday 14 August 2014, commencing at 9.04am

Present: Councillor I Barker (Chairperson), Her Worship the Mayor R Reese, Councillors L Acland (Deputy Chairperson), E Davy, K Fulton, B McGurk, G Noonan, and P Rainey, and Mr J Peters and Mr J Murray

In Attendance: Councillor M Ward, Chief Executive (C Hadley), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Environment (C Barton), Group Manager Infrastructure (A Louverdis), Group Manager Community Services (C Ward), Senior Strategic Adviser (N McDonald), and Administration Adviser (G Brown)

Apology: Councillor P Matheson

1. Apologies

Resolved

***THAT an apology be received and accepted
from Councillor Matheson.***

Noonan/Davy

Carried

2. Confirmation of Order of Business

The Chairperson advised that the public forum presentation identified on the agenda had been postponed to the following meeting.

There was agreement that item 8 on the agenda be considered before item 7.

There was no further change to the order of business.

3. Interests

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

4. Public Forum

4.1 There was no public forum.

5. Confirmation of Minutes – 3 July 2014

Document number A1214808, agenda pages 7-11 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council – Governance Committee, held on 3 July 2014, be confirmed as a true and correct record.

McGurk/Noonan

Carried

6. Status Report – Governance 14 August 2014

Document number A1160658, agenda page 12 refer.

Resolved

THAT the Status Report – Governance 14 August 2014 (A1160658) be received.

Davy/Acland

Carried

7. Chairperson's Report

The Chairperson spoke about the 100th anniversary of World War One (WW1). He said that on Saturday 16th August 2014, Her Worship the Mayor would be attending an event at the Haven Road wharf and would be reading a speech from 100 years ago.

He informed the Committee that the Nelson Provincial Museum also had a WW1 exhibition commencing on Saturday 16th August.

He discussed that at the Governance Committee meeting on 6 November 2014 he anticipated feedback in relation to the parking charge removal and its effects on commercial and retail trade in Nelson.

FINANCE

8. Bad Debt Write-Off Year Ending 30 June 2014

Document number A1209224, agenda pages 31-32 refers.

The Chairperson advised that the bad debt write-off was a procedural matter.

In response to a question, Group Manager Corporate Services, Nikki Harrison explained that the debt was not classed as a 'bad debt' until June 2014 when Everyman Records Limited went into liquidation and that until this point payments were being received.

In response to further questions, Ms Harrison said that the legal obligation for the debtor to pay the debt remained, and that Council filed a claim within the first week with the liquidator. She advised that it was prudent financial management to write the debt off, and that this was a conservative accounting approach.

Ms Harrison advised that Council were an unsecured creditor, along with other companies. She said that the initial report from the liquidator illustrating assets and liabilities indicated that there would be no assets to recover, therefore further payments were unlikely.

There was general agreement that an additional report should be brought to the Governance Committee explaining why the bad debt had occurred and what mechanism had been decided to prevent this happening in the future.

Attendance: The meeting adjourned from 9.28am to 9.30am.

Resolved

THAT the report Bad Debt write-off year ending 30 June 2014 (A1209224) be received;

AND THAT the balance of \$230,875 plus GST owing by Everyman Records Limited be written off as at 30 June 2014.

Acland/Murray

Carried

Councillor Davy moved the following motion, seconded by Councillor Noonan

AND THAT the Council direct the Chief Executive to make a formal complaint of theft (by person in special relationship) with the Police in relation to the non-payment of ticket sales of ticket sales by Everyman Records to the Nelson City Council;

AND THAT the Chief Executive provides to the Police any documents or information in possession or control of the Nelson City Council to support the formal complaint of theft;

AND THAT an outside Auditor is requested to consider the internal activities of the Nelson City Council in relation to the obligations and processes that were in place pertaining to the continued use of

Everyman Records after the initial failure to forward the required revenue to the Nelson City Council.

Attendance: The meeting adjourned from 9.33am to 9.44am.

The motion was discussed and Councillor Davy withdrew the motion.

Resolved

AND THAT the Chief Executive is directed to report back to this Committee on the review of Council's arrangements with Everyman Records specifically and festival contractors generally;

AND THAT the Chief Executive report on the actions taken to recover the Everyman Records debt;

AND THAT the Chief Executive report on any changes in Council's policies and procedures to avoid similar situations occurring in the future.

McGurk/Davy

Carried

9. Finance Report for the Period Ending 30 June 2014

Document number A1223627, agenda pages 13-30 refer.

Ms Harrison advised that Council's Annual Report would be an item on a future Governance Committee meeting agenda, and that Council's year end position was better than projections due to staff expenditure being \$1.7 million under budget.

She explained that the June 2014 rainfall event would be included in the July and August payment and that the contingency budget of \$155,000 would be carried forward to cover this event. She advised that the rainfall event cost \$310,000 in total, therefore the remainder would be met from operating budgets.

In response to a question, Group Manager Infrastructure, Alec Louverdis said that the difference in budgets of \$180,000 to \$310,000, as previously reported to the Committee for the June rainfall event was due to the fact that this had been the best estimate available at the time.

In response to a question, Ms Harrison advised that there was a contingency budget for unforeseen events of \$155,000 each year and that the December 2011 event was being covered through the disaster recovery fund.

She informed the committee that additional funding for the Theatre Royal was made through the Annual Plan process for 2014/15 and that loan repayments would commence in that financial year.

There was discussion regarding the savings from the marina operating expenditure of \$62,000 and Mr Louverdis explained that this was due to a reduction in electricity costs and an unspent budget for dredging which would happen in the 2014/15 financial year.

Ms Harrison clarified that the \$113,000 overspend against projections for solid waste was not in relation to over-expenditure, but in relation to waste minimisation transfers with the offset in incomes.

In response to a question, Ms Harrison advised that the festivals expenditure was greater than expected due to additional costs for next year's festival programme and offsetting revenue.

There was a discussion about the additional \$50,000 capital expenditure required for a new retaining wall in Citrus Lane. In response to a question, Mr Louverdis clarified that the retaining wall was required to protect Council's services by way of an easement which had been damaged in the June rainfall event and that the wall would be on private land. He confirmed that the \$50,000 was an estimate to complete the works and the total cost would be funded by Council.

In response to a question, Ms Harrison explained that the parking revenue did not take into account the loss in revenue from the free parking which was initiated in July.

Ms Harrison clarified that the contract completion dates in attachment 3 were correct apart from the Maitai Walkway which was still ongoing and that the next financial report would include new projects for the new financial year.

Councillors discussed the capital expenditure graph on page 24 in relation to the \$2 million gap between the actual and projected expenditure and acknowledged that Council officers were delivering the capital budget in a timely manner and predominantly on budget, and this was an improvement from previous years.

Resolved

THAT the Finance Report for the Period ending 30 June 2014 (A1223627) and its attachments (A1223338, A1226654, A1213020, A793514, and A1173746) be received and the variations noted.

McGurk/Acland

Carried

Recommendation to Council

THAT Council approves continuing work on 2013/14 capital projects within the 2013/14 approved budgets, noting a report on carry

forwards will come to the Governance Committee's meeting on 25 September 2014;

AND THAT Council note the June 2014 rain event incurred unbudgeted operating expenditure of approximately \$260,000, and that \$155,000 of unspent contingency budget in 2013/14 be carried forward to fund this, with remaining operating costs from that event being met within 2014/15 operating budgets;

AND THAT Council approve an additional \$50,000 capital expenditure for a new retaining wall in Citrus Lane relating to damage from the June 2014 rain event.

Davy/McGurk

Carried

GOVERNANCE

10. Regional Community Outcomes

Document number A1217368, agenda pages 33-40 refer.

Policy Adviser, Susan Moore-Lavo explained that Council had been approached by Tasman District Council (TDC) to ensure that Nelson's community outcomes could be aligned with TDC's. She advised that Councillors Noonan and Ward were the elected representatives from Nelson City Council.

Ms Moore-Lavo advised that attachment 1 illustrated the community outcomes from the meeting and that there was no real change to these outcomes from 2006, however the outcomes were framed differently.

In response to a question, Ms Moore-Lavo said that the bullet points had been discussed at a workshop earlier in the year.

There was a discussion that the outcomes should be aligned with the draft Long Term Plan and that the bullet points did not include relationships with Maori.

There were concerns raised at how these outcomes were to be measured and that Nelson 2060 needed to be considered as a part of the outcomes.

There was general agreement that a further workshop was required to review the bullet points however the high level outcomes were adequate.

Resolved

THAT the report Regional Community Outcomes (A1217368) and its attachments (A1218438 and A1204554) be received.

McGurk/Noonan

Carried

In response to a question, Senior Strategic Adviser, Nicky McDonald advised the Committee that TDC would have the same high level outcomes but would have different bullet point descriptors.

Recommendation to Council

THAT Council approve the high level regional community outcomes to be included in the Long Term Plan for consultation.

Noonan/Davy

Carried

11. Exclusion of the Public

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	Governance Committee Minutes – Public Excluded – 3 July 2014 These minutes confirm the minutes of the Governance Committee of 22 May 2014, and	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none">• Section 7(2)(ii) To carry out negotiations

Governance Committee
14 August 2014

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	contains information relating to the Ridgeways Joint Venture Statement of Intent and Half-Yearly Report 2014.		

McGurk/Peters

Carried

The meeting went into public excluded session at 10.35am and resumed in public session at 10.36am.

During the public excluded part of the meeting, the Committee confirmed the public excluded minutes of 3 July 2014.

12. Confirmation of Minutes – 3 July 2014

Document number A1214815, agenda pages 3-4 refer.

Resolved

THAT the minutes of the part of a meeting of the Nelson City Council – Governance Committee, held with the public excluded on 3 July 2014, be confirmed as a true and correct record.

McGurk/Noonan

Carried

13. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Acland/Davy

Carried

There being no further business the meeting ended at 10.37am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Draft Annual Report 2013/14

1. Purpose of Report

- 1.1 To receive the draft Annual Report 2013/14.

2. Delegations

- 2.1 The Governance Committee has the delegations for monitoring Council's financial and service performance.

3. Recommendation

THAT the report Draft Annual Report 2013/14 (A1237175) and its attachment (A1236944) be received.

4. Background

- 4.1 The purpose of an Annual Report is to compare the actual activities and performance of the local authority with those intended, as set out in the applicable long term plan. It also aims to promote the local authority's accountability to the community for the decisions made throughout the year. An Annual Report is required under section 98 of the Local Government Act 2002.

5. Discussion

- 5.1 The attached draft Annual Report 2013/14 is intended to provide Councillors with all the information officers have obtained to date and to allow Councillors the opportunity to provide feedback. The intention is not to present a completed Annual Report at this stage, but rather to provide as complete a picture as possible for consideration. This draft has not yet been audited by Audit New Zealand, and is likely to require some modification through the auditing process.
- 5.2 New required disclosures on fixed asset replacement cost, financial prudence and insurance remain to be completed, along with the notes on accounting policies, reclassification and restatement and explanation of major variances against budget.
- 5.3 The final Annual Report 2013/14 is required to be adopted by Council within four months of the financial year's end (by the end of October)

and is proposed to be brought to Council for adoption at a Council meeting on 30 October 2014.

6. Options

- 6.1 As the Draft Annual Report is provided for information, the options are to receive the report or not as well as provide any feedback to officers.

7. Assessment of Significance against the Council's Significance Policy

- 7.1 This is not a significant decision.

8. Alignment with relevant Council Policy

- 8.1 An Annual Report is required under section 98 of the Local Government Act 2002 so is not a policy.

9. Consultation

- 9.1 There is no consultation required.

10. Inclusion of Māori in the decision making process

- 10.1 There is no consultation required.

11. Conclusion

- 11.1 An Annual Report is required to be completed under the Local Government Act 2002.
- 11.2 The purpose of this report is to provide Councillors with a draft version of the Annual Report 2013/14 to allow any feedback to officers.

Nikki Harrison
Group Manager Corporate Services

Attachments

Attachment 1: Draft Annual Report 2013/14 ([A1236944](#))

Note: this attachment has been circulated as a separate document

Long Term Plan 2015-25: Draft Assumptions

1. Purpose of Report

- 1.1 To consider the draft assumptions appended to this report for inclusion in the 2015-2025 Long Term Plan.

2. Delegations

- 2.1 The Governance Committee has delegated responsibility for the co-ordination and development of all policies specified in the Local Government Act 2002 for Long Term Plan development.

3. Recommendation

THAT the report Long Term Plan 2015-25: Draft Assumptions (A1238496) and its attachment (A1238431) be received;

Recommendation to Council

THAT Council approves the draft assumptions outlined in Attachment 1 (A1238431) to be included in the Long Term Plan 2015-2025.

4. Discussion

- 4.1 At a workshop on 14 March 2014 Councillors considered a set of draft assumptions for the Long Term Plan 2015-25 and provided feedback. The assumptions have been updated in light of input from the workshop and are attached to this report for approval (Attachment 1).
- 4.2 Forecasting assumptions are one of the key building blocks of any Long Term Plan, particularly as they relate to growth and demand for services, as these are major drivers of expenditure. Assumptions relating to each activity have been used in the preparation of the asset and activity management plans. The significant forecasting assumptions that apply across activities must be detailed in the Long Term Plan.
- 4.3 One important area of forecasting that has seen recent change and which will require some amendment to already approved asset/activity management plans, is population growth. Our existing growth forecasts were prepared by Statistics New Zealand following the 2006 census and indicated a low growth trajectory. Early work on updating these from the

2013 census shows that Nelson's population has grown faster than expected, possibly as a result of an influx of new residents as a result of dislocation following the Christchurch earthquakes. Final forecasts will not be completed by Statistics New Zealand until February 2015 (at which point Council will be updated) but in the interim it has been agreed that we should assume high growth through to 2021, easing off to medium-high growth to 2031 and medium growth to 2045.

5. Options

- 5.1 Adopting a set of assumptions for the Long Term Plan is a legal requirement. There are options about what assumptions are to be used. If the attached assumptions are not adopted, further discussion will need to take place to develop alternatives.

6. Assessment of Significance against the Council's Significance Policy

- 6.1 This matter is not considered to be significant in relation to Council's policy on significance.

7. Alignment with relevant Council Policy

- 7.1 The Long Term Plan must disclose all significant forecasting assumptions, the level of uncertainty associated with each assumption, and identify the potential effect of the uncertainty on the financial estimates.

8. Consultation

- 8.1 These draft assumptions form part of the Long Term Plan 2015-2025. Consultation on the adoption of these assumptions will take place as part of the consultation over the Long Term Plan.

9. Inclusion of Māori in the decision making process

- 9.1 Consultation with Maori for the adoption of these assumptions will take place as part of consultation over the Long Term Plan.

Susan Moore-Lavo
Policy Adviser

Attachments

Attachment 1: Long Term Plan 2015-2025: Draft Assumptions [A1238431](#)

Assumptions for 2015-25 Nelson Long Term Plan

Council is required to identify the significant forecasting assumptions it has made in preparing its ten year Long Term Plan. Assumptions are necessary to allow Council to plan for expenditure and costs over the next ten years. They are the best reasonable assessment made on the basis of currently available information.

Any assumptions that apply only to specific activities are included in the discussion on that activity.

Forecasting assumptions	Risk/uncertainty	Impact	Comment/mitigation
<p>Population growth: Based on advice from Statistics New Zealand in August 2014, the population in Nelson has grown faster than was expected. Nelson's population is expected to grow by over 5000 residents in the next ten years to almost 55,000 by 2025.</p> <p>Approximately half of the growth during the life of this LTP will be in Stoke.</p> <p>The population in Nelson is expected to be 49,780 in 2015.</p>	<p>Growth higher than projected, putting pressure on Council services and infrastructure.</p>	<p>Low</p>	<p>Council takes a generally conservative approach in applying population growth estimates in its infrastructure planning, using a mid-range estimate and continually updating and revising as new data is available. This limits the risk exposure.</p>
<p>Affordability: The Nelson Tasman economy has grown more slowly than the national average for a number of years but overall has weathered the global economic downturn reasonably well. Council is taking a cautious approach to prospects for the regional economy, noting that the ageing demographic will bring more older residents who are no longer in employment and less able to fund increases in rates for new</p>	<p>Economic pressures lead to more residents defaulting on rates payments than expected.</p>	<p>Medium</p>	<p>This will be a medium to long term impact particularly if, as predicted, the average retirement age also rises significantly.</p>

A1238431

services/infrastructure. Poor housing affordability is another factor and looks set to remain an issue for Nelson residents into the future.			
Inflation/Price changes: Council uses inflation forecasts from Business and Economic Research Ltd (BERL) to estimate inflation over time. It is assumed that inflation rates are as predicted and modelled in budgets.	Inflation higher than expected, increasing costs for Council.	Medium	Likely to be some variation in actual rates of inflation from predictions and this will impact on the financial results of Council. Changing costs may mean the timing of projects needs to be adjusted.
Interest rates: In preparing the LTP the Council has assumed an interest rate of between XX and XX. Assumptions are based on detailed analysis of the cost of both existing and future debts and anticipated interest rates.	The prevailing interest rates differ significantly from those estimated by the Reserve Bank of New Zealand.	Medium	Increase in interest rates flow through to higher debt servicing costs and higher rates funding requirements. The Council has mitigated these risks with a prudent hedging programme developed within the limits of a prudent treasury policy.
Development contributions: Assumptions on development contributions are included in the updated Development Contributions Policy. With changes to the legislation around development contributions there is uncertainty about the level of contributions and any costs associated with the new processes. Council has assumed it will collect \$x over the next ten years.	The level of development contributions collected could be insufficient to cover the costs of required infrastructure.	Low	Costs for infrastructure will need to be met from other allocations.
Climate change and natural disasters: It is assumed that natural disasters will occur with increasing frequency. This has been the experience of recent years and is consistent with predictions of climate change impacts.	Climatic events lead to increased costs for Council in both responding to events and building greater resilience into	Medium	A characteristic of the Nelson community is the concentration of lifelines infrastructure (roading network, port, airport etc) on low-lying areas. Council has been

Exposure of low lying land to the risk of inundation from sea level rise is another assumption related to climate change. Council relies on Ministry for Environment guidelines in estimating sea level rise. Council's Land Development Manual provides for a 0.5m sea level rise by the end of the century but recommends that consideration be given to a 0.8m sea level rise where possible.	infrastructure.		increasing its contributions to the Disaster Recovery Fund as one method of mitigating the risk of natural disasters.
Hazards: It is expected that dealing with contaminated land in capital and maintenance projects will become more common as the HAIL register is refined and added to.	Investigation, consenting, handling and disposal of contaminated material leads to an increased overall cost of projects.	Medium	Increased design and construction budgets in the annual and long term plans.
Useful lives of significant assets: It is assumed that there will be no reassessment of the useful lives of assets during the 10 year period covered by this plan. The detail of useful lives for each asset category is covered in the Statement of Accounting Policies.	Assets wearing out earlier than predicted and funding needs to be found for replacements.	Low	This may result in changes needing to be made to the underlying capital expenditure programme.
Loan arrangements: It is assumed that Council's bankers will continue to renew the existing loan facilities.	Access to committed loan facilities less than expected.	Low	The Local Government Funding Agency now in place should allow Council to diversify funding sources away from the local banks as well as being able to borrow for longer terms.
NZTA funding: It is assumed that the increases in financial assistance rates signalled	NZTA providing less funding than currently	High	Changes to the funding priorities of New Zealand Transport Agency are

by NZTA for the first seven years of the Long Term Plan will occur.	indicated and Council's share of project costs therefore increasing.		outside Council control.
Weather tight building claims: It is assumed that there will continue to be claims for weather tightness but these will not be significantly more than accounted for.	Claims on Council higher than forecast.	Medium	A higher level of claims would impact on rates by increasing the rate requirement.
Earthquake prone buildings: It is assumed that Council will face ongoing costs with regard to earthquake prone building assets but that decisions about works to undertake and the timing of any necessary works will allow costs to be adequately spread.	New work is identified, or required work is more significant than anticipated.	Medium	Significant additional expenditure on earthquake strengthening buildings could not be met by the current budget.
Resource consents: It is assumed that resource consents held by Council will not be significantly altered and any due for renewal during the life of the plan can be renewed accordingly.	Conditions of resource consents altered and significant new compliance costs or consents cannot be renewed as expected.	Medium	Budgets are in place for renewal of resource consents and there is no expectation of significant departure from requirements over the next 10 years.
Vested Assets: Assume to increase by \$Xm per annum adjusted by inflation.	Vested assets varying from estimated budget.	Low	Assets must be maintained by Council, so there would be an impact on costs if more assets than expected were vested in Council.
Insurance costs: It has been assumed that insurance premiums continue at current levels plus inflation and that we can get 100% cover and that the Local Authority Protection Programme Disaster Fund continues	Premiums increasing above inflation and/or Council cannot get 100% cover.	Medium	Any increase in premiums above the level assumed will have an impact on rates. Council may need to make decisions about cover levels during 10 year period.
Return on investments: It is assumed that the return on investments and retained	Returns lower than expected.	Low	This would impact on Council's ability to fund services and

earnings on subsidiaries will continue at current levels plus inflation.			infrastructure and would likely require an increase in rates..
Government Policy Changes: It is assumed that the any future Government legislation changes will take into account the need for a stable working and statutory framework.	Government policy shifts may result in new or amended legislation either requiring significant response and cost to administer by Council or result in changes to services delivered.	Medium	Financial impact resulting from a need to respond to significant legislation changes would impact on rates.
Co-funding arrangements: It is assumed that for projects where other partners are contributing part of the funding, this funding will still be available.	Partners will no longer be in a position to provide funding.	Medium	Viability of projects would be threatened and Council would need to consider its ongoing funding commitment.
Treaty Settlements for Te Tau Ihu: It is assumed that Council obligations to work with Iwi as a result of Treaty settlements can be met within existing resources.	Establishing new ways of working with Maori requires greater Council resource than anticipated.	Low	Financial impact of dedicating resources to meet Treaty commitments would impact on rates
Emissions Trading Scheme: New climate change agreement to be concluded by end of 2015 to come into force by 2020 which will increase costs to Council for waste disposal to landfill and increase costs for the operation of the landfill site.	Carbon pricing costs higher than expected or impact earlier.	Medium	Financial impact of responding to unexpected changes in carbon pricing would affect rates.

Development Contributions Interim Policy

1. Purpose of Report

- 1.1 To adopt an interim policy on Development Contributions following the enactment of changes to the Local Government Act 2002.

2. Delegations

- 2.1 The Governance Committee has delegated authority to consider matters in relation to Development Contributions and make recommendations to Council.

3. Recommendation

THAT the report Development Contributions Interim Policy (A1231342) and its attachments (A1231506 and A1231510) be received.

Recommendation to Council

THAT Council adopts the amendments to the Development Contributions Policy identified in Attachment 1 to this report (A1231506);

AND THAT Council approves the delegations under the Local Government Act 2002 in relation to development contributions as identified in Attachment 2 to this report (A1231510);

AND THAT Council approves the fees in respect of administering the Development Contributions Policy as \$255.00 for an Application for Reconsideration where original documentation provided by the applicant was incomplete or incorrect, and \$2,750.00 for a deposit for a Development Contributions Objection Hearing.

4. Background

- 4.1 The Government has recently enacted amendments to the Local Government Act 2002 which includes changes to how councils manage development contributions.

4.2 There are six categories of changes relating to development contributions. These are:

- New provisions relating to the purpose of development contributions and principles for their use;
- Narrowing the range of infrastructure for which development contributions can be collected for;
- Improving the transparency of development contributions policies to enable developers and communities to see where contributions are to be applied;
- Greater private provision of infrastructure through recognition and encouragement of development agreements;
- Clarification of legislative provisions to make development contributions policies and processes easier to understand;
- Introducing an objections process with decisions determined by an independent commissioner.

5. Discussion

5.1 Councils are required to have a revised development contributions policy ready for public consultation by 1 December 2014 for adoption by 30 June 2015. External expertise is being contracted to assist staff with the review of the policy and a draft will be prepared and reported back to Council before the end of the year. It is recommended that the new draft policy then be consulted on as part of the Long Term Plan (LTP) consultation.

5.2 This report, however, relates to transitional changes required in the interim, and which only require a resolution of Council. A special consultative procedure is not required for the matters contained in this report.

Reconsiderations

5.3 The Bill has introduced a two-stage objections process. The first stage is the provision of a right to reconsideration of a development contribution by the territorial authority if the developer considers that:

- The development contribution was incorrectly calculated or assessed under the territorial authority's development contributions policy; or
- The territorial authority incorrectly applied its development contributions policy; or
- The information used to assess the person's development against the development contributions policy, or the way the territorial authority has recorded or used it when requiring a development contribution, was incomplete or contained errors.

- 5.4 A request for reconsideration must be lodged and decided according to the procedure set out in Council's Development Contributions Policy. This means Council must amend its Development Contributions Policy to provide for reconsideration requests.
- 5.5 As outlined, there are three reasons for which reconsideration could be sought. The first two of these are based on potential error on the part of Council, and in cases where Council error is found, no fee will be charged.
- 5.6 In the third instance, if Council has used information incorrectly, no fee will be charge. Where incomplete and incorrect information was provided by the developer at the time the calculation was made, and subsequent information is provided to support a reconsideration, it is recommended that a fee of \$255.00 be charged. This is consistent with the fee charged for an objection under section 357 of the Resource Management Act.

Objections

- 5.7 Developers may object to the assessed amount of the contribution on the grounds that the territorial authority:
- Failed to properly take into account features of the objector's development, on their own or cumulatively with those of other developments, that would substantially reduce the impact of the development on requirements for community facilities in the territorial authority's district or parts of the district; or
 - Required a development contribution for community facilities not required by, or related to, the objector's development, whether on its own or cumulatively with other developments (NB Nelson City Council does not collect development contributions for community facilities); or
 - Required a development contribution in breach of section 200 (which outlines what local authorities are able to collect development contributions for); or
 - Incorrectly applied its development contribution policy to the objector's development.
- 5.8 The process and timeframes for dealing with objections is a more formal process than a reconsideration, and is prescribed under the Local Government Act 2002. It involves the appointment of up to three independent commissioners chosen from a pre-appointed Ministerial list. Councils are required to provide administrative support, including invoicing for costs.
- 5.9 Councils may recover actual and reasonable costs in relation to:
- Selection, engagement and employment of commissioners;
 - Secretarial and administrative support for the process;

- Preparing for, organising, and holding the hearing.
- 5.10 Costs associated with hearings can be recovered and it is recommended that a deposit of \$2,750 be paid by the applicant when submitting a request for an objection hearing. Based on experience with objections under the Resource Management Act, costs generated by a half day hearing process with one Commissioner are around \$3,250. It is considered that a deposit of \$2,750, with final costs based on the time involved once the process has been completed, fairly represents the likely actual cost of the process.
- 5.11 The Local Government Act 2002 allows for objections to be withdrawn. It is recommended that Council policy on objections to development contributions allows for up to one week after lodgement of an objection, for that objection to be withdrawn with a full refund being made. If an objection is withdrawn after the first week, costs to date will be charged and any remaining deposit will be refunded.

Development Agreements

- 5.12 The Act has formalised a process for development agreements, encouraging voluntary contracts between councils and developers. The developer provides the infrastructure (and/or money) instead of paying development contributions as set out in Council's policy.
- 5.13 Councils have to consider, but do not have to accept, such agreements but once entered into, these become legally enforceable contracts.
- 5.14 Currently, the Development Contributions Policy contains a clause relating to "Extraordinary Circumstances", under which Council reserves the discretion to enter into specific arrangements with a developer for the provision of particular network infrastructure under specified circumstances.
- 5.15 It is proposed that this clause is removed from the policy, and a new clause *2.8 Development Agreements* replaces this. The wording for this is contained in Attachment 1 to this report.

Additional amendments

- 5.16 The required amendments are outlined in Attachment 1. Changes to the delegations register in respect to these amendments, including the reconsideration and objections process, are outlined in Attachment 2. A copy of the full existing Development Contributions Policy and extracts of the new legislation applying to development contributions have been loaded on Google Drive for Councillors' reference.

6. Options

- 6.1 The law requires the Council to make changes to its Development Contributions Policy and this paper provides the means for this to occur. There are no options available in relation to implementing these changes, however there are options in relation to fees and delegations as outlined.

7. Assessment of Significance against the Council's Significance Policy

- 7.1 The decisions recommended in this report are essentially administrative and are not considered significant in relation to the Significance Policy.

8. Alignment with relevant Council Policy

- 8.1 Under section 2.6 of Nelson City Council's existing policy on development contributions, applicants can and have applied for a waiver or reduction of fees. The process to date has been to write to the Manager, Consents and Compliance and a recommendation is then made to the Group Manager for a decision.
- 8.2 There is currently no fee attached to this process other than that staff time can be charged to the building or resource consent if one exists.
- 8.3 The new reconsideration and objection processes will now apply to residential and non-residential development. It is likely that the number of challenges to development contribution assessments will increase.
- 8.4 If any objections are upheld by an independent commissioner, this may negatively impact on the total revenue received for the growth component of Council's capital works programme. The timing of the legislative changes means that two Development Contributions Policy reviews are required. While the first review is largely administrative, the second review is the more substantive and impacts on how calculations are made, and for what. Councils need to have finalised proposed changes to their development contribution policies as a basis for consultation by 1 December 2014. This is before the Council's LTP consultation process begins, which is when major decisions on assets are made for the next 10 years.
- 8.5 There is a risk that if the Development Contributions Policy were to be finalised ahead of the LTP, it could pre-determine some decisions under the LTP. To avoid this, staff are intending to have the policy content, calculation methods and draft list of assets ready by 1 December 2014 but to formally consult on the policy as part of the LTP process and to hear submissions on it as part of LTP hearings. It will be necessary to ensure there are clear caveats around the final version of the list of assets being subject to decisions made on the LTP 2015-2025. The final Development Contributions Policy would then be adopted at the same time as the LTP 2015-25 ensuring the two are consistent.
- 8.6 Officers are also working with Tasman District Council (TDC) throughout this process to ensure alignment of policies where possible. The brief for the consultants being engaged to assist with the fuller review of the policy includes a requirement to aim for alignment with TDC's policy where possible.

9. Consultation

9.1 No consultation is required as the law provides for the changes to be made without having to go through a special consultative process.

10. Inclusion of Māori in the decision making process

10.1 There is no consultation required for decisions being sought through this paper. Further work on the Development Contribution Policy will involve consultation, including with Maori, at a later stage of the year.

11. Conclusion

11.1 The changes to the Local Government Act 2002 require Council to amend its Development Contributions Policy. An interim policy has been prepared to cover the period until the new policy is adopted by 30 June 2015.

11.2 The interim policy updates the existing policy by providing for reconsideration requests, objections, and development agreements.

11.3 The substantive review of the Policy is required to take place before 1 December 2014 and this will be prepared and reported back to Council prior to that time.

11.4 This report seeks approval for changes to the interim Development Contributions Policy.

Susan Moore-Lavo
Policy Adviser

Attachments

Attachment 1: Recommended changes to Development Contributions Policy
[A1231506](#)

Attachment 2: Recommended delegations for reconsideration and objections
process [A1231510](#)

DEVELOPMENT CONTRIBUTIONS POLICY
Amendments to Part 2 of the Nelson City Council Policy

2. ADMINISTRATION OF DEVELOPMENT CONTRIBUTIONS

2.1 Household Units of Demand (HUDs)

The term 'Household Unit of Demand' (HUD) has the same meaning as a Residential Unit in the Nelson Resource Management Plan. A HUD is equivalent to one residential lot containing one residential unit. Each additional residential unit is assumed to generate a demand for network infrastructure equivalent to a single HUD. Commercial and Industrial activities are assessed by evaluating their impacts in terms of HUD equivalents as outlined later in this policy.

Determining the number of HUDs arising from the specific characteristics of any development and its site, and taking account of any on-site features of the activity enabled by the development that influence the need for new network infrastructure or network infrastructure of increased capacity, is the first step assessment that enables the calculation of the quantum of Development Contributions .

2.2 Inflation

The Development Contributions will be adjusted to reflect annual inflation. The adjustment will be calculated in accordance with the following formula where:

$$ADC = DC \times (I/J)$$

ADC = the additional development contribution or exemption

DC = the base development contribution in Schedules 1, 2 and/or 3

I = the NZS 3910 Price Index, or its replacement index for the December quarter of the year preceding the year in which the calculation is made

J = the NZS 3910 Price Index, Series Reference S2CB, or its replacement index for the December quarter 2005 .

In the event that NZS 3910 Price Index, Series Reference is discontinued, an equivalent index may be substituted by resolution of the Council.

2.3 Determining the Quantum of the Development Contribution

The quantum of Development Contributions to be paid will be assessed at the time of granting of land use, subdivision or building consent, or authorisation of a service connection.

The assessed amount of Development Contributions payable will be inflation adjusted as necessary at the time of payment in line with the NZS 3910 Price Index.

2.4 Assessment of Contributions

The assessment of Development Contributions payable is based on determining the actual or likely demand the new development authorised by the relevant consent will create for new infrastructure or infrastructure of greater capacity arising from the characteristics of that authorised development. Where a consent applicant has not applied under Clause 2.9 of this Policy, or not provided specific assessment or analysis of demand arising from the development, the Council will apply an assessment based on a HUD equivalent

For authorised service connections the Development Contribution payable will be assessed under Schedule 2 or Schedule 3 as applicable.

If the identified characteristics of the development or other specific factors require a specific calculation of costs then applicants must seek to enter into a Development Agreement with Council as outlined under clause 2.8 of this policy.

The decision on the level of contributions will be made by Council staff as delegated by the Council (delegation LGA 8 of the Delegations Register).

Deleted: use the Extraordinary Circumstances provision of this Policy (clause 2.6) and apply to the Council at the time a consent or service connection application is made. ¶
This application must be supported by a documented case for a reduction or remission of the average cost per HUD for network infrastructure.

2.5 Reconsideration

The Local Government Act 2002 as amended in 2014 provides that anyone who is required to pay a development contribution may request a reconsideration. Within 10 working days of receiving notice to pay, an applicant may, in writing, request a reconsideration stating the grounds for

Deleted: The Local Government Act 2002 does not contain any provision for a right of objection or appeal to a Council decision on the level of contributions payable. This regime is quite different from that applying to Financial Contributions under the Resource Management Act 1991, which provides a right of objection to the Council and subsequent right of appeal to the Environment Court. ¶

the reconsideration. As provided for in section 199A(1) those grounds are that:

- (a) The development contribution was incorrectly calculated as assessed under the territorial authority's development contribution policy; or
- (b) The territorial authority incorrectly applied its development contributions policy; or
- (c) The information used to assess the person's development against the development contributions policy, or the way the territorial authority has recorded or used it when requiring a development contribution, was incomplete or contained errors.

If reconsideration is applied for in relation to the first two reasons described above, no fee will be charged. In the case of the third reason for reconsideration, if any error in recording of information or the manner in which it has been used is proven to be the fault of Council, no fee will be charged. If the information used to assess the person's development against the development contributions policy is incomplete or contains errors and these errors or omissions are attributable to the applicant, a fee of \$255.00 will be charged.

Requests for reconsideration can be lodged with Council in writing using the prescribed form and payment of any applicable fee. Section 199A requires requests for reconsideration to be made to Council within 10 working days after the date on which the person lodging the request receives the development contribution notice. Applications with insufficient information or without payment of fee will be returned to the applicant with a request for additional information or payment.

Applications for reconsideration will be considered by a panel of up to three staff, including at least one person with delegated authority to decide. A decision in writing shall be given to the person who made the reconsideration request within 15 working days after the date on which Council receives all required information relating to a request.

2.6 Objections

Schedule 13A of the Local Government Act 2002 sets out an objection process if a person seeks to amend the decision to request payment of a development contribution.

Objections will be decided by development contributions commissioners selected by Council from a register of commissioners appointed by the Minister of Local Government.

Under section 199D an objection can only be made on the grounds that a territorial authority:

- a. Failed to take into account features of a development that, on their own or cumulatively with other developments, would substantially reduce the impact of the development on requirements for community facilities;
- b. Required a development contribution for community facilities not required by, or related to, the objector's development
- c. Was in breach of section 200 (limitations applying to requirement for development contribution); or
- d. Incorrectly applied its developments contributions policy to the development.

Objections must be lodged with the Council, using the prescribed form, within 15 working days of receiving notice to pay a development contribution, or within 15 working days of receiving the outcome of any request for reconsideration.

Objectors must pay a deposit of \$2,750.00 and are liable for all costs incurred in the objection process, including staff and commissioner time, and other costs incurred by Council associated with any hearings.

2.7 Remissions and Postponements

There are no remissions or postponements of Development Contributions under this Policy. However the Policy does include an exemptions section. See Clause 2.9 of this Policy.

2.8 Development Agreements

The Local Government Act 2002 as amended in 2014 provides in sections

Deleted: 7

Deleted: <#>Extraordinary Circumstances ¶

The Council reserves the discretion to enter into specific arrangements with a developer for the provision of particular network infrastructure where:¶
<#>there are specific needs of a development, or¶
<#>there are specific characteristics or servicing proposals of the development that do not fit the HUD approach to assessing contributions, or¶
<#>the development is not readily assessed in terms of units of demand .¶

¶
An applicant for consideration under extraordinary circumstances must make a case under this clause as part of the consent or service connection application .¶

207A to 207F for the Council and the developer to enter into specific arrangements for the provision of particular infrastructure to meet the special needs of a development. This may occur where a development requires a special level of service or is the type of scale which is not readily assessed in terms of an equivalent household unit of demand. The result of any Development Agreement overrides any obligation to pay development contributions in accordance with this Policy.

A Development Agreement may be entered into after being requested in writing by either the developer, or the Council. Regardless of which party requests the Agreement, the request may be accepted in whole or in part, subject to any amendments, or may be declined.

2.9 Exemptions

The following exemptions to this policy apply:

- a. Water and wastewater assessments on household units where the Council is not planning to provide or maintain such infrastructure in that area . This includes but is not restricted to subdivision or building works on land north-east of the Gentle Annie saddle
- b. Boundary adjustments, and subdivisions undertaken to place existing building development onto separate titles, either unit titles or freehold titles, i.e. those subdivisions that do not create additional lots and/or do not involve the erection of additional household units of demand
- c. Where a residential unit is replaced on a site, irrespective of the footprint
- d. Additions and alterations to buildings where no additional HUD is created
- e. Accessory buildings that do not create an additional unit of demand e.g. hay sheds, unserviced utility buildings
- f. Primary and secondary schools
- g. Integrated schools
- h. Nelson Marlborough Institute of Technology
- i. Social housing developments undertaken by the following organisations: Abbeyfield, Habitat for Humanity, Nelson Tasman Housing Trust and any other partnership where Council has entered into an agreement to provide social housing
- j. Utility lots (e .g . for power transformers), access ways or legal roads
- k. Lots created for reserve purposes

- l. Developments for Housing New Zealand comprising Housing New Zealand Corporation and Housing New Zealand Limited
- m. Building work for Nelson Marlborough District Health Board
- n. Kindergartens
- o. Child care and day care centres
- p. A replacement building on industrial or commercial sites where allowance is made for the previous extent of impervious areas, car parks and toilet pans/urinals and water connections.

2.10 Developments Over More Than One Allotment

Where a development is over more than one allotment and is subject to Sections 75 and 77 of the Building Act 2004 then the Development Contributions will be assessed as for one allotment .

2.11 Refunds

- a. Where a development or subdivision does not proceed, any refund of money will be applied in accordance with Section 209 of the Local Government Act 2002.
- b. Any refunds will be issued to the consent holder of the development to which they apply and will not be subject to any interest or inflationary adjustment .

2.12 Payment of Development Contributions

Development Contributions are to be paid when the first of any of the following actions or events occurs:

1.
 - a. A land use resource consent is granted; or
 - b. A building consent is issued; or
 - c. An authorization for a service connection is approved and the connection fee is notified to an applicant
2. A subdivision consent is granted where all lots contain existing buildings or dwellings
3. A s224 certificate is uplifted for a subdivision consent that creates a vacant lot(s)

4 . A Code Compliance Certificate is issued for building works where any development contribution was not paid at the original uplifting of the building consent.

2.13 Enforcement of Payments

If payment of a Development Contribution is not received, the Council will enforce payment according to powers outlined in Section 208 of the Local Government Act 2002 . This authorises the Council to:

- a. withhold a certificate under Section 224(c) of the Resource Management Act 1991
- b. prevent the commencement of a resource consent under the Resource Management Act 1991
- c. in the case of a Development Contribution required under Section 198(1)(b), withhold a Code of Compliance Certificate under Section 95 of the Building Act 2004
- d. in the case of Development Contribution required under Section 198(1)(c), withhold a service connection to the development .

In each case, a–d, the Council can register the Development Contribution under the Statutory Land Charges Registration Act 1928, as a charge on the title of the land in respect of which the Development Contribution was required.

2.14 Goods and Services Tax (GST)

Development Contributions incur Goods and Services Tax at the current rate set by central government at the time the contribution is paid.

ATTACHMENT 2:

Proposed powers to be delegated in relation to Development Contributions

Section of LGA	Delegated to Role
Section 106 (2)(c) Power to amend development contributions by the producer price index and to notify the decision	Group Manager, Strategy and Environment
Section 150B Power to recover actual and reasonable costs in respect of a development contributions objection	Manager, Operations
Section 199B Power to make decision on any request for reconsideration of a development contribution requirement	Group Manager, Strategy and Environment
Section 199H and Schedule 13A Cl 2 Power to select a development contribution commissioner	Group Manager, Strategy and Environment
Section 199I Power to provide information upon request of development contribution commissioner and to appear at objection hearing on behalf of the Council	Group Manager, Strategy and Environment Manager, Planning
Section 201A Power to amend Schedule of Assets and determine form of disclosure	All relevant staff
Section 207A. 207B Power to enter into, and respond to, a development agreement	Group Manager, Strategy and Environment Group Manager, Infrastructure
Schedule 13 Cl 1(4) Power to decide to receive late development contribution submission	Group Manager, Strategy and Environment Manager, Planning

Draft Significance and Engagement Policy

1. Purpose of Report

- 1.1 To consider a draft Significance and Engagement Policy and approve it for consultation with the community.

2. Delegations

- 2.1 The Governance Committee has responsibility for the co-ordination and development of all policies specified in the Local Government Act 2002 for Annual Plan and Long Term Plan development.

3. Recommendation

THAT the report Draft Significance and Engagement Policy (A1241702) and its attachments (A1245401 and A1243347) be received;

AND THAT the content of the draft Significance and Engagement Policy is approved for consultation as outlined in this report.

4. Background

- 4.1 Recent amendments to the Local Government Act 2002 (the Act) require local authorities to develop a Significance and Engagement Policy, pursuant to section 76AA of the Act, by 01 December 2014. This policy extends the Significance Policy previously required by the Act.

5. Discussion

Content of the policy

- 5.1 Local authorities are required to adopt a Significance and Engagement Policy that sets out:
- (a) *That local authority's general approach to determining the significance of proposals and decisions in relation to issues, assets, and other matters; and*

- (b) *Any criteria or procedures that are to be used by the local authority in assessing the extent to which issues, proposals, assets, decisions or activities are significant or may have significant consequences; and*
- (c) *How the local authority will respond to community preferences about engagement on decisions relating to specific issues, assets, or other matters, including the form of consultation that may be desirable; and*
- (d) *How the local authority will engage with communities on other matters.*

5.2 A draft Significance and Engagement Policy is attached to this report (Attachment 1).

5.3 The policy requires local authorities to make an assessment of the "degree of significance" that any matter has, as opposed to whether or not a matter is or is not "significant". Once that degree of significance has been determined the type and level of engagement will be considered.

5.4 Two key aspects of the legislative changes, and the policy, are that engagement should be in proportion to the significance of the decision being made, and that community preferences for engagement should be taken into account.

5.5 Some matters will still require the formal special consultative procedure. These are:

- Adoption or amendments to the Long Term Plan
- Adoption or amendment to a significant bylaw
- Transfer of ownership of a significant strategic asset
- Changes to financial policies.

5.6 For other matters, the local authority has the discretion to determine what type of engagement will take place. In some instances where a matter is considered to have a high degree of significance, a formal consultation process may be held with submissions and hearings. In other instances, a range of levels and types of engagement will be considered to be more appropriate.

6. Strategic Assets

6.1 The Significance and Engagement Policy is required to contain a schedule of "Strategic Assets". These are defined under the Local Government Act 2002 as follows:

An asset or group of assets that the local authority needs to retain if the local authority is to maintain the local authority's capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community.

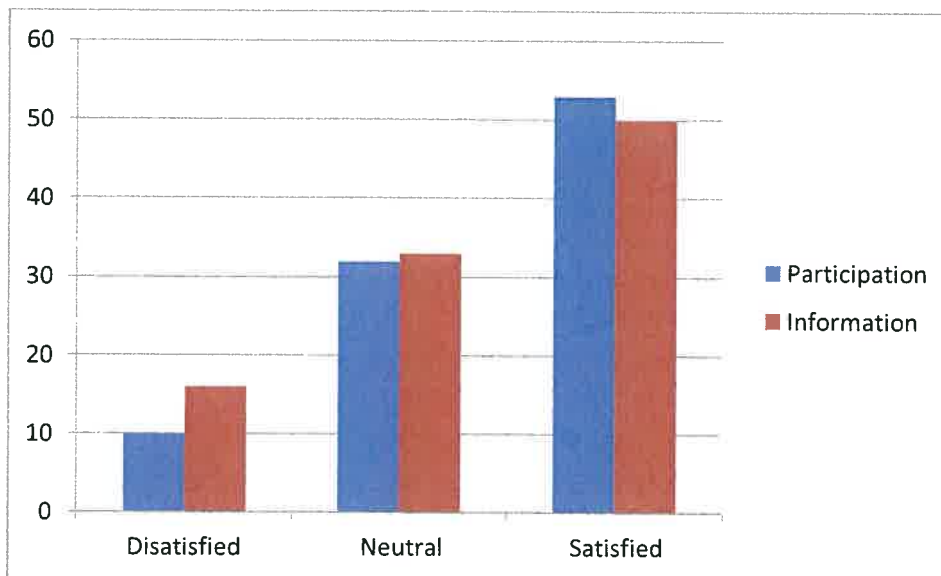
6.2 Attachment 2 of this report includes a list of strategic assets listed in the current Significance Policy alongside those proposed to be listed in the draft Significance and Engagement Policy.

7. Community Engagement for development of policy

7.1 The Local Government Act 2002 states that community consultation (following principles outlined in the Act) must be undertaken in adopting this policy unless the local authority has reasonable grounds to consider that the views and preferences of the community about significance and engagement are already known. If consultation is undertaken, the local authority has the discretion to decide what form that consultation will take.

7.2 This policy builds on and extends the existing Significance Policy contained in the Long Term Plan 2012-22. While there are some changes to how Council will assess significance, these changes are not extensive. A comparison of criteria from the existing Significance Policy alongside the proposed criteria for the new Significance and Engagement Policy is outlined in Attachment 2.

7.3 The Residents Survey 2014 asked respondents how satisfied they were with opportunities to provide feedback to Council and to take part in decision making. They were also asked how informed they felt they were about Council's activities.



Graph one: Residents Survey 2014 relating to levels of satisfaction about opportunities for providing feedback to, and receiving information from, Council.

7.4 This year, 53% said they were either satisfied or very satisfied with their opportunities to participate in decision making and providing feedback, and 50% said they either felt informed or very informed about Council activities.

7.5 Only 10% said they were dissatisfied with opportunities to provide feedback, and 3% said they were dissatisfied with the level of

information they received. As the graph shows, there are a large number of people who were neutral on these matters.

- 7.6 These figures are similar to those of the 2012 Residents Survey¹ and indicate that the level of engagement with the community on Council matters is meeting the expectation of most people. There is a small percentage of people who expressed a level of dissatisfaction but it is unclear whether in relation to opportunities to participate, residents felt the opportunities were too many or too few.
- 7.7 While the results from residents' surveys do give a good indication of the views and preferences of the community, given that there are changes proposed to the list of strategic assets it is felt that consultation would be appropriate. It is recommended that Council undertakes engagement with the community on this draft Significance and Engagement Policy over a three week period between 26 September and 17 October. This will enable consideration of community feedback and any resulting proposals to change the policy to be considered by the Governance Committee at its meeting on 6 November, before final approval by Council on 20 November.
- 7.8 It is recommended that engagement be by way of public notice in the Nelson Mail and Live Nelson, and on Nelson City Council's website. Council staff attending community meetings will also bring the process to the attention of attendees. The community will be advised of where copies of the draft policy can be accessed, how to provide feedback, and how to find out about the outcome of the process.
- 7.9 The length and type of engagement is recommended because the content of the policy does not reduce opportunities for community engagement, and uses criteria similar to that already used in assessing significance. The new engagement principles will result in more targeted engagement. Council also has a level of assurance, through the results of the recent residents' survey, that its current level of engagement is meeting community expectation.

¹ Residents Survey 2012: 61% satisfied with opportunities to participate, 5% dissatisfied, and 25% neutral; 64% felt well informed, 10% felt they were not informed, and 22% were neutral. The reduced numbers of satisfied respondents corresponds with an increase in those with no opinion on these questions.

8. Options

- 8.1 The recent amendments to the Local Government Act 2002 require that local authorities adopt a new Significance and Engagement Policy by December 2014. There are no options as to whether or not a policy is adopted.
- 8.2 There are options about the content of the policy. Any changes by Council can be incorporated prior to a draft policy being made available for community feedback.

9. Assessment of Significance against the Council's Significance Policy

- 9.1 This policy is not considered to be significant when assessed against the current Significance Policy.

10. Alignment with relevant Council Policy

- 10.1 The adoption of a Significance and Engagement Policy is required under the Local Government Act 2002 and must be summarised as part of the Long Term Plan 2015-25.

11. Consultation

- 11.1 It is recommended that the community is provided with information about the proposed policy, and given a three week period for providing feedback as outlined above.

12. Inclusion of Māori in the decision making process

- 12.1 Consultation with Maori will take place as part of community engagement on the policy.

Susan Moore-Lavo
Policy Adviser

Attachments

- Attachment 1: Draft Policy on Significance and Engagement ([A1245401](#))
Attachment 2: Summary of key points in draft policy ([A1243347](#))

POLICY ON SIGNIFICANCE AND ENGAGEMENT

Purpose

This Significance and Engagement Policy lets both Council and the community identify the degree of significance attached to particular decisions, to understand when the community can expect to be engaged in Council's decision making processes, and know how this engagement is likely to take place.

Introduction

The Local Government Act 2002 states that one role of a Council is to *enable democratic local decision-making and action by, and on behalf of, communities*. This Policy explains how the Council will decide the level of significance that a matter has, the types of matters where the community will be involved in the decision-making process, and when the community can expect the Council to make a decision *on its behalf*.

There are many informal ways that Council engages with the community during its everyday business which helps to inform it on community views. There are also decisions that a Council must make which require a more structured form of engagement. This is because of the importance that a matter has within the wider community, or for groups within the community.

The first part of this policy sets out how the Council will decide whether or not a matter is "significant". The second part of this policy sets out when and how the community's views will be heard on these significant, and other, matters.

Determining Significance

Local authorities must make decisions about a wide range of matters and most will have a degree of significance, but not all issues will be considered to be "significant". An assessment of the degree of significance of proposals and decisions, and the appropriate level of engagement, will therefore be considered in the early stages of a proposal before decision making occurs.

The Council will take into account the following matters when assessing the degree of significance of proposals and decisions, and the appropriate level of engagement:

- Whether the asset is a strategic asset as listed in schedule two of this policy.
- The impact on levels of service provided by Council or the way in which services are delivered.
- The degree of impact on Council's debt or the level of rates it charges.
- Whether the decision is reversible and the likely impact on future generations.

- The impact on the community, how many people are affected and by how much.
- Whether the decision or action flows from, or promotes, a decision or action that has already been taken by Council or furthers a community outcome, policy or strategy.
- Is there a past history or reasonable expectation of the issue generating wide public interest within the district.

It may be that only one of the criteria applies, but to such a high degree that the decision will be considered "significant". Conversely, several criteria may be applicable, but to only a low degree, and therefore will be considered to have a lower level of significance. Each decision will involve staff making an assessment for consideration by elected members. Schedule one of this policy sets out how the criteria will be used to assess significance.

Community Engagement

The ways engagement can take place are varied and will be in proportion to the significance of the matter being considered.

Special Consultative Procedure

There are still situations where the Special Consultative Procedure must be used under the Local Government Act 2002:

- Adoption or amendments to the Long Term Plan
- Adoption or amendment to a significant bylaw
- Transfer of ownership of a significant strategic asset
- Changes to financial policies.

There are also statutes which require the special consultative procedure to be followed in specified situations including:

- Resource Management Act 1991
- Rating Powers Act 1988
- Building Act 1991
- Sale and Supply of Liquor Act 2012
- Psychoactive Substances Act 2013
- Dog Control Act 1996
- Waste Minimisation Act 2008
- Freedom Camping Act 2011
- Land Transport Management Act 2003
- Energy Companies Act 1992.

It is important to note that formal consultation using a special consultative procedure is a structured process outlined in legislation and supported by case-law. In other engagement processes, however, there are no explicit statutory or legal rules constraining or defining community engagement processes. The Local

Government Act 2002 has given local authorities the ability to determine this as appropriate for their communities.

Engagement on other matters

Outside of matters where it remains mandatory for a special consultative procedure to be undertaken, Council will determine the appropriate level of engagement on a case by case basis.

Council may decide that it will use a special consultative procedure if the matter is of high significance, or it may choose another form of appropriate consultation. In instances where significance is judged to be moderate, engagement with the community could involve consulting through an advisory committee or focus group, public meetings, or surveys.

When Council decides that a matter is of low to moderate significance, or in instances where it is considered that the views of the community are already known, it may make a decision on behalf of the community and then inform the community of the outcome. This may be, for instance, through publication on the Council website, in the local media, or other appropriate means.

Principles of Engagement

In any engagement process undertaken with the community, that engagement will be in proportion to the matter being considered. When any engagement takes place, other than simply providing information, we will:

- Seek to hear from everyone affected by a decision
- Ask for views early in the decision making process so that there is enough time for you to give us feedback, and for your views to be considered properly
- Listen and consider views in an open and honest way
- Respect everyone's point of view
- Provide information that is clear and easy to understand
- Consider different ways in which the community can share views with us
- Ensure that the engagement process is efficient and cost effective.

Information requirements

Council will provide the following minimum information when conducting any engagement or consultation processes in relation to a significant decision:

- Clear information on what is being proposed and why it is being proposed
- The advantages and disadvantages of each option being considered
- What impacts, if any, will occur if the proposal goes ahead
- How the community can provide its views
- The timeframe for completing the community engagement or consultation
- How submitters and participants can learn about the outcome.

Engagement with Iwi

The Council will honour all engagement processes, agreements and memorandums of understanding developed with iwi/Maori as they relate to its decision-making policies. It will also take into account its obligations as outlined under the Resource Management and Local Government Acts.

Definitions used in this policy

Community	A group of people living in the same place or having a particular characteristic in common. Includes interested parties, affected people and key stakeholders.
Decisions	Refers to all the decisions made by or on behalf of Council including those made by officers under delegation. (Management decisions made by officers under delegation during the implementation of council decisions will not be deemed to be significant).
Engagement	Is a term used to describe the process of seeking information from the community to inform and assist decision making. There is a continuum of community involvement.
Significance	As defined in Section 5 of the LGA 2002 <i>in relation to any issue, proposal, decision, or other matter that concerns or is before a local authority, means the degree of importance of the issue, proposal, decision, matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for:</i> <ul style="list-style-type: none"> (a) <i>The district or region</i> (b) <i>Any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter</i> (c) <i>The capacity of the local authority to perform its role, and the financial and other costs of doing so.</i>
Strategic Asset	As defined in Section 5 of the LGA 2002 <i>in relation to the assets held by the local authority, means an asset or group of assets that the local authority needs to retain if the local authority is to maintain the local authority's capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community; and includes</i> <ul style="list-style-type: none"> (a) <i>Any asset or group of assets listed in accordance with section 90(2) by the local authority; and</i> (b) <i>Any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy; and</i> (c) <i>Any equity securities held by the local authority in</i> <ul style="list-style-type: none"> I. <i>A port company within the meaning of the Port Companies Act 1988</i> II. <i>An airport company within the meaning of the Airport Authorities Act 1966.</i>

SCHEDULE ONE: ASSESSING SIGNIFICANCE AGAINST CRITERIA

Criteria	Significant	Not significant
Change in levels, or delivery, of service provided by Council.	There is a major and/or long term change to services.	There is a medium to low level of change to services.
Level of financial impact.	There is a major and long term financial impact.	There is a medium to low level of impact.
Impact on the community.	The decision would have a major impact on sections or all of the community.	The impact on the community is medium to low.
Decision involves a "strategic asset" as listed in this policy.	The decision involves the sale or transfer of more than 20% of a strategic asset.	The decision does not impact on the Council's ownership of the asset.
Impact on Council debt or level of rates.	The impact is major and/or long term on either debt levels or rates.	The impact is of a medium to low level
Reversibility of decision.	The decision is irreversible and would impact negatively on future generations to a high degree.	The decision is not irreversible, or if it were, the impact on future generations would not be high.
Building on previous decisions.	The matter is considered to be significant by other criteria, and has not been previously consulted with the community.	The decision or action is consequential to, or promotes, a decision or action already taken by Council or the views of the community on this matter are already known.
Historic interest.	There is a history of the matter generating wide and intense public interest and a reasonable expectation that this will again be so.	There is no history of the matter generating widespread interest.

SCHEDULE TWO: LIST OF STRATEGIC ASSETS

The Local Government Act 2002 definition of a strategic asset is outlined in the Significance and Engagement Policy.

The list of assets outlined below are considered to be "strategic assets", however not all decisions made regarding them will be significant. For example, the road network is strategic but the purchase or sale of small land parcels that make up the network may not amount to a significant decision.

- Water supply catchments and supply network as a whole
- Wastewater network as a whole
- Stormwater and flood protection network as a whole
- Land transport network as a whole
- Ownership of community housing
- Ownership in the Nelson Airport Company
- Ownership in the Nelson Port Company
- Ownership of Nelmac Ltd.

ATTACHMENT TWO: SUMMARY OF KEY POINTS

Comparison of criteria under existing Significance Policy, and proposed criteria in draft Significance and Engagement Policy

Significance Policy	Draft Significance and Engagement Policy
The current and future social, economic, environmental, or cultural wellbeing of the city or region.	Whether the asset is a strategic asset as listed in schedule two of this policy.
The capacity of the local authority to perform its role and carry out its activities, now and in the future.	The impact on levels of service provided by Council or the way in which services are delivered.
The financial, resource and other costs of the decision to the Council and community.	The degree of impact on Council's debt or the level of rates it charges.
The benefits of the decision to the Council or the community.	Whether the decision is reversible and the likely impact on future generations.
Any persons who are likely to be particularly affected by, or interested in, the issues, proposal, decision, or matter.	The impact on the community and how many people are affected and by how much.
The impact of the decision on the Council's ability to achieve the objectives set out in its current Financial Strategy, Long Term Plan, and Annual Plan.	Whether the decision or action flows from, or promotes, a decision or action that has already been taken by Council or furthers a community outcome, policy or strategy.
	Is there a past history or reasonable expectation of the issue generating wide public interest within the district.

Comparison of list of strategic assets under existing Significance Policy, and proposed list of strategic assets under draft Significance and Engagement Policy

Significance Policy	Draft Significance and Engagement Policy
Water supply catchments, network, storage and treatment facilities	Water supply catchments as a whole
Wastewater network and treatment facilities	Wastewater network as a whole
Stormwater and flood protection network	Stormwater and flood protection network as a whole
Land transport network including cycleways	Land transport network as a whole
Ownership in the Nelson Airport Company	Ownership in the Nelson Airport Company
Ownership in the Nelson Port Company	Ownership in the Nelson Port Company
Ownership of Nelmac Ltd	Ownership of Nelmac Ltd
Ownership of community housing	Ownership of community housing
Solid waste system, transfer station and York Valley landfill	
Horticultural parks, conservation reserves, neighbourhood parks, walkways, esplanade and foreshore reserves	
Public libraries, Nayland and Riverside swimming pools	
Ownership of Civic House	
Trafalgar Centre and the Marina	
Trafalgar Park, Saxton Field, and Rutherford Park	
Reserves and their community facilities, public tennis courts	
Tahunanui and The Brook campground, golf course	
Melrose, Broadgreen and Isel houses	

Statutory and Internal Compliance Reporting Review for Reporting Period Ending 30 June 2014

1. Purpose of Report

- 1.1 To present an update on Nelson City Council's statutory and internal compliance; reporting on resolution of issues raised, timeframes, key risks and possible consequences.

2. Delegations

- 2.1 The Governance committee has responsibility for oversight of the Council's corporate risk management.

3. Recommendation

THAT the report Statutory and Internal Compliance Reporting Review for Reporting Period Ending 30 June 2014 (A1237390) and its attachments (A1237145 and A1237144) be received;

AND THAT the Committee note the progress made on identifying and reducing risks associated with non-compliance to date.

4. Background

- 4.1 The impact rating for each non-compliance is calculated by scoring each of the facets below on a 1 to 5 scale, where 0 = no impact and 5 = high impact.

Criteria	Description
Internal Processes	This risk would affect Council's internal business processes and ability to conduct business as usual (noting that this might have a financial impact or affect customer satisfaction).
Financial Impact	This risk would create a severe financial impact on Council, either by direct loss or loss of revenue (more than \$100,000).
Customer Satisfaction	This risk would significantly affect customer satisfaction (either by severely affecting satisfaction with Council's performance for a moderate number of customers or by moderately affecting the satisfaction with Council's performance for a large number of customers).

Criteria	Description
Internal and External Liability	This risk would make Council legally liable and subject to civil or criminal proceedings or judicial review (which in turn might have a financial impact or affect customer satisfaction).
Risk of Death or Injury	This risk would result in death or serious injury to any person, which may include Council staff, customers or members of the public.

4.2 These scores are then weighted and averaged (i.e. Process = 1, Financial = 2, Customer = 2, Liability = 2 and Death = 3). The resultant number is reported as the impact rating.

5. Discussion

Current status of top 5 risks

5.1 The top 5 issues (assessed on criteria shown in Section 4 above) are shown in the table below. The order of all issues including those in the top 5 has changed from 2013 based on current assessment on those criteria. No new issues arising during the past 12 months are in the top 5.

5.2 The table below provides information on the top 5 issues as at 30 June 2014.

Unique ID	First Reported	Description	Impact Rating	Actions
S3040	January 2011	Building Act 2004 - Structures on road reserve particularly relevant for retaining wall structures.	2.6	Draft policy is ready for discussion. The action resulting from an agreed policy may have significant risk to public relations. New structures compliance will be ensured by the building consents process. Historic structures owned by council are on a maintenance program to ensure structural integrity and public safety. Historic structures not owned by council -need to be identified in the light of a changed understanding of responsibilities with regard to retaining walls Reduced impact from 2013.
S3009	January 2012	Fire Service Act 1975, section 92, regulations.	2.1	2013/14 work complete. Overall, 15-20% of expected work complete.
S1081	January 2011	Building Act 2004 Section 48 - processing application for building consent (processed within 20 day statutory time	1.9	At start of the 2013/14 year, there were a significant number of breaches in time limits for processing building consents. This was recognised and significant changes in process made to ensure no breaches. There were no breaches from August 2013 to end of the 2013/14 year. Increase in impact from 2013 due to better understanding of the requirements from audit for full compliance.

Unique ID	First Reported	Description	Impact Rating	Actions
		limit)		
S2929	January 2011	Building Act 2004, Section 132 Adoption and review of policy	1.8	Policy was due for review May 2010. Policy review deferred due to Building (Earthquake-prone) Amendment Bill. Waiting for enactment before review and update of policy to current legislative requirements. Change (cannot require buildings to be upgraded to 67% NBS) in practice as result of legal precedent, to bridge until policy reviewed. Increase in impact from 2013.
S3024	January 2011	Resource Management Act 199, Section 79 Review of policy statements and plans	1.6	The Regional Policy Statement has not been reviewed in the last ten years or since it was made operative in 1997. The review was put on hold on the basis that it should be considered alongside the review of the TDC RPS which is due in 2012, to respond to National Policy changes, and follow the Nelson Development Strategy. The S35 efficiency and effectiveness review of the NRMP was broadened to assess the RPS. This provides a basis for review and allows NCC to be clear about what amendments need to be made so that they can be programmed. The RPS review is currently scheduled for review in 2014/2015 as part of the Nelson Plan. Increase in impact from 2013.

5.3 A complete list of all non-compliance issues reported as at 30 June 2014 is provided as Attachment 1.

5.4 At 30 June 2013 there were 59 issues outstanding. Over the last year 28 issues have been resolved (Attachment 2) and 12 new issues (highlighted in yellow) added giving a total of 43 outstanding issues.

Aggregate Impact

5.5 The impact rating for each non-compliance is calculated by scoring each of the facets below on a 1 to 5 scale. Where 0 = no impact and 5 = high impact.

5.6 When considering changes in relation to compliance it is important to consider the numbers of issues discovered and resolved and also the relative impact of those two groups of compliance issues.

5.7 To assist with interpretation, aggregate impact has been reported. Aggregate impact is a sum of the individual impact scores across all non-compliances recorded.

5.8 In June 2013 officers reported an aggregate impact of the compliance issues as 59.5. As at June 2014 this is now 38.1, a 36% reduction.

6. Compliance statistics at previous review

6.1 The current status of the issues rated as top 5 in June 2013 are reported in the table below.

Unique ID	First Reported	Description	Impact Rating	History
S2579	July 2011	Fire Service Act 1975: Develop an approved Evacuation Scheme under the Fire Service Act for relevant facilities.	3.5	Opus implemented fire evacuation procedures for buildings 2014. Issue resolved.
S3040	January 2011	Building Act 2004 - Structures on road reserve particularly relevant for retaining wall structures.	3.1	Draft policy is ready for discussion. The action resulting from an agreed policy may have significant risk to public relations. New structures compliance will be ensured by the building consents process. Historic structures owned by council are on a maintenance program to ensure structural integrity and public safety. Historic structures not owned by council - need to be identified in the light of a changed understanding of responsibilities with regard to retaining walls. Impact reduced to 2.6 in 2014.
S3009	January 2012	Fire Service Act 1975, section 92, regulations.	2.1	2013/14 work complete. Overall, 15-20% of expected work complete. No change in impact in 2014.
S2215	January 2012	Health Act 1956 no policy for backflow protection in place.	2.0	A programme for back flow prevention installation is underway which includes the required testing and reporting. Impact reduced to 1.3 in 2014
S2704	Gambling Act 2003	Gambling Act 2003 section 101, Territorial authority must adopt class 4 venue policy	1.9	Policy in place, Issue resolved.

7. Changes Planned for this Year

7.1 Going forward, statutory and internal compliance will not be reported up to the Governance Committee but will form part of an organisation-wide risk framework. Management will continue to monitor statutory and internal compliance as part of the wider framework.

8. Options

8.1 The recommendation is to receive the report and note progress in statutory and internal compliance.

9. Assessment of Significance against the Council's Significance Policy

9.1 There is no decision to be made.

10. Alignment with relevant Council Policy

10.1 So relevant Council Policy as statutory compliance is a legal requirement.

11. Consultation

11.1 There is no consultation required.

12. Inclusion of Māori in the decision making process

12.1 There is no decision to be made.

13. Conclusion

13.1 There continues to be a growing understanding of the legislation that underpins many of the activities Council undertakes and consideration of this can be seen in the increasing references to the statutes in the documented processes.

13.2 With the development of a Council-wide risk management framework, it is important to consider how these processes can work together with our compliance reporting processes and tools.

Nikki Harrison
Group Manager Corporate Services

Attachments

Attachment 1: Compliance Reporting – Non-Compliance Issues – rated by potential impact [A1237145](#)

Attachment 2: Compliance Reporting Round – Resolved Non-Compliance Issues Reported [A1237144](#)

Nelson City Council: Reported non-compliance with statutes, bylaws and policies for period 1 July 2013 – 30 June 2014

ATTACHMENT 1

#	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	RATING
1.	S3040	Asset Management	Building Act 2004	17 All building work must comply with building code	Not all structures on road reserve comply with the Act	Draft policy is ready for discussion. The action resulting from an agreed policy may have significant risk to public relations. New structures compliance will be ensured by the building consents process. Historic structures owned by council are on a maintenance program to ensure structural integrity and public safety. Historic structures not owned by council -need to be identified in the light of a changed understanding of responsibilities with regard to retaining walls.	2.6
2.	S3009	Asset Management	Fire Service Act 1975	92 Regulations	Part (na) Distances of buildings from fire hydrants. Change to way these are measured.	2013/14 work complete. Overall, 15-20% of expected work complete.	2.1
3.	S1081	Building	Building act 2004	48 processing application for building consent	Over the period from July 1 2013 to 6 August 2013 the Building Consent Authority had 20 building consents which breached the 20 day statutory time limit under section 48 of the Building Act 2004 the list of consents which have breached can be found in the document http://tardis/A1231918 .	At start of the 2013/14 year, there were a significant number of breaches in time limits for processing building consents. This was recognised and significant changes in process made to ensure no breaches. There were no breaches from August 2013 to end of the 2013/14 year.	1.9
4.	S2929	Building	Building Act 2004	132 Adoption and review of policy	Policy was due for review May 2010.	Policy review deferred due to Building (Earthquake-prone) Amendment Bill. Waiting for enactment before review and update of policy to current legislative requirements. Change (cannot require buildings to be upgraded to 67% NBS) in practice as result of legal precedent, to bridge until policy reviewed.	1.8

RATING: Potential impact of compliance issue based on impact on internal processes, financial impact, customer satisfaction and internal and external liability and risk of death or injury.

- 0 = no impact
- 1 = low impact
- 3 = moderate impact
- 5 = high impact

YELLOW SHADING New issue

#	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	RATING
5.	S3024	Policy and Planning	Resource Management Act 1991	[79 Review of policy statements and plans	The Regional Policy Statement has not been reviewed in the last ten years or since it was made operative in 1997. The review was put on hold on the basis that it should be considered alongside the review of the TDC RPS which is due in 2012, to respond to National Policy changes, and follow the Nelson Development Strategy.	The S35 efficiency and effectiveness review of the NRMP was broadened to assess the RPS. This provides a basis for review and allows NCC to be clear about what amendments need to be made so that they can be programmed. The RPS review is currently scheduled for review in 2014/2015 as part of the Nelson Plan.	1.6
6.	S1394	Consents Compliance	Local Government Official Information and Meetings Act 1987	13 Decisions on requests	On a small number of requests, information provided is likely to have been outside the required 20 day timeframe. This is due to the nature of the request and volume of material being requested.	Staff are reminded to action these requests as quickly as practical bearing in mind the need for other staff input within the required timeframe.	1.5
7.	S1158	Libraries	Health and Safety in Employment Act 1992	6 Employers to ensure safety of employees	Still completing 13/14 annual H&S audits.	Annual audits will be back on schedule by end of Aug 2014.	1.4
8.	S1451	Consents Compliance	Resource Management Act 1991	[95 Time limit for public notification or limited notification	Within 10 days decide whether to publicly or limited notify and do so - not always achieved within 10 days.	Process established with other staff assisting with consent assessments to have comments back in 5 days. More vigilance in this area.	1.4
9.	S1452	Consents Compliance	Resource Management Act 1991	[115 Time limits for notification of decision	Decision for non-notified consents issued in 20 working days.	Some consents require more time to reach a quality outcome. Continue to review process and train staff to ensure it is as efficient as possible.	1.4

RATING: Potential impact of compliance issue based on impact on internal processes, financial impact, customer satisfaction and internal and external liability and risk of death or injury.

- 0 = no impact
- 1 = low impact
- 3 = moderate impact
- 5 = high impact

YELLOW SHADING New issue

#	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	RATING
10.	S2215 S1788	G M Infrastructure Utilities RSW Teams	Health Act 1956 Health Act 1956	69ZZZ Protecting water supplies from risk of back-flow 69ZZZ Protecting water supplies from risk of back-flow	Council commencing backflow prevention and will roll out from 2014/15. <i>From the Drinking Water Amendment Act 2007: "A networked supplier— (a) must test each back-flow protection device operating in its network at least once a year; and (b) must advise the territorial authority in its area of the results,...." There are numerous devices installed for which regular test results have not been sought.</i>	Programme in place and work commencing 14/15. <i>A programme for Back Flow Prevention installation is underway which includes for the required testing and reporting.</i>	1.3
11.	S3665	Utilities RSW Teams	Resource Management Act 1991	15 Discharge of contaminants into environment	Surface water trigger level exceedence. Suspended solid concentrations exceeded in sampling undertaken on 11 April 2014. This breaches Sec a(9) of RC065160.	See http://tardis/A1138085 and http://tardis/A1173611 .	1.1
12.	S4051 S3007	G M Comm Services Libraries	Employment Relations Act 2000 Employment Relations Act 2000	[69ZD Entitlement to rest breaks and meal breaks [69ZD Entitlement to rest breaks and meal breaks	Staff at Nightingale Library cannot be guaranteed 10 min rest breaks. <i>Unable to ensure 10 min uninterrupted tea break at Nightingale Library Memorial as library is single staffed and staff are only there for period of opening.</i>	After discussion with HR there is no practicable option to address this issue. Staff do take a tea break but it can not be guaranteed to be uninterrupted. <i>After discussion with HR there is no practicable option to address this issue. Staff do take a tea break but it can not be guaranteed to be uninterrupted.</i>	1.1
13.	S2629	Parks Rec Team	Public Records Act 2005	17 Requirement to create and maintain records	Not all emails and other documents saved and stored in an easily retrievable form.	No action: Standardise naming criteria.	1.1

RATING: Potential impact of compliance issue based on impact on internal processes, financial impact, customer satisfaction and internal and external liability and risk of death or injury.

- 0 = no impact
- 1 = low impact
- 3 = moderate impact
- 5 = high impact

YELLOW SHADING New issue

#	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	RATING
14.	S1139	G M Infrastructure	Reserves Act 1977	44 Unauthorised use of reserve	Does not permit a tent or caravan to remain for a period of 4 weeks between 1 Nov and 31 March. Not achieving at Brook or Maitai camps.	Reserves Management plan underway at Brook Camp. No work at Maitai at this stage.	1.0
15.	S2232	Policy and Planning	Reserves Act 1977	41 Management plans	Have not prepared Management Plans for all reserves within the required timeframe.	No resource available at present to address this. Continue to assess against other priorities.	1.0
16.	S2717	Policy and Planning	Resource Management Act 1991	108 Conditions of resource consents	The Marina does not provide hardstand with appropriate contaminated sediment control as required under the Resource Consent http://tardis/653244 .	Currently a hardstand area is provided by a third party. Council will need to provide an area and funding will be required for the project in the 2014/15 year.	1.0
17.	S3169	Parks Rec Team	Health and Safety in Employment Act 1992	[3C Application of certain provisions to volunteers doing regular work	Systems for managing volunteers are not as advanced as those for managing staff despite the amendment giving them the same status under the Act.	In the meantime will aim to establish improved local processes by end of June 2015. Managing to minimum standard at present. Create hazard checklist for volunteers.	1.0
18.	S3495	Asset Management	Land Transport Management Act 2003	25 Procurement procedures	Final NCC Procurement Policy is completed but not yet approved by NZTA.	Approval by NZTA to be completed this financial year.	1.0
19.	S4360	Asset Management	Reserves Act 1977	41 Management plans	Do not have specific management plans in place for each reserve.	This is noted in the relevant AMP with a schedule for plan completion.	1.0
20.	S4362	Asset Management	Resource Management Act 1991	15 Discharge of contaminants into environment	Accidental sewage discharge.	Resource consent application underway. Expected completion Feb 2015.	1.0

RATING: Potential impact of compliance issue based on impact on internal processes, financial impact, customer satisfaction and internal and external liability and risk of death or injury.

- 0 = no impact
- 1 = low impact
- 3 = moderate impact
- 5 = high impact

YELLOW SHADING New issue

#	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	RATING
21.	S757	IT	Public Records Act 2005	18 Authority required to dispose of public records and protected records	IM advises that with many older records currently entering protected record status, further work is required to improve compliance in archiving of those records.	Records Administrator has agreed to investigate any area of the Business that this issue could be better addressed by end of 2011/12. Project Balance ID 1453 Delayed to 2012/13 10/6/2013: Investigation completed and records have been identified that need to be reviewed. These records will now be extracted from the store and reviewed in the 13/14 financial year. [13/8/2014] Due to reorganisation of IM it is not known if this has been done and should be a job for the new Archivist and Document Officer in the 14/15 year.	0.9
22.	S3038	Human Resources	Local Government Act 2002	48 Further provisions of Schedule 7	Schedule 7 part 1 36 2 (b) - EEO programme not yet developed.	Work yet to be prioritised.	0.8
23.	S3581	Environmental Programmes	Resource Management Act 1991	[44A Local authority recognition of national environmental standards	National Environmental Standard for Contaminates in Soil requires Councils to have a Hazardous Activities and Industries List (HAIL) and to be using it to assess resource consent and building consent applications. NCC does not have an up to date HAIL list with the current records prepared under old requirements in the early 1990s.	Complete HAIL list, associated database and LIM updates, will be available from October 2014. Update to existing information required to account for recently sourced information.	0.8
24.	S3907	Emergency Management	Electricity Act 1992	82 Testing, certification, and inspection	We have commenced annual testing of equipment (incl new EOC equipment) but at the time of writing this work is not complete. Some radio equipment and some generator equipment (mainly in outlying rural areas) still requires an annual inspection.	This is programmed for completion by end of September upon return from leave of the contractor.	0.8

RATING: Potential impact of compliance issue based on impact on internal processes, financial impact, customer satisfaction and internal and external liability and risk of death or injury.

- 0 = no impact
- 1 = low impact
- 3 = moderate impact
- 5 = high impact

YELLOW SHADING New issue

#	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	RATING
25.	S2337	G M Corp Services	Local Government (Rating) Act 2002	23 Procedure for setting rates	In the process of setting rates for its 2013/14 financial year, Council has not fully complied with this requirement with respect to its wastewater charge. Refer to Note 2 of the Annual Report.	Simpson Grierson reviewed the funding impact statement and rates resolution for 2014/15 to ensure compliance.	0.7
26.	S1698	Policy and Planning	Resource Management Act 1991	[55 Local authority recognition of national policy statements	We have failed to meet the deadline for implementing the NPS for electricity generation within our district plan.	Development work is ongoing - Consultant's report indicates that there are limited opportunities for Renewable electricity generation in Nelson. This work will be used in the development of the Nelson Plan in 2014/2015.	0.6
27.	S4165	Parks Rec Team	Electricity Act 1992	169 Regulations	Need more robust systems in place to ensure that Section 76 of the Electricity safety Regulations 2010 is fully complied with in respect to the Brook Motor Camp, Nelson Marina and other remote sites. Also there is no risk assessment in place for electrical appliance and annual testing/tag regime not fully rolled out yet.	Review systems and ensure both the Marina Manager and Brook Camp Manager are aware of requirements and maintain the necessary schedule. Finalise systems for testing and tagging for remote sites.	0.6
28.	S4286	Asset Management	Building Act 2004	17 All building work must comply with building code	Tahunanui motor camp - motel units - 1 remaining piece of flashing to correct Function centre - Fire rating underneath centre is non-compliant.	Builder and fire rating expert have been engaged to correct. Expected compliant by Sep 2014.	0.6

RATING: Potential impact of compliance issue based on impact on internal processes, financial impact, customer satisfaction and internal and external liability and risk of death or injury.

- 0 = no impact
- 1 = low impact
- 3 = moderate impact
- 5 = high impact

YELLOW SHADING New issue

#	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	RATING
29.	S4479	Emergency Management	Health and Safety in Employment Act 1992	10 Significant hazards to employees to be minimised, and employees to be protected, where elimination and isolation impracticable	Having moved into a new building we are still working through the establishment of Health and Safety documentation for the Emergency Operations Centre. Many aspects are done (e.g. fire evacuation, signage etc) but we have yet to document the identification and treatment of some hazards in writing. For example, a process to run the generator (including Health and Safety aspects) needs to be documented.	A standard operating procedure for the Emergency Operations Centre part of the team work programme and individual perf plans for the 2014/15 year.	0.6
30.	S4114	G M Comm Services	Resource Management Act 1991	17 Duty to avoid, remedy, or mitigate adverse effects	Banners throughout city (apart from clock tower) do not have resource consent.	Further information needed from the policy team around their scoping assessment for banners; once this has been received an application will be made for a resource consent for banners. Council mainly uses the poles for advertising community events. There may also be some budget implications of the requirement to remove banners one week after the event is over.	0.5
	S3909	Community Partnerships	Resource Management Act 1991	17 Duty to avoid, remedy, or mitigate adverse effects	Banners throughout city (apart from clock tower) do not have resource consent.	Once the policy team has carried out a scoping assessment for banners, application will be made for a resource consent for banners. The assessment expected to take place 2013/14.	
31.	S2571	Emergency Management	Health and Safety in Employment Act 1992	[2A All practicable steps	NZ RT2 (search and rescue team) volunteers need to have better understanding of their overall Health and Safety objectives. It is not always clear what gaps exist.	A Health and Safety calendar for the team is to be produced to assist with planning and management supervision. By November 2014.	0.5

RATING: Potential impact of compliance issue based on impact on internal processes, financial impact, customer satisfaction and internal and external liability and risk of death or injury.

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#	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	RATING
32.	S1130	G M Infrastructure	Building Act 2004	92 Application for code compliance certificate	Various historical Building CCC not in place for Network assets (Parks and Facilities / Utilities / Capital and Roadng).	Working through list steadily. Good progress. Aiming to have Parks and Facilities completed by June 2015.	0.3
	S1813	Capital Projects	Building Act 2004	92 Application for code compliance certificate	A number of historical schemes where building consents were in place but paperwork not submitted and or final inspection not requested to allow issue of CCC.	5 number historical consents still outstanding and being worked through. Generally trying to determine ownership of the walls, on Council land but not supporting council infrastructure. All to be completed by June 2015.	
33.	P116	G M Corp Services	HR - Employment	1 Annual Holidays are being managed in terms of the Management of Annual Holidays Procedure	High levels of annual leave being carried forward within Accounting Services team.	This is an historical issue and we have been actively managing the balances down over the last financial year, but still non-compliant.	0.3
34.	P170	G M Strat Env	HR - Employment	1 Annual Holidays are being managed in terms of the Management of Annual Holidays Procedure	One staff member in the Group has exceeded the one-week carry-over for annual leave.	Each of the business unit managers which this is relevant to will be talking to individuals and taking action.	0.3
35.	S209	Libraries	Building Act 2004	91 Building consent authority that grants building consent to issue code compliance certificate	Two structures at Founders do not have Code Compliance Certificates - these are historical issues.	Mgr undertaking work to get the required inspections and documentation to gain CCC.	0.3
36.	S2277	Parks Rec Team	Building Act 2004	17 All building work must comply with building code	11 Items requiring Code Compliance Certificate as per http://tardis/853244 .	More progress in reducing this number of outstanding CCC's. Larger issues at Civic House and Brook Camp being covered by Projects during the 14/15 year. Further investigation required and a review of Code Compliance Certificates for all buildings.	0.3

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37.	S2281	Parks Rec Team	Building Act 2004	40 Buildings not to be constructed, altered, demolished, or removed without consent	1 new Council Item as per http://tardis/853244 built without building consent recently discovered - Isel Park bridge. Other issues from last year resolved. Also various Brook Camp structures built by third parties that may not have building consent but are not required to be declared as part of this reporting process. (at this stage).	There is a project in the 14/15 year to resolve the bridge access approaches to comply with the building code. This process should also replace the historic lack of building consent.	0.3
38.	S2467	Finance	Statistics Act 1975	31 Onus to complete schedules	a) The Quarterly Return falls due at a time where it is difficult to commit a resource b) The Annual Return also falls due where there is a significant workload. The information required for this return is not easily accessible in our current A.I.S. and therefore requires significant work to complete.	a) An additional resource has been recruited who will complete this return in the future. b) A report will be developed in the BR module that will compile the information necessary for the Annual Return. To be completed in time for the 2015 Return. In the meantime, the additional resource will enable the Return to be completed by target date.	0.3
39.	S3249	Parks Rec Team	Health Act 1956	[120B Regulations as to camping grounds	Camping-Grounds Regulations 1985 s5 Marking of sites At the Brook camp (and other leased camps) the number of each camp site is not necessarily always permanently marked at each site.	Low risk, low priority. No assigned timeframe for action. Camp currently closed to casual camping.	0.3
40.	S4232	Asset Management	Land Transport Management Act 2003	105 Regional transport committees	The Regional Transport Committee composition will be non compliant with the 2013 amendment for the period 13/7/13 to 18/7/13.	No action proposed. MoT has advised that as long as the RTC make no decisions during this time the intent of the Act is maintained.	0.3
41.	S4426	GIS	Local Government (Rating) Act 2002	28 Inspection of rating information database	A copy of the rating database is held in GIS for internal GIS viewer and to generate mail merges. Access to Nelson City Council's GIS databases, including the rating database, was open to other organisations including Tasman District Council and Network Tasman.	During recent GIS upgrade (May 2014) new users and passwords were created to ensure outside organisations only had access to appropriate GIS databases. These organisations can no longer access the rating database.	0.3

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42.	P142	Parks Rec Team	HR – Health and Safety	3 All emergency procedures are in place and trialled in the last 6 months	Brook Valley Holiday Park required to complete evacuation procedure with permanent residents (only residents at the camp).	Trial evacuation includes whole of camp for the camp within next by 30Nov14.	0.2
43.	S3817	Building	Building Act 2004	161 Regional authority must adopt policy on dangerous dams[, earthquake-prone dams, and flood-prone dams]	Policy due to be reviewed Nov 2011.	Minister has extended this period allowing DBH to review criteria. Awaiting DBH advice. No change 25 June 2013. [25Aug2014] Dam Safety Regulations come into effect 1 July 2015. \$30,000 budget in 2014/15. GL651020310635.	0.2
Total rating							38.1¹

¹ Total rating at 30 June 2013 was 59.5 (ref. [A579975](#))

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YELLOW SHADING New issue

Nelson City Council: Non-compliance issues resolved 1 July 2013 – 30 June 2014

ATTACHMENT 2

	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	ACTION TAKEN
1.	S3915	G M Strat Env	Building Act 2004	48 Processing application for building consent	Not meeting timeframes	Manager Building responsible for monitoring and improving	Responsibility with Manager Building
2.	S2478	Parks Rec Team	Fencing of Swimming Pools Act 1987	8 Obligations of owner and persons in control of pool	There is a rule regarding climbable vegetation within proximity of a pool fence. No 36 Cable Bay Road has this vegetation issue as reported by the Council Swimming Pool Compliance Officer.	As at 30 June 2013 this issue had not been resolved however was resolved during July 2013.	Vegetation around swimming pool removed July 2013
3.	P113	Capital Projects	Finance – Financial Delegation Register	1 My staff are compliant with the current Financial Delegation Register	Previously some purchase orders were being signed and authorised by same person this is now resolved.	New electronic purchase order system ensures this can no longer happen	EPO system does not allow single person approval and authorisation. All Progress Payments certificates signed by project manager and manager Capital Projects as per new template
4.	P178	Parks Rec Team	Finance – Financial Delegation Register	1 My staff are compliant with the current Financial Delegation Register	Previously some purchase orders were being signed and authorised by same person this is now resolved. In addition I overlooked on occasions to get my one up manager to sign off telecom accounts. This is now also resolved	New electronic purchase order system and telecom account system ensures this can no longer happen	Purchase system now in place, therefore invoices signed off by second party
5.	S2579	Parks Rec Team	Fire Service Act 1975	92 Regulations	Fire Safety and Evacuation of Buildings Regulations 2006 Section 6 requires the building owner to have evacuation procedures for a range of facilities including public toilets, childcare centres and kindergartens, day-care centres and facilities, commercial buildings and premises for business and professional purposes, central, regional, and local government offices and facilities, libraries, museums, art galleries, and other cultural institutions educational institutions, holiday cabins, groups of pensioner flats, chapels, places of assembly, including auditoriums, theatres, cinemas, halls, sports stadiums, conference facilities, clubrooms, recreation centres, and swimming baths, restaurants, bars, cafeterias, and catering facilities, public laundries, car parks, other buildings, premises, or facilities to which the public are to be admitted, whether for free or on payment of a charge. I am not confident that all relevant facilities owned by Council have these plans all in place (although I am confident regarding the major facilities)	All facilities have been reviewed and a plan has been developed to roll out simple evacuation procedures for other facilities not covered by Evacuation Schemes. Richard Popenhagen has this on his work programme as a priority item for 13/14.	Opus implemented Fire Evacuation procedures for buildings 2014

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	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	ACTION TAKEN
6.	S3499	Policy and Planning	Freedom Camping Act 2011	12 Bylaws must not absolutely prohibit freedom camping	Our current bylaw effectively prohibits freedom camping. [7/7/14 MOVED FROM STRATEGIC RESPONSE AS UNIT NO LONGER CURRENT]	The bylaw is scheduled to be revoked through a special consultative procedure - report going to 18 July 2013 Council meeting	Bylaw revoked.
7.	S2704	Policy and Planning	Gambling Act 2003	101 Territorial authority must adopt class 4 venue policy	Policy to be reviewed every 3 years (s 102 of the Act). The last review was completed in June 2010 (but High Court declared SCP process invalid). The previous review was completed in 2007.	Council expected to have completed review and approved amended policy by end of August 2013.	Policy in place
8.	S3248	Parks Rec Team	Health Act 1956	[120B Regulations as to camping grounds	Camping-Grounds Regulations 1985 s9 General standards Various areas at Brook Camp (and other leased camps): Ratio of sanitary fixtures, location and distribution of rubbish bins, etc.	EXEC NOTE: Complete stock take of non compliance in this area by 30 June 2014.	Currently compliant due to camp only open to current semi permanent residents
9.	S3247	Parks Rec Team	Health Act 1956	[120B Regulations as to camping grounds	Camping-Grounds Regulations 1985 s2 Interpretation Definition for temporary living place under these regulations only provides for periods of time not exceeding 50 days in any continuous term of occupancy. Long term residents exceed this.	Resident issue currently under review	Discussed with General Manager Community Services. Review of Camp compliance with residents exceeding to be addressed at SLT delegation
10.	S4251	G M Comm Services	Health and Safety in Employment Act 1992	[2A All practicable steps	NZ RT2 Volunteers not identifying hazards in RAMS forms, therefore as employer we are not taking all practical steps to ensure their safety.	The Manager Emergency Management has a plan to rectify this incl training in the use of forms.	Responsibility sits with the Manager Emergency Management.
11.	S4065	G M Comm Services	Health and Safety in Employment Act 1992	7 Identification of hazards	Hazards at storage area of Halifax St Building not identified and not assessed as significant or not. No action taken to deal with hazards.	Internal investigation undertaken completed (no with CEO). Manager Community Development has in place a plan to ensure compliance and follow-up. Actions from investigation will need to be implemented when known.	Internal investigation undertaken completed and changes implemented
12.	S1653	Community Partners	Health and Safety in Employment Act 1992	7 Identification of hazards	Hazards at storage area in Halifax Street were not identified, and therefore not assessed as to whether these were significant hazards or not. If significant there was no action taken to eliminate, isolate or minimise these hazards.	Workplace assessment now put in place for storage area in Four Seasons building as part of the regular workplace assessment procedure.	New storage area in Four Seasons building underwent a workplace assessment as part of the regular workplace assessment procedure.
13.	S1867	Capital Projects	Historic Places Act 1993	11 Application to destroy, damage, or modify archaeological site	Did not submit application for Maitai Duplicate Pipeline Scheme	Archaeological site was noted on Historic Places Trust website but is not listed on Nelson Resource Management Plan. Staff are now aware that not all archaeological sites are recorded on NRMP though this is being actioned. If there is any doubt staff have been instructed to discuss with an Archaeologist.	Was a non compliance on an individual scheme that wasn't shown on NRMP. Advised all staff not to just rely on NRMP info but to also check with Historic Places

	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	ACTION TAKEN
14.	P144	Human Resources	HR - Employment	1 Annual Holidays are being managed in terms of the Management of Annual Holidays Procedure	Application to carry over annual leave not in writing	Retrospective Email request approved by Divisional Manager and Chief Executive #1544689	Leave is now being requested in writing in advance
15.	P175	G M Comm Services	HR - Health and Safety	2 All the BU significant hazards are recorded in the hazard register & controls in place	The fire in the Halifax St Storage area suggested that the following aspect of the policy was not being followed: "Systematically identifying and managing hazards".	An internal investigation has been undertaken and is currently with the CEO.	Review undertaken and staff advised of responsibilities
16.	P74	Community Partners	HR - Health and Safety	2 All the BU significant hazards are recorded in the hazard register & controls in place	Proactive action not taken with regard to hazards at the Halifax Street storage site - details yet to be confirmed through fire investigation	Workplace inspection now carried out for Four Seasons building storage as part of regular workplace inspection processes	Workplace inspection now carried out for Four Seasons building storage as part of regular workplace inspection processes
17.	S2719	Finance	Income Tax Act 2004	CA 1 Amounts that are income	Schedule 4 F 5 A payment for services connected with a New Zealand resident providing or performing [a Part F activity] has a 0.20 rate for each dollar of the payment, if clause 6 does not apply to the payment and it is— (a) to the New Zealand resident: (b) to an agent of the resident: (c) to a person acting on behalf of the resident. We are not currently deducting withholding tax from per diem payments to festival performers. Per diem payments are for daily expenses while performing.	we will need to get tax advice	Only applies to Festivals events. Sought advice and now deducting from all individuals without exemption certificates. Have reduced number of individuals we are dealing directly with
18.	S2689	G M Corp Services	Income Tax Act 2004	CA 1 Amounts that are income	Schedule 4 F 5 A payment for services connected with a New Zealand resident providing or performing [a Part F activity] has a 0.20 rate for each dollar of the payment, if clause 6 does not apply to the payment and it is— (a) to the New Zealand resident: (b) to an agent of the resident: (c) to a person acting on behalf of the resident. We are not currently deducting withholding tax from per diem payments to festival performers. Per diem payments are for daily expenses while performing.	We will need to get tax advice.	Only applies to Festivals events. Sought advice and now deducting from all individuals without exemption certificates. Have reduced number of individuals we are dealing directly with.

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	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	ACTION TAKEN
19.	S4176	Policy and Planning	Local Government Act 2002	[158 Review of bylaws made under this Act or the Local Government Act 1974	Failed to adopt Long Term Plan by 30 June 2012 (although approved by Audit due to extenuating circumstances of rain event costs needing to be included in Plan).	Annual Plan will be adopted on 27 June 2013.	On track with LTP
20.	S4252	Human Resources	Local Government Act 2002	48 Further provisions of Schedule 7	Report not prepared in time for Agenda for The Remuneration Review Committee meeting on 17 August 2012 which was distributed late	Work to agreed timetable	Information provided within the timeframes
21.	S1797	G M Corp Services	Local Government Act 2002	64 Statements of intent for council-controlled organisations	Failed to get the 2012/13 SOIs from TBHT and NAL signed off before the statutory deadline. TBHT signed in December and NAL not until May. [7/7/14 MOVED FROM HUGH KETTLEWELL AS UNIT NO LONGER CURRENT]	All SOIs for CCOs for 2013/14 signed already so compliance for next year is certain	All Statements of Intent were received by 30 June in the 2013/14 financial year for all CCTOs.
22.	B470	Parks Rec Team	No 213 Trading in Public Places Bylaw adopted 2007	4.1 Licensing	Reserves Concessions did not obtain a licence using the form prescribed under the Trading in Public Places Bylaw. (the reserve concession process uses other forms - however the prescribed forms were used partway through the year)	Wording of bylaw needs changing at next review, and possible better alignment of both systems. In the meantime we will use the prescribed forms	All applicants required to complete Provision of Commercial services form
23.	B140	G M Infrastructure	No 213 Trading in Public Places Bylaw adopted 2007	9. Retail Displays on Footpaths	Staff have been inconsistent with how they deal with retail displays as required under the bylaw. EXEC NOTE: There has been inconsistent application of this bylaw.	Council have agreed to retain the status quo until such time as the bylaw is again reviewed in 2014.	The previous issue identified how we enforce sandwich boards. No issues identified.
24.	B620	Utilities Rsw Team	No 214 Trade Waste Bylaw, adopted 2007	3. Trade waste discharges and permits	Surface water trigger level exceedence, (11 April 2014). This breaches RC065160.	See RAD http://tardis/A1138085 and http://tardis/A1173611 .	We have had no instances of the York Valley leachate pond over flowing or discharging to York Stream this year. This commonly occurs when we receive rainfalls that exceed the ponds capacity.
25.	S1446	Communications	Public Records Act 2005	17 Requirement to create and maintain records	Non compliance is vague as regards website being a 'record'. However, no backups are done of the existing Council website. No record of the site at a given interval is held on the premises or by the site host that can be referenced at a later date.	EXEC NOTE: Budget bid will go to council in the 2013 - 2014 Financial year	Back up copies of the website content are now made daily. SilverStripe backup the site content (database, assets and codebase) each day. Backups sit on the same drive and are removed as further space is required. Historically the backups have sat on locally attached drives, with up to 2 months history. Recently a networked storage solution has been set up which will enable longer term storage going forward.

	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	ACTION TAKEN
26.	S957	Kaihautu*	Public Records Act 2005	17 Requirement to create and maintain records	No back up system in place for current website.	Budget bid will go to council in the 2013 - 2014 Financial year	As above
27.	S2634	Parks Rec Team	Reserves Act 1977	[16 Classification of reserves	Not all reserves are classified.	This is common and generally accepted by the Department of Conservation and not enforced. Substantial amount of work is involved to resolve with little benefit. Action those where real risk issues exist as a result of not classifying. Identify any of these by 30/6/2012 - not issues of substance	Discussed with policy and there aren't any reserves requiring classification
28.	S2907	Parks and Facilities*	Reserves Act 1977	44 Unauthorised use of reserve	Section 44(2) Does not permit a caravan or tent to remain on a reserve for a period of more than 4 weeks between the 1 November and 31 March. This is likely to be exceeded at the Brook Camp (and possibly Maitai)	EXEC NOTE: Report to follow.	Duplicate
29.	S3996	G M Strat Env	Resource Management Act 1991	[115 Time limits for notification of decision	few non-notified decisions issued outside 20 working days	98% on time, some complex consents take longer to get quality outcome	Responsibility with Manager Consents and Compliance
30.	S4233	Policy and Planning	Resource Management Act 1991	[55 Local authority recognition of national policy statements	The NPSREG requires that Councils Resource management Plans make provision for renewable Electricity Generation. Gap analysis has indicated that the NRMP needs to make better provision for micro hydro and possibly wind	A plan change is on the work programme for 2013/2014	Duplicate
31.	S2715	Parks Rec Team	Resource Management Act 1991	[88 Making an application	Non compliance of existing Consents for operation of a Marina (Carparking and Hardstand) and parking for the operation of the Trafalgar Centre.	Marina one awaiting decision/action on hardstand from Council	Discussed the Marina with the asset manager and the compliance with the Marina sits with their level of delegated authority
32.	S3995	G M Strat Env	Resource Management Act 1991	[95 Time limit for public notification or limited notification	Processing pathway not always decided in 10 working days	processes in place, need more vigilance	Responsibility with Manager Consents and Compliance
33.	S4215	Policy and Planning	Resource Management Act 1991	1 Short Title and commencement	Non compliance is with Schedule 1, section 32(1)(b) We do not have copies of all externally referenced documents. [7/7/14 MOVED FROM STRATEGIC RESPONSE AS UNIT NO LONGER CURRENT]	EXEC NOTE: We are working through the entire list to ensure we have physical or digital copies to hand. Expected completion - first half of 13/14 year	Completed

ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	ACTION TAKEN	
34.	S595	G M Infrastructure	Resource Management Act 1991	15 Discharge of contaminants into environment	In Breach of RC for NWWTP odour consent.	1. UGL replaced with NELMAC. 2. Mediation underway with UGL. 3. New aerators in and commissioned. 4. De-sludging to taker place 2013/14.	Aeration installed on pond, trickling filter cover underway and pond desludging underway.
35.	S1889	Utilities Rsw Teams	Resource Management Act 1991	15 Discharge of contaminants into environment	EXEC NOTE: June 2013: Persistent odour issues recurred during 12/13 summer period.	EXEC NOTE: June 2013: Aerators installed May 2013 and desludging of pond programmed for 13/14 year. These measured anticipated to provide significant improvement	Aerators have been installed to improve pond oxygenation and desludging of the pond is currently underway.
36.	S1675	Community Partnerships	Resource Management Act 1991	16 Duty to avoid unreasonable noise	1. Amplified sound is currently a controlled activity in Open Space and Recreation Zone. Two consents have been obtained but have not been implemented fully.	Follow up with relevant council officers on the process for this and to ensure we comply with consent conditions.	Consents were applied for and granted.
37.	S2960	Policy and Planning	Resource Management Act 1991	35 Duty to gather information, monitor, and keep records	Every Local authority must compile and make available an effectiveness and efficiency monitoring report every five years - This has not been done but is now in project balance Every local authority shall keep reasonably available information that is relevant to the administration of the plans - Several documents such as NES and copies of all material referenced in the plan are not readily available	EXEC NOTE: Efficiency and effectiveness report goes to Council for finalisation on 18 July 2013.	Efficiency and effectiveness report completed.
38.	S4113	G M Comm Services*	Resource Management Act 1991	16 Duty to avoid unreasonable noise	Amplified sound is currently a controlled activity in Open Space and Recreation Zone.	Plans being put in place. Consents expected to be live by September 2013.	Two consents have been obtained.
39.	B781	Policy and Planning	No 212 Stormwater Bylaw adopted 2007	5 Pollution prevention plans	Duplication with Resource Management Plan appendix 21.	Hazardous materials and processes monitoring passed to Resource Consents team/ EIL.	[25Aug2014] Bylaw revoked by Council resolution 29 August 2013. Ref http://tardis/A503351 .
40.	B528	Policy and Planning	No 217 Water supply, adopted 2008	1.0 Preamble	Section not compliant with is under Terms and Conditions of Connection to the Water Supply System, section 3, charging - but this isn't listed above. We haven't set and published the special fees as required by the bylaw.	When staff resource is available the policy will be updated and this will be resolved. No change. 25 June 2013.	[25Aug2014] Bylaw under review 2014. Fees and charges 2014/15 advertised by Operations in June 2014. In future to be set in Annual Plan.

	ID	REPORTED BY	REPORTED AGAINST	SECTION	DESCRIPTION - WHY NOT COMPLIANT	ACTIONS - TO MAKE COMPLIANT	ACTION TAKEN
41.	S2979	Policy and planning	Soil Conservation and Rivers Control Act 1941	126 General powers of Catchment Boards	It shall be a function of every Catchment Board to minimise and prevent damage within its district by floods and erosion. Council under its regional hat has taken over the role of catchment board and does not maintain rivers and streams in rural properties or east of Gentle Annie.	Discussed with exec team as part of Stormwater AMP 2011. Council should be rating these areas. Exec team considered not the right time to suggest additional rate. Issue still to be resolved. See Eastern Agriculture Ltd v Manawatu-Wanganui Regional Council. [25 June 2013] Report due to Council 27 June 2013.	Senior Asset Engineer - Utilities reported to Council on 27 June 2013 with Rural River Maintenance Report 27June2013 (http://tardis/A281729) identifying issue, addressing issue with recommendations Council will undertake the following works in rivers and streams (accepted) and reaching compliance with this Act.
42.	S936	Kaihautu	Local Government Official Information and Meetings Act 1987	46 Meetings of local authorities to be publicly notified	Timeliness of publications does not meet publication time frames.	Manager working on new schedule to allow compliance.	Issue resolved. We now use Live Nelson for our public notifications. Whenever the dates of publication do not align adequately with meetings we now use advertising in the Nelson Mail instead, so there were not any non-compliances in this matter during the 2013/14 year.

2014 Resident Survey Results

1. Purpose of Report

- 1.1 To consider the results of the 2014 Survey of Residents.

2. Delegations

- 2.1 Council's Governance Committee has the delegated power to consider these results in its role of monitoring Council's service performance and coordinating and developing policies for Long Term Plan development.

3. Recommendation

THAT the report 2014 Resident Survey Results (A1241476) and its attachment (A1234788) be received;

AND THAT the results be published in Live Nelson.

4. Background

- 4.1 The purpose of the survey is to get statistically representative resident feedback on Council performance, particularly to report against customer satisfaction KPIs and Long Term Plan performance measures. The survey is also timed for the year before the next Long Term Plan to provide information on residents' preferences, priorities and behaviours and to identify actions for improving future performance.
- 4.2 The 2014 Residents' Survey was conducted by Versus Research in May 2014 and June 2014 and involved a 20 minute phone survey of 400 randomly selected Nelson residents using quotas for age and sex. This gives a maximum margin of error of +/-4.8% at the 95 percent confidence interval. Satisfaction ratings were based on a 5-point scale with 1 representing Very Dissatisfied and 5 representing Very satisfied.
- 4.3 Nelson City Council has been conducting annual surveys of residents since the late 1990s. The questions and topics have differed from year to year. Where possible, results from this year's survey are compared with previous years' results, depending on the last time the question was asked. In 2013 a shorter survey was conducted, covering overall satisfaction but not satisfaction with each Council activity. It is planned to conduct the full 20 minute survey every three years.

5. Discussion

Overall Service and Council Facilities

- 5.1 Fifty-four percent of residents were satisfied or very satisfied with Council's overall performance, compared with 49 percent in 2013. There was a significant increase in residents who were satisfied, giving a rating of 4, and a significant decrease in residents who were dissatisfied or very dissatisfied.
- 5.2 Forty-five percent of residents agreed or strongly agreed that Council services and facilities were good value for money for ratepayers, similar to previous years.
- 5.3 Residents were asked to provide a reason for their rating on the value for money question. The most common comment, from 30 percent of respondents, was that they are satisfied overall. Seventeen percent commented that rates are too high and 14 percent felt there was room for improvement.
- 5.4 Residents were also asked to rate their satisfaction with specific Council activities, which were described using the wording in the table below. Results for most activities were similar to previous years¹ except for parks and open spaces and culture, heritage and arts, which both saw increased levels of satisfaction. There was also a drop in the level of satisfaction with recreation and leisure. Comments suggest this was partly due to the closure of the Trafalgar Centre.

Activity	Percent satisfied or very satisfied	
	2014	2012 ¹
Parks and open spaces	88%	83%
Community facilities, for example public libraries, toilets and cemeteries	76%	76%
Culture, heritage and arts, e.g. provincial museum, The Suter, festivals, and historic houses	72%	65%
Water supply	70%	71%
Recreation and leisure: swimming pools, Saxton field, Trafalgar Centre, Natureland, and community recreation programmes	63%	78%
Managing emergencies and natural hazards: civil defence	62%	63%
Solid waste management: landfill and recycling	58%	62%
Transport including roads, cycleways, footpaths, and public transport	55%	57%

¹ The 2013 Residents' Survey was a short survey which asked about satisfaction with Council's overall performance but didn't ask residents to rate their satisfaction with each specific Council activity.

Activity	Percent satisfied or very satisfied	
	2014	2012 ¹
Wastewater: sewage treatment and disposal	50%	53%
Stormwater: pipes to collect and discharge rainwater	48%	47%
Economic and tourism support e.g. funding to encourage tourists to come to Nelson, and economic development	47%	44%
Environmental management: planning and environmental monitoring	43%	42%
Social development: funding for safety in the city, grants to community organisations and employment initiatives	42%	36%
Regulatory compliance: building and resource consents, and public health work including noise levels, food premises, pollution and dog control	33%	30%
Flood protection	31%	36%

- 5.5 Respondents who were dissatisfied with flood protection felt there was too much flooding, Council weren't doing enough, and more protection was needed.
- 5.6 The length of time taken when dealing with regulatory compliance was a key issue for those who were dissatisfied. People also commented that it was a complicated process, was over regulated or was too expensive.
- 5.7 Over a third of the residents who were dissatisfied with social development felt that Council needs to do more in this area. Other reasons mentioned were that there was not enough available for youth and the city wasn't safe.
- 5.8 Residents were asked about the transport network in more detail. The highest levels of satisfaction were for shared pathways (79% satisfied or very satisfied), street lighting (64%), footpaths/walkways (64%), and cycle lanes (60%). Satisfaction ratings for street lighting and cycle lanes were significantly higher than previous years.
- 5.9 Fifty percent were satisfied with public transport, similar to the 2012 result but significantly higher than in 2011. Most of those who were dissatisfied felt the current network was not extensive enough.

Environmental and Planning Issues

- 5.10 Residents were asked how important they felt it was for Council to focus on a range of specific environmental and planning issues.

- 5.11 Water-related issues were seen as most important overall, with a high proportion of residents saying it was important for Council to focus on stream and river water quality, the coastal environment, and marine water quality. Issues relating to the built environment were seen as less important.
- Water quality in local streams and rivers (91% rate as important or very important for Council to focus on);
 - Coastal environment and beaches (88%);
 - Marine water quality (86%);
 - Waste minimisation (82%);
 - Natural hazards such as earthquakes and flooding (80%);
 - Air quality (76%);
 - Maintenance and restoration of natural habitats and ecosystems (74%);
 - Natural landscapes, such as the backdrop hills and coastal views (68%);
 - Housing choice and affordability (65%);
 - Heritage sites and buildings (57%);
 - The design and appearance of buildings and their frontages (45%).
- 5.12 Residents who felt an issue was important or very important were asked to identify any areas of concern. The Maitai River and the Nelson Haven were mentioned specifically in relation to water quality, as well as the need to improve sewage systems and increase monitoring of water quality. Tahuna Beach was mentioned the most in terms of the coastal environment. Flooding was the greatest issue specified regarding natural hazards.
- 5.13 Opinions were polarised regarding air quality. Of the 121 respondents who stated their specific concerns, 34 commented that woodburners create too much smoke and a 33 commented that woodburners should be allowed.
- 5.14 In relation to waste minimisation, 36 people commented that the recycling system needed to be improved.
- 5.15 Residents who raised concerns regarding natural habitats and ecosystems identified the Maitai River, natural bush, and Brook Sanctuary as key areas of concern.
- 5.16 Concerns about heritage sites and buildings were that Council needed to preserve the area's heritage and better maintain heritage buildings, specifically the School of Music.

Nelson Development

- 5.17 Residents were given a variety of development options and asked whether they were in support of or opposed to each one. More compact, efficient house types received the strongest level of support (61% in favour), followed by residential development in the inner city (58%). Extending the housing boundary into rural land and allowing second dwellings without subdivision received the least support (38%).

Households – Waste Reduction and Home Heating

- 5.18 The rates of household composting and recycling were similar to previous years, with 67% composting food waste, 73% composting garden waste, and 72% who recycle every week.
- 5.19 Thirty-seven percent of households use a heat pump as their main form of heating and 37% use a wood-burner, significantly lower than in 2010, which is the last time this question was asked. For households who use a wood-burner, about half had bought wood from a wood merchant and half had collected it or were given it.

Arts, Heritage and Events

- 5.20 Sixty-three percent of residents had visited the Suter Art Gallery in the last two years. Seventy-one percent of visitors to the Gallery were satisfied or very satisfied with the Suter Art Gallery, significantly lower than in 2011, the last time the question was asked.
- 5.21 Sixty percent of residents had visited the Provincial Museum. Eighty-five percent of visitors to the Museum were satisfied or very satisfied.
- 5.22 Almost three-quarters of residents (73%) had attended at least one event as part of the Summer or Arts Festivals. Forty-four percent had attended or took part in the Masked Parade and 30% had attended Opera in the Park.

Performance Measures

- 5.23 The resident survey results are used to assess the performance of several measures in the Long Term Plan:
- 79% of swimming pool users were satisfied;
 - 91% of residents were satisfied with the library service;
 - 53% of residents were satisfied with opportunities to provide feedback and take part in decision-making, a decrease compared with 2012 when the question was last asked;
 - 50% of residents felt informed or well-informed about the Council and its services, significantly lower than in 2012.

6. Assessment of Significance against the Council's Significance Policy

- 6.1 This decision is not considered significant in terms of the Council's Significance Policy.

7. Alignment with relevant Council Policy

- 7.1 The Local Government Act 2002 requires that a local authority should make itself aware of the views of all of its communities. The survey design ensures the results are representative of Nelson by gender and age groups. Analysis of the results for different areas ensures any demographic differences are highlighted.
- 7.2 The results are used to report on performance measures in the Long Term Plan and organisational KPIs. The survey is also timed for the year before the next Long Term Plan to provide information on residents' preferences, priorities and behaviours and to identify actions for improving future performance and making Nelson a better place. The questions on environmental and development issues will feed into the Nelson Plan.

8. Consultation

- 8.1 This report is a summary of a survey consulting residents on their opinions of Council services and policies. No further consultation is required but it is important to feedback the results to people and explain how the information will be used by Council. This feedback loop helps to maintain good response rates to future surveys by Council.

9. Inclusion of Māori in the decision making process

- 9.1 There is no decision to be made. However, the survey asked respondents which ethnic group they belong to. Four percent of respondents identified as Māori. This is lower than the seven percent of Nelson adults who identified as Māori in the 2013 Census which means the views of Māori are slightly underrepresented in the survey results.

10. Conclusion

- 10.1 In general, satisfaction levels are similar to previous years. The feedback on environmental and planning issues provides a useful starting point for the Nelson Plan although further research and consultation will be needed, particularly in terms of residential growth and housing choice.

Brylee Wayman
Strategy and Environment Analyst

Attachments

Attachment 1: 2014 Residents Survey Summary Report [A1237488](#)

NELSON CITY COUNCIL: SUMMARY REPORT

1 Background and Method:

Versus Research was commissioned by Nelson City Council (Council) to conduct Council's Resident Satisfaction Survey. This survey identifies the perceptions that residents of Nelson (residents) have on a wide range of measures, including services and facilities provided by Council.

Interviewing was carried out via telephone¹ between the 19th of May to the 10th of June from 4.30 p.m. to 8.30 p.m. The final sample size was n=400 which gives a maximum margin of error of +/- 4.8 per cent at the 95 per cent confidence interval.

The Resident Satisfaction Survey asked residents about their:

- Satisfaction with Council services and facilities;
- Satisfaction and usage of transport network;
- Perceptions on environmental issues facing the region;
- Usage and perceptions of playgrounds;
- Usage and satisfaction of arts and cultural facilities and Council events;
- Perceptions on Nelson development.

2 Reporting of Results:

2.1.1 Sub-group analysis

Results in this report were primarily analysed and displayed at the total level. Any differences by area and demographic differences have been commented on where relevant.

2.1.2 Display of data


For ease of interpretation, graphs were used to display most data in this report. Results are compared, where possible, to previous years' results. Please note that not all questions were asked across all years, therefore different year levels are presented accordingly. Commentary focuses on any statistical differences at the 95% confidence level or higher. The commentary used to illustrate sub group differences is described as more or less likely, and refers to this sub group compared to the total result. This is written in shortened format as cf., which means compared to.


Please note that not all percentages shown add up to 100 per cent. This is due to rounding and/or occurs where questions allow multiple responses (rather than a single response). Labels on charts for extremely small proportions are not shown as they overlap the area allocated to them, making the labels unreadable.

¹ Computer Assisted Telephone Interviewing

2.1.3 Statistical testing

Statistical testing has been applied to the figures in this report. This testing compares the total results with that of the subgroups. Where changes were statistically significant at either the 95 per cent or 99 per cent confidence level, these changes are indicated (when the results are shown in graphs) by red and yellow squares, as follows:

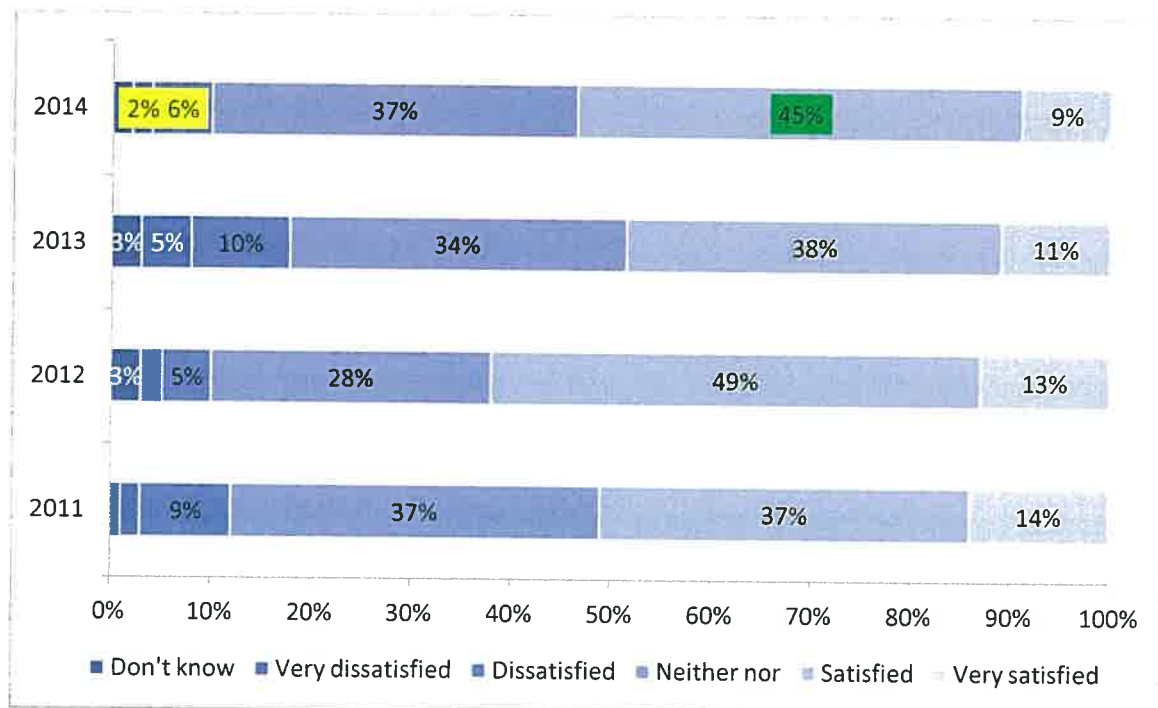
 Green squares indicate that a result was significantly greater than the total at either the 95% or 99% confidence interval.

 Yellow squares indicate that a result was significantly lower than the total at either the 95% or 99% confidence interval.

3 Overall Satisfaction and Value for Money

Overall, in 2014, 54 per cent of Nelson residents were satisfied with Council, with a positive increase seen in those who were satisfied (45% cf. 2013, 38%) and a decrease in those who were very dissatisfied overall (6% cf. 2013, 10%).

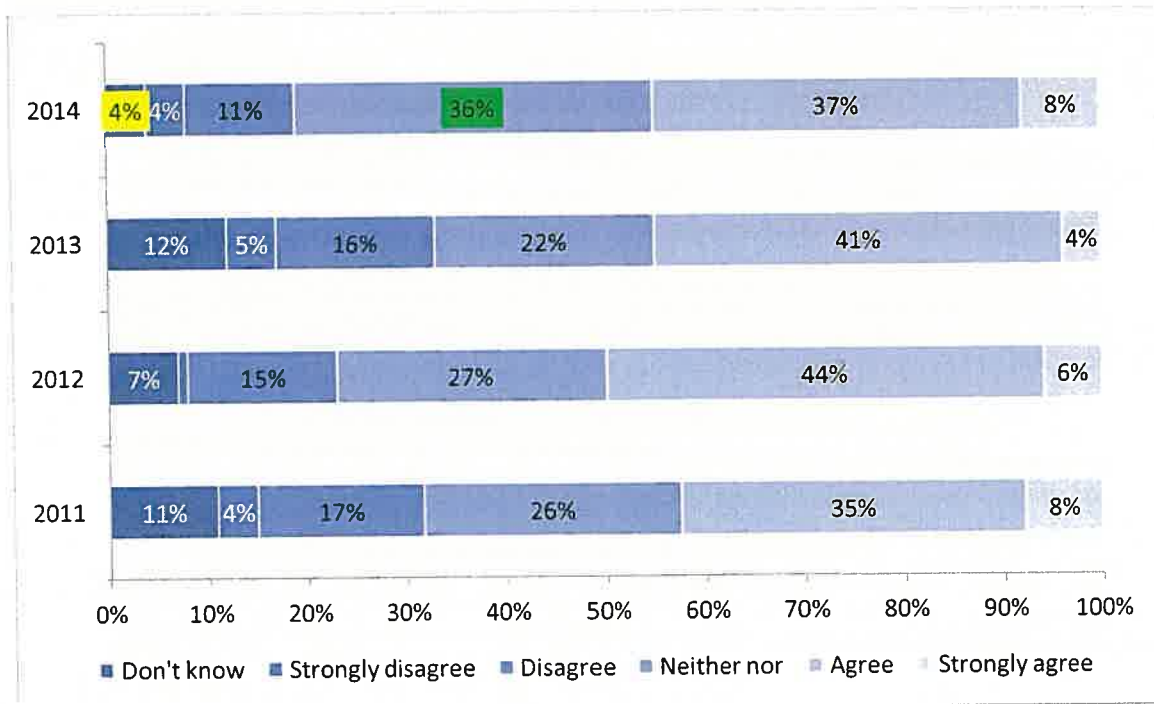
Overall satisfaction with the Council's performance²



² Q: Now thinking about everything Nelson City Council has done over the last year and what you have experienced of its services and facilities, using the same scale of 1 to 5, how satisfied or dissatisfied are you with Council's overall performance? Base: 2014 n=400, Base: 2013 n=408, Base: 2012 n=400, Base: 2011 n=400.

Forty five per cent of Nelson residents felt that Council services and facilities were good value for money, with 37 per cent agreeing, and eight per cent strongly agreeing with this statement. This was on par with previous years. Significant increases, however, were noted for those that neither agree nor disagree (36% cf. 2013, 22%) which appears to be driven by a decrease in those who were unsure how to rate this (4% cf. 2013, 12%).

Value for money³



Residents were asked to provide a reason for their rating. Positive comments included most (30%) were satisfied overall, and six per cent (each) stating that facilities and services were good. Three per cent felt that Nelson was a nice place to live, and one per cent agreed that Council do their best. Negative comments concerned rates being too high (17%), inadequate services (6%), no benefit from rates (6%), inadequacy of facilities (4%), and expensive water (4%). Fourteen per cent felt that there was room for improvement, while five per cent stated that they do not use any Council services or facilities.

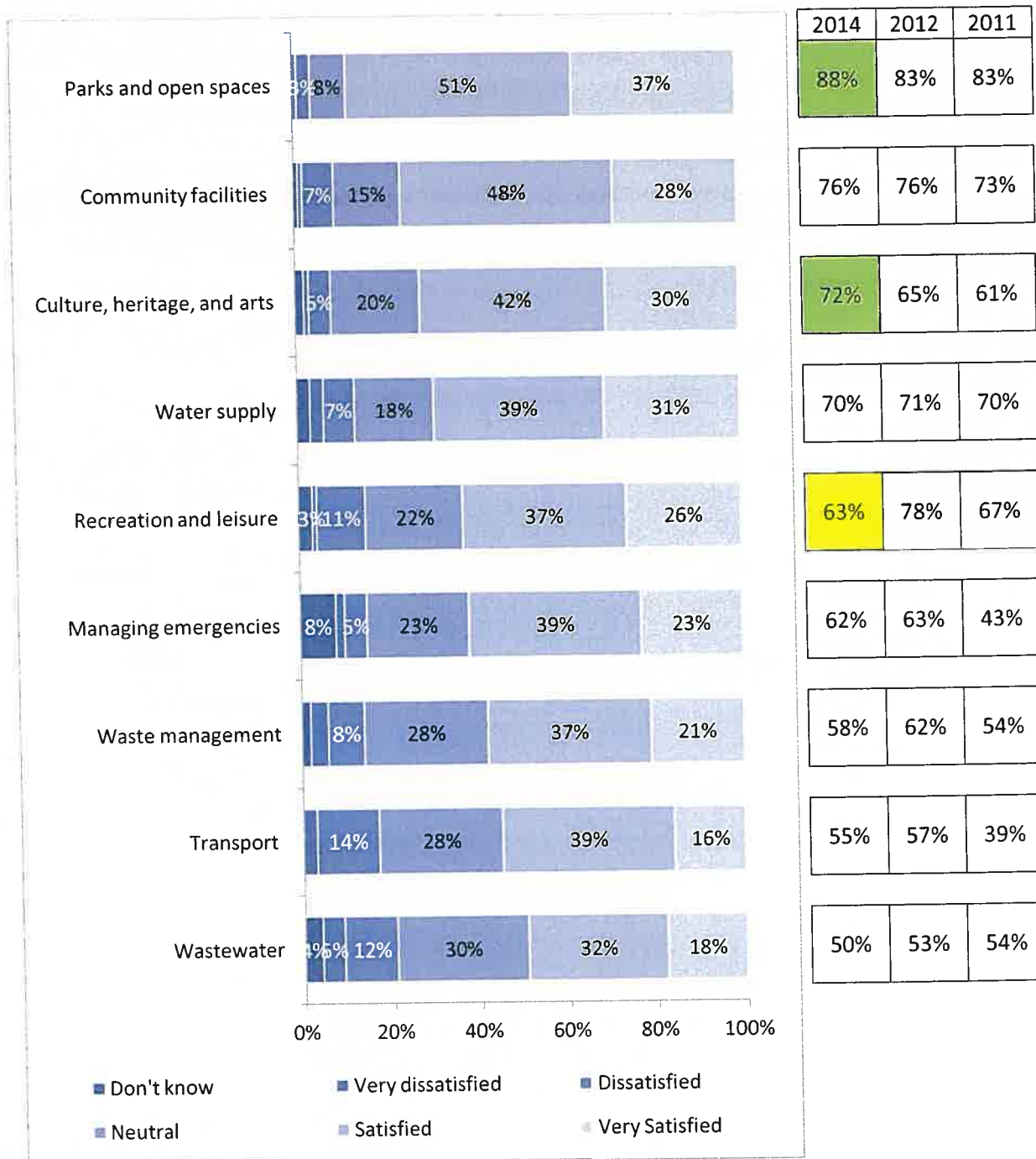
³ Q: In the last year, Nelson households paid an average of \$40 per week in rates to pay for Council services and facilities. With this in mind, using the 1 to 5 scale, where 1 is strongly disagree and 5 is strongly agree, can you please tell me how much you agree or disagree that "Nelson City Council services and facilities are good value for money." Base: 2014 n=400, Base: 2013 n=408, Base: 2012 n=400, Base: 2011 n=400.

4 Council Activities

Residents were asked to rate their satisfaction across a number of Council activities. Ratings for parks and open spaces, community facilities, and culture, heritage and arts received the highest levels of satisfaction with these measures rating above 70 per cent combined satisfaction. Satisfaction for parks and open spaces (88% cf. 2012, 83%), and culture, heritage, and arts (72% cf. 2012, 65%) have both increased significantly since 2012. The satisfaction rating for recreation and leisure was the only measure to experience a significant decrease this year, with 63 per cent satisfaction (cf. 2012, 68%). All other measures remained on par with previous years.

Chart displayed on page overleaf.

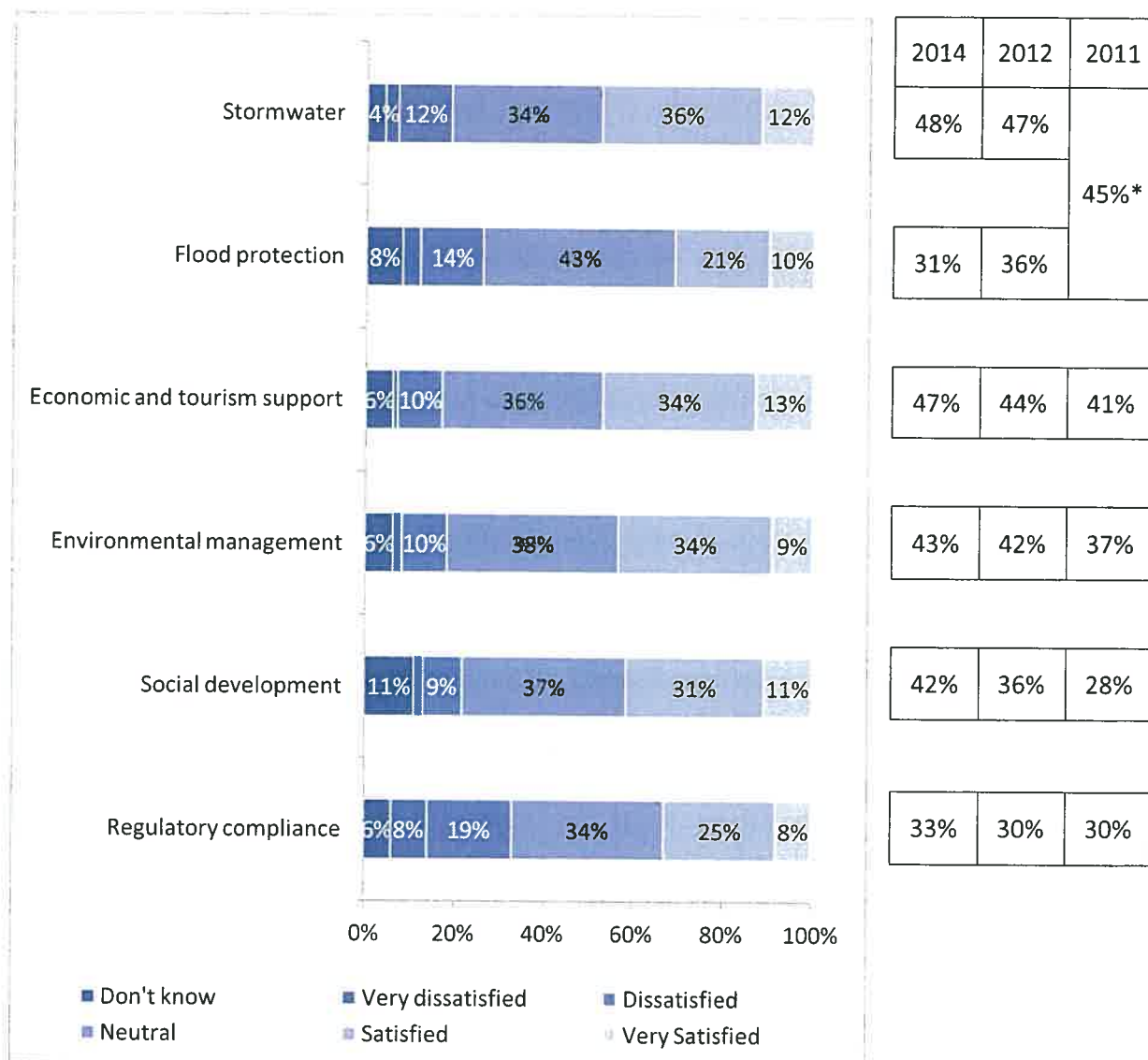
Satisfaction with Council Activities⁴



⁴Q: I am going to read out various Council activities. It doesn't matter whether you have used these or not. Please rate each in terms of how satisfied or dissatisfied you are with the activity overall, using a 5 point scale with 1 representing Very Dissatisfied and 5 representing Very Satisfied. Base: 2014 n=400, Base: 2012 n=400, Base: 2011 n=400.

Council activities that rated less than 50 per cent included: storm water, flood protection, economic and tourism support, environmental management, social development, and regulatory compliance. All of these measures have remained on par with previous years, with no statistically significant differences noted.

Satisfaction with Council Activities Cont. ⁵



⁵ Q: I am going to read out various Council activities. It doesn't matter whether you have used these or not. Please rate each in terms of how satisfied or dissatisfied you are with the activity overall, using a 5 point scale with 1 representing Very Dissatisfied and 5 representing Very Satisfied. Base: 2014 n=400, Base: 2012 n=400, Base: 2011 n=400. *Stormwater and Flood Protection were a combined code for 2011

For all Council activities, residents were asked to provide a satisfaction rating, and, for those who were dissatisfied or very dissatisfied with that activity, a reason for their response. These responses were recorded verbatim and, where sample sizes allowed, were post coded into themes.

4.1 Parks and Open Spaces

Eighty eight per cent of residents were satisfied with parks and open spaces, an increase from 2012 results (83%). Stoke residents were more likely to be dissatisfied with parks and open spaces (7% cf. total, 3%), while residents aged over 65 were more likely to be very satisfied with parks and open spaces (48% cf. total, 37%).

Dissatisfaction responses were not coded due to small base sizes; responses included aspects such as poor maintenance, not enough parks for children, and dogs at the parks.

4.2 Community Facilities

Seventy six per cent of residents were satisfied with community facilities, consistent with previous years' results. Nelson Central residents and residents aged over 65 were more likely to be very satisfied with community facilities (34% and 40% respectively, cf. total, 28%) while residents aged 25 to 39 were less likely to be very satisfied (14% cf. total, 28%) but were more likely to be satisfied (65% cf. total, 48%).

Dissatisfaction responses were not coded due to small base sizes; responses included the Trafalgar Centre, the need for more facilities and venues, and the care and maintenance of facilities, in particular public toilets.

4.3 Culture, Heritage and Arts

Seventy two per cent of residents were satisfied with culture, heritage and arts, an increase on 2012 results (65%).

Dissatisfaction responses were not coded due to small base sizes; responses ranged from the need for more arts and culture events in Nelson, and further funding for specific culture, heritage and arts events, to the perception that Council are overspending on the arts.

4.4 Water Supply

Seventy per cent of residents were satisfied with water supply, consistent with previous years' results. The quality (34%), taste (31%), and price (32%) of water were the leading reasons for dissatisfaction with water supply.

4.5 Recreation and Leisure

Sixty three per cent of residents were satisfied with recreation and leisure, a decrease from 2012 results (78%). Higher levels of satisfaction with recreation and leisure were evident amongst Stoke residents, these residents more likely to be very satisfied (36% cf. total, 26%). Conversely, Tahunanui residents were more likely to be dissatisfied (21% cf. total, 11%).

Almost half (48%) of residents who were dissatisfied with recreation and leisure stated this was because the Trafalgar Centre was unused, followed by 39 per cent who felt Council needs to do more in this area. Sixteen per cent mentioned that Council should cater to different groups.

4.6 Managing Emergencies

Sixty two per cent of residents were satisfied with Council's role in managing emergencies, consistent with 2012 results. Dissatisfaction responses were not coded due to small base sizes; responses included aspects such as issues with flooding, a sense of lack of preparation, and slow response from Council for past emergencies.

4.7 Solid Waste Management

Fifty eight per cent of residents were satisfied with waste management, a slight decrease from 2012 results (62%), but not statistically significant. Nelson North residents were less likely to be very satisfied with solid waste management (9% cf. total, 21%) and more likely to give this a neutral rating (38% cf. total, 28%).

Almost half (46%) of residents who were dissatisfied with solid waste management felt that Council were not doing enough in this area, with a further 42 per cent stating that recycling needs improvement. Twenty nine per cent stated that it was too expensive.

4.8 Transport

Fifty five per cent of residents were satisfied with transport, consistent with 2012 results. Nelson Central residents were less likely to be satisfied with transport (32% cf. total, 39%).

Residents who were dissatisfied with transport gave this rating because they felt public transport was limited (35%), or that cycle ways need improvement (33%). Twenty nine per cent identified the roads need improvement.

4.9 Wastewater

Fifty per cent of residents were satisfied with wastewater, a slight decrease from 2012 results (53%), but not statistically significant. Nelson North residents displayed higher levels of dissatisfaction with wastewater; these residents were more likely to give this a dissatisfied (21% cf. total, 12%) or very dissatisfied rating (9% cf. total, 5%).

Residents identified the disposal of wastewater (35%) and the smell of wastewater (31%) as key reasons for dissatisfaction, followed by 21 per cent who identified drainage and flooding as a concern.

4.10 Stormwater

Forty eight per cent of residents were satisfied with stormwater, consistent with previous years' results. The majority of residents (64%) who were dissatisfied with stormwater were dissatisfied because of issues regarding flooding. This was followed by disposal of stormwater (28%) and drainage (15%).

4.11 Flood protection

Thirty one per cent of residents were satisfied with flood protection, a slight decrease from 2012 results (36%), but not statistically significant. Residents who were dissatisfied with flood protection felt that there was too much flooding (40%) and that Council were not doing enough in response to this issue (32%). Almost a quarter (22%) felt that more protection was needed, and 16 per cent identified that there was limited help during flooding.

4.12 Economic and Tourism Support

Forty seven per cent of residents were satisfied with economic and tourism support, an increase from 2012 results (44%) although not statistically significant. Of residents who were dissatisfied with economic and tourism support, 39 per cent felt that more needs to be done to attract people to the area. Opinions were divided with 31 per cent stating that rates shouldn't go towards this and 17 per cent that not enough was being spent on tourism.

4.13 Environmental Management

Forty three per cent of residents were satisfied with environmental management, consistent with previous years' results. More than half (55%) of residents who were dissatisfied with environmental management felt that Council were not doing enough. Thirteen per cent mentioned the wood burner issues as a cause of dissatisfaction, and twelve per cent specifically mentioned the Maitai waterway.

4.14 Social Development

Forty two per cent of residents were satisfied with social development, an increase on 2012 results (36%), although not statistically significant. Thirty six per cent of residents were dissatisfied with social development because they felt Council needs to do more in this area. Sixteen per cent felt that there was not enough available for youth, followed by twelve per cent who felt that the City isn't safe.

4.15 Regulatory Compliance

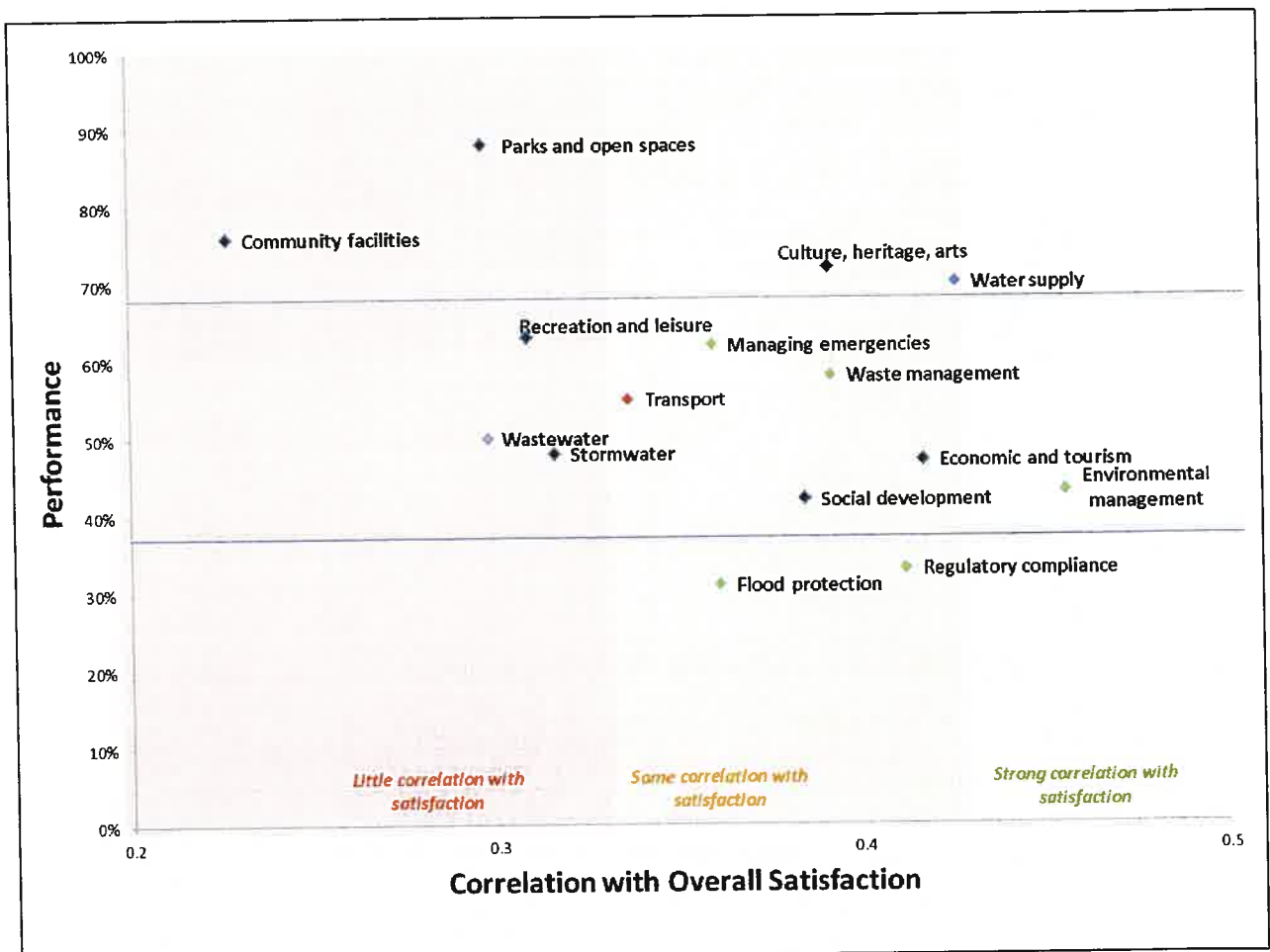
Thirty three per cent of residents were satisfied with regulatory compliance, a slight increase on 2012 results (30%) although not statistically significant. The length of time taken when dealing with regulatory compliance (36%) was a key issue identified by those who were dissatisfied, followed by roughly a quarter who stated it was a complicated process (27%), was over regulated (23%), or was too expensive (22%).

5 Overall Satisfaction: Correlation with Council Activities

The performance rating allocated to various Council activities was correlated with overall satisfaction to indicate the relative strength and weakness of each to enhancing residents' perception of Council. Services and facilities such as environmental management, water supply, economic and tourism support, and regulatory compliance have strong correlation with satisfaction, while waste water, stormwater, and recreation and leisure have weaker correlation with overall satisfaction.

While parks and open spaces and community facilities achieved high performance ratings, these had a weaker correlation with overall satisfaction, and are thus identified as areas that do not require attention at this point. Areas such as flood protection, had some correlation with overall satisfaction, but achieved lower performance ratings and is thus identified as an area for Council to focus on. In addition, regulatory compliance achieved one of the lowest performance ratings, and has some correlation with satisfaction.

Correlation with Overall Satisfaction

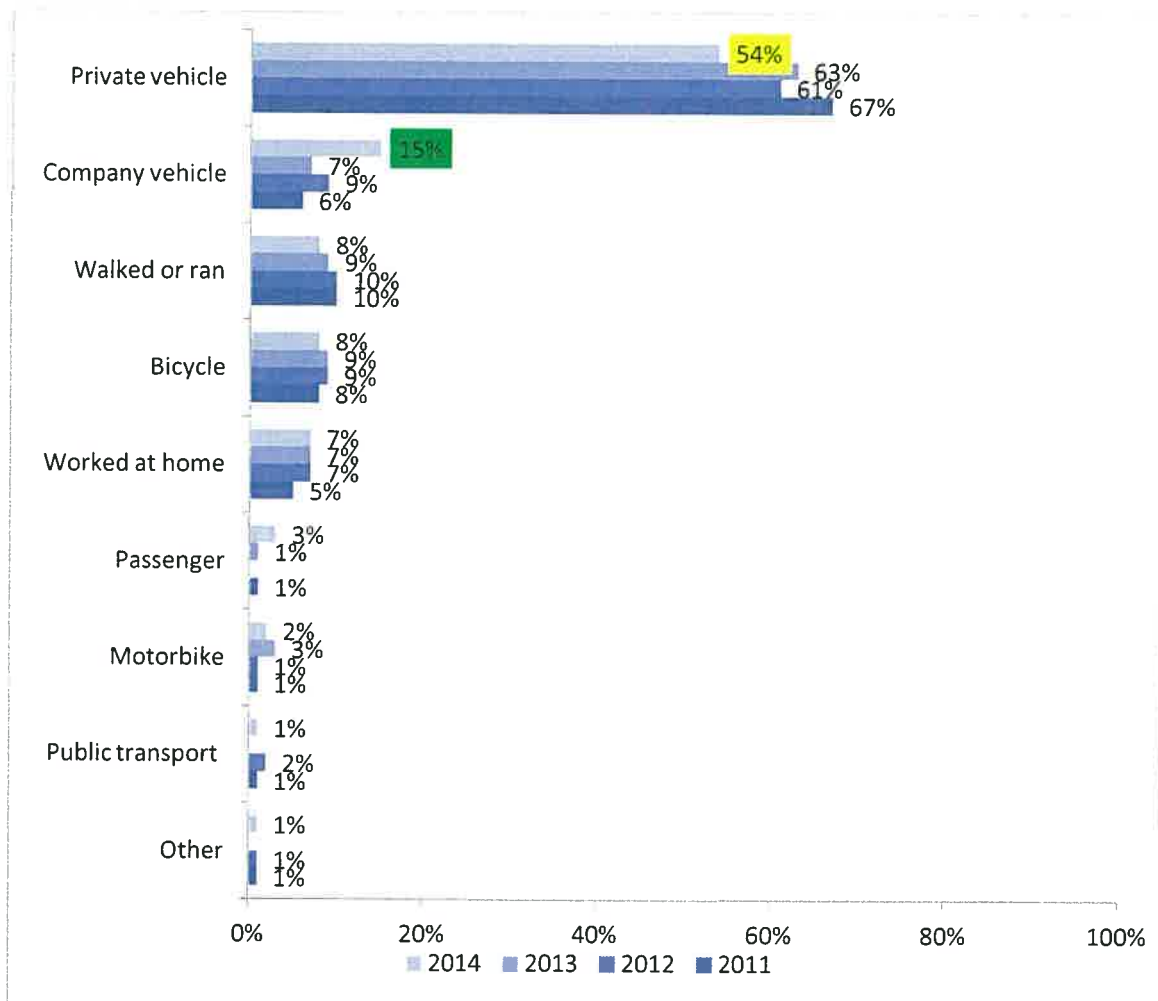


6 Transport

Transport questions were asked of those who were employed either full time or part time, with those not currently in the workforce not asked transport related questions. Forty four per cent of residents were working full time, and 21 per cent of residents were working part time; 34 per cent were not currently in the work force.

Private vehicle remained the main way that Nelson residents were travelling to work; however, this was at a significantly lower level than last year (54% cf. 2012, 63%), driven by an increase in those who were using company vehicles (15% cf. 2012, 7%). Similar levels were seen for those who walk/run (8%), bike (8%), were passengers (3%), and who use a motorbike (2%) to get to work. Seven per cent of residents worked from home.

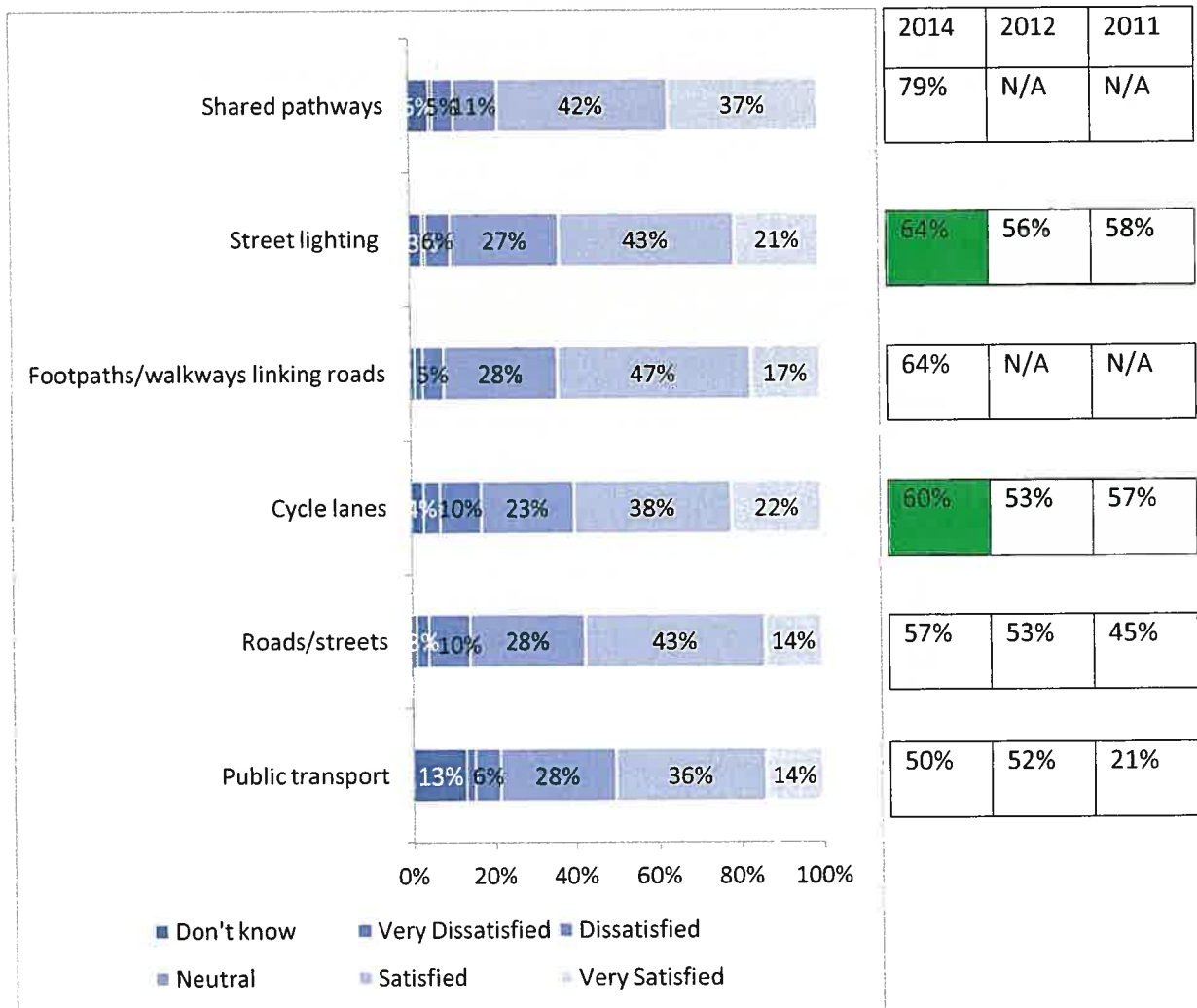
Most recent trip to work⁶



⁶ Q: On your most recent trip to work, what is the main way you travelled to work? Base: 2014 n=252, Base: 2013 n=254, Base: 2012 n=269, Base: 2011 n= 263.

The highest levels of satisfaction with Council’s transport network were seen for shared pathways, with 79 per cent of residents satisfied (42%) or very satisfied (37%) with this. Significant increases were seen in satisfaction ratings for street lighting (64% cf. 2012, 56%) and cycle lanes (60% cf. 2012, 53%). All other measures remained on par with previous years’ results.

Satisfaction with Council’s Transport Network ⁷



⁷ Q: Thinking about specific parts of the Transport Network, using a scale of 1 to 5 where 1 is Very Dissatisfied, and 5 was Very Satisfied, how satisfied or dissatisfied were you with the work the Council has been doing on the following.. Base: 2014 n=400, Base: 2012 n=400, Base: 2011 n=400. Footpaths and Walkway were separate codes for 2012 & 2013, and shared pathways was a new code for 2014

For all transport measures, residents were asked to provide a satisfaction rating, and, for those who were dissatisfied or very dissatisfied with that measure, a reason for their response. These responses were recorded verbatim and, where sample sizes allowed, were post coded into themes. Measures marked with a * next to the title were asked for the first time in 2014, thus do not have comparative measures.

6.1 Shared Pathways*

Seventy nine per cent of residents were satisfied with shared pathways. Stoke residents were more likely to be very satisfied with the shared pathways, with almost half (48%) of these residents giving this rating. Nelson Central residents, on the other hand, were less likely to be very satisfied (32% cf. total, 37%) and instead were more likely to give this a neutral rating (15% cf. total, 11%). Female residents were more likely to give this a neutral rating (15% cf. total, 11%).

Dissatisfaction responses were not coded due to small base sizes; responses included aspects such as the pathways were dangerous, difficulty sharing with cyclists, the need for more shared pathways and lack of education on how to use the shared pathways.

6.2 Street Lighting

Sixty four per cent of residents were satisfied with street lighting, an increase on 2012 results (56%). Tahunanui residents were more likely to be dissatisfied with street lighting (15% cf. total, 6%).

Dissatisfaction responses were not coded due to small base sizes but were mainly regarding certain streets being too dark.

6.3 Footpaths/ walkways linking roads*

Sixty four per cent of residents were satisfied with footpaths/ walkways linking roads. Residents aged 65 and over were more likely to be very dissatisfied (4% cf. total, 2%) or dissatisfied (11% cf. total, 5%) with this.

Of those who were dissatisfied with footpaths and walkways, 42 per cent stated this was because of the bad condition of these. A quarter (25%) mentioned that there were not enough of them, while 16 per cent were not happy with the maintenance.

6.4 Cycle lanes

Sixty per cent of residents were satisfied with cycle lanes, an increase on 2012 results (53%). Nelson North residents were more likely to be satisfied with the cycle lanes (54% cf. total, 38%), whereas Nelson Central residents were less likely to be satisfied (32% cf. total, 38%).

The key concern regarding cycle lanes was that they were narrow and dangerous, with 64 per cent of those dissatisfied with cycle lanes raising this issue. While 15 per cent mentioned there needed to be more lanes, seven per cent felt there were too many lanes. A further seven per cent felt that they don't get enough use.

6.5 Roads/ streets

Fifty seven per cent of residents were satisfied with roads/ streets, a slight increase from 2012 results (53%) although not statistically significant.

Residents who were dissatisfied with the roads/streets identified the condition of the roads as a key concern (61%), followed by 40 per cent who stated that roads were not being repaired properly. Seven per cent indicated that footpaths need improvement, with four per cent specifically identifying Waimea Road as an area for improvement.

6.6 Public transport

Fifty per cent of residents were satisfied with public transport, consistent with 2012 results. Residents aged 65 and over were more likely to be either very satisfied (22% cf. total, 14%) or very dissatisfied with the public transport network (5% cf. total, 2%).

Most (63%) of Nelson residents who were dissatisfied with public transport felt that the current system was not extensive enough. Almost a quarter (24%) felt that the system was poor in general and nine per cent identified that there was no bus where they live.

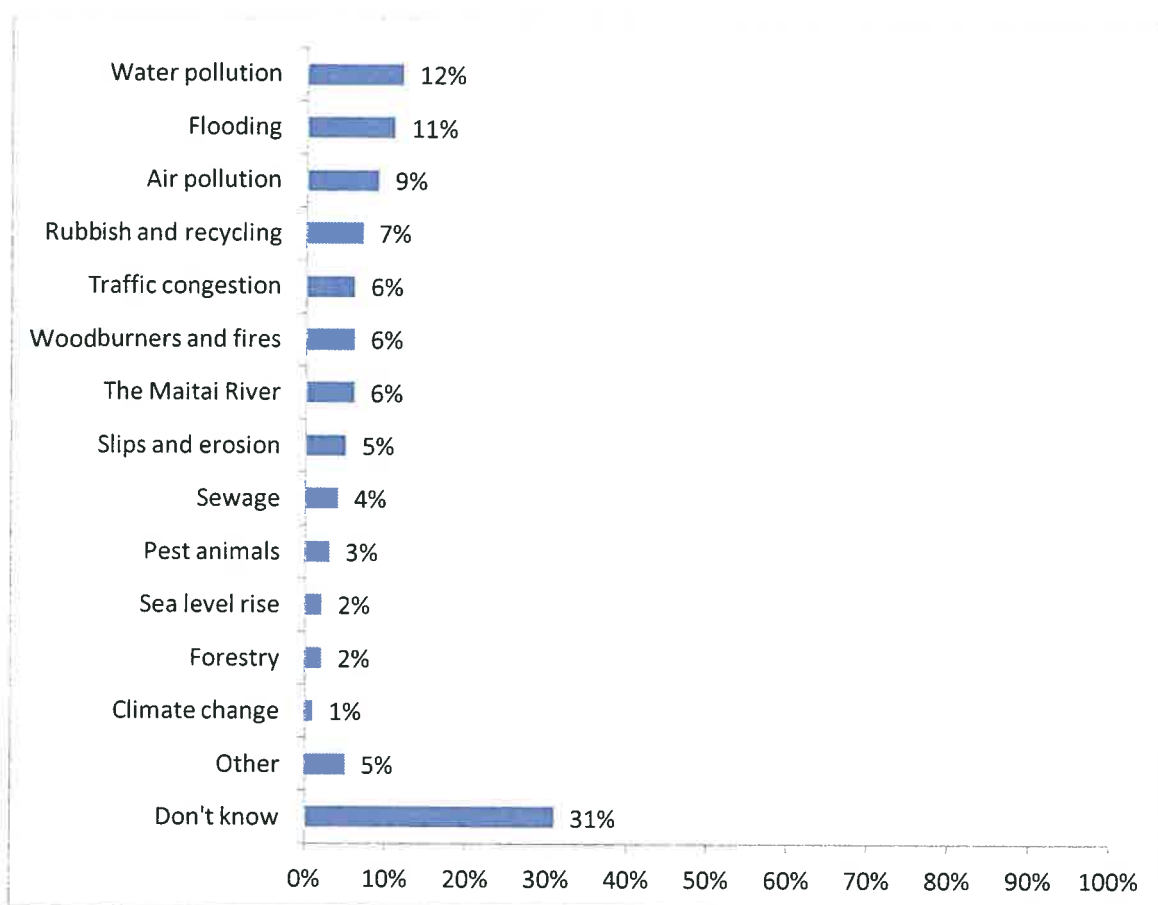
7 Environmental Issues

Nelson residents were asked two questions regarding environmental issues in the region. The first was at an unprompted level, and the second question was residents' responses to specific prompted issues.

7.1 Residents' responses to unprompted issues

Nelson Residents were asked what they felt the single most important environment issue facing the district. This was asked at an unprompted level; responses were recorded verbatim and were post coded. The chart below details the post coded results. While almost a third (31%) of residents were unsure what they felt was the most important environmental issue, a range of different issues were represented, with water pollution and flooding receiving highest mention (12% and 11% respectively).

Environmental Issues facing the District⁸



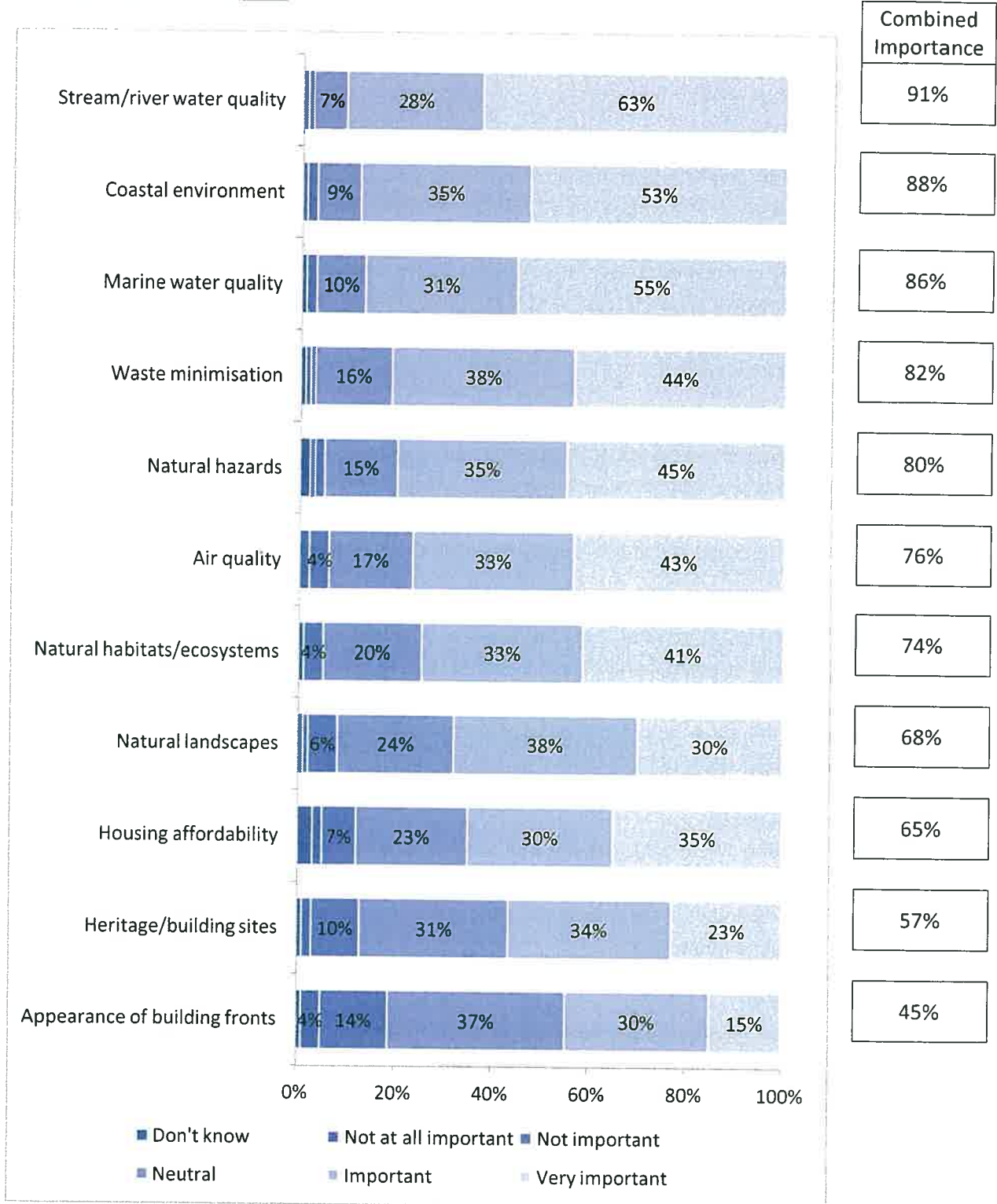
⁸ Q: The next few questions are about Environmental and Planning issues in the Nelson District; that is, the are managed by Nelson City Council: North of Champion Road and the Nelson side of the Rai Valley Saddle. What do you think is the single most important environmental issue facing the region? Base: 2014 n=400.

7.2 Residents' response to prompted issues

Nelson residents were asked how important they felt it was for Council to focus on a number of different (prompted) environmental issues. This was a list of specific issues that was read out to respondents. Issues surrounding water emerged as the most important factor with stream/river water quality as the most important aspect; 91 per cent of residents stated that this was important (28%) or very important (63%) for Council to focus on. In addition, 88 per cent felt that the coastal environment was important (35%) or very important (53%), and 86 per cent felt that marine water quality was important (31%) or very important (55%) to focus on. The appearance of building frontages was the least important aspect with 45 per cent of residents stating this was an important (30%) or very important issue (15%).

Chart displayed overleaf.

Importance of Council focus⁹



⁹ Q: Using a scale of 1 to 5, where 1 is not at all important, and 5 is very important, how important or unimportant do you think it is for the Council to focus on the following; Base: 2014 n=400.

For the prompted environment issues, residents were asked to provide an importance rating, and, for those who felt that the issue was important or very important, these residents were asked to identify any areas of concern. These responses were recorded verbatim and, where sample sizes allowed, were post coded into themes.

7.3 Stream/ River Water Quality

Ninety one per cent of residents felt that stream/river water quality was important for Council to focus on. Residents aged 65 and over were less likely to state that water quality in local streams and rivers was very important (50% cf. total, 63%). Just over three quarters of residents (76%) who had concerns regarding water quality in local streams and rivers identified Maitai River as the greatest concern. At a much lower level, eleven per cent stated that all waterways need improvement, six per cent cited algae as a concern, five per cent mentioned other rivers and streams, and two per cent identified farm/forestry run off.

7.4 Coastal Environment

Eighty eight per cent of residents felt that coastal environment was important for Council to focus on. Tahuna Beach was the location with the greatest level of concern amongst residents who had specific concerns about the coastal environment, with 61 per cent of these residents identifying this location. This was followed at a lower level by the mention of erosion (19%).

7.5 Marine Water Quality

Eighty six per cent of residents felt that marine water quality was important for Council to focus on. Thirty eight per cent of residents who had concerns regarding marine water quality mentioned The Nelson Haven specifically. Twenty eight per cent stated that sewage systems need improvement, and 17 per cent identified more monitoring of water quality as necessary. Other specific locations mentioned included The Port (16%), Tahuna Beach (15%), and The Marina Reserve (6%).

7.6 Waste Minimisation

Eighty two per cent of residents felt that waste minimisation was important for Council to focus on. Concerns regarding waste minimisation were related to Council needing to minimise waste present (43%) and an improvement in the recycling system (43%). Fifteen per cent felt that there needed to be more education on minimising waste.

7.7 Natural Hazards

Eighty per cent of residents felt that natural hazards were important for Council to focus on. Tahunanui residents were more likely to state it was important for Council to focus on natural hazards such as earthquakes and floods (56% cf. total, 35%). Male residents were more likely to rate this as important, while female residents were more likely to rate this as very important (57% cf. total, 45%).

Flooding was the greatest issue regarding natural hazards with 30 per cent of concerned residents mentioning this. Concerns regarding preparation levels were evident with 17 per cent mentioning all of Nelson should be prepared, 16 per cent mentioning the need for preparation for all natural disasters, eleven per cent mentioning earthquake proofing, and six per cent stating the inner city

needs to be better prepared. Unstable hills/slips received 15 per cent mention, and Rocks Road received eleven per cent specific mentions.

7.8 Air Quality

Seventy six per cent of residents felt that air quality was important for Council to focus on. Female residents were more likely to state that this was very important (48% cf. total, 43%). Opinions were polarised amongst residents who had concerns regarding air quality, with 28 per cent stating that wood burners create too much smoke, and an almost equal proportion (27%) stating that wood burners should be allowed. Twenty two per cent mentioned Washington Valley specifically, and nine per cent mentioned The Brook as areas for concern.

7.9 Natural Habitats/ Ecosystems

Seventy four per cent of residents felt that natural habitats/ ecosystems were important for Council to focus on. Residents who raised concerns regarding natural habitats and ecosystems identified Maitai River (29%), the natural bush (22%), and Brook Sanctuary (21%) as key areas of concern. Water quality in streams and creeks emerged as a general concern (15%), while specific mentions included Tahuna Beach (9%), The Grampians (4%), Boulder Bank (3%), The Haven (3%), and Wakapuaka Flats (2%).

7.10 Natural Landscapes

Sixty eight per cent of residents felt that natural landscapes were important for Council to focus on. Forty five per cent of residents who had concerns with natural landscapes mentioned the maintenance of landscapes as a key concern. Following this, at a lower level, 21 per cent stated that building on hills should be stopped and 14 per cent mentioned the beach and coastlines.

7.11 Housing Choice and Affordability

Sixty five per cent of residents felt that housing choice and affordability was important for Council to focus on. Female residents were more likely to rate housing choice and affordability as very important (42% cf. total, 35%) while male residents were more likely to rate this as not important (12% cf. total, 7%). Residents aged over 65 were more likely to be unsure of how to rate this (10% cf. total, 3%) and less likely to state this was very important (24% cf. total, 35%).

The need for more affordable housing was the concern with the highest number of mentions, with 57 per cent of residents who were concerned about housing affordability mentioning this. Nineteen per cent mentioned that Council needs to focus on housing more, and 14 per cent identified that there was little assistance for low income families. Ten per cent raised concerns regarding the quality or range of housing.

7.12 Heritage sites and buildings

Fifty seven per cent of residents felt that heritage buildings and sites was important for Council to focus on. Female residents and residents aged 65 and over were more likely to state that heritage sites and buildings were important (43% and 44% respectively cf. total, 34%).

Over half (55%) of residents who identified a concern regarding heritage and building sites felt that Council need to preserve the heritage of the area and a quarter (25%) mentioned better maintenance of buildings. Specific mentions included the School of Music (23%) and the Trafalgar Centre (11%).

7.13 Design and appearance of buildings and their frontages

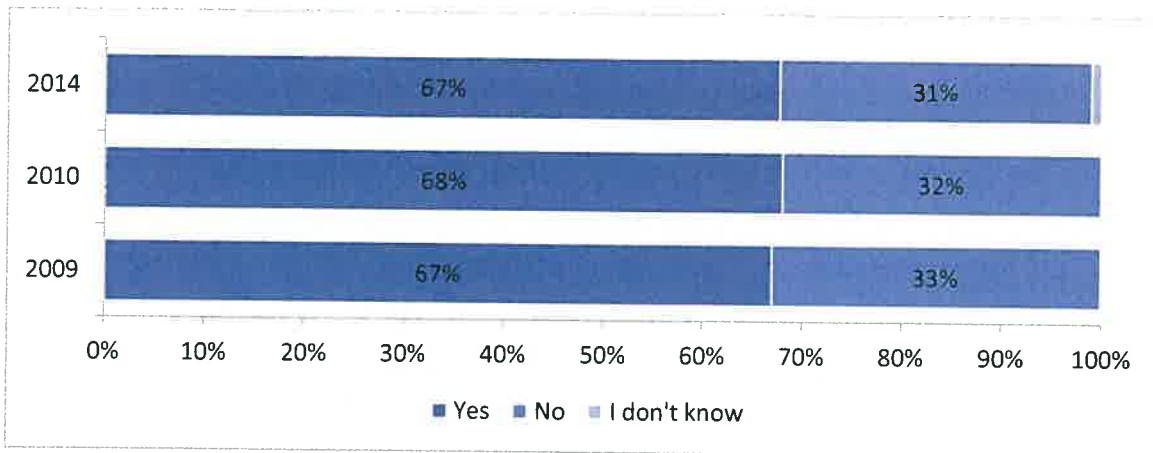
Forty five per cent of residents felt that appearance of building fronts was important for Council to focus on. Female residents were more likely to state that the design and appearance of buildings and their frontages was important (37% cf. total, 30%) while male residents were more likely to state that this was not important (19% cf. total, 14%). Residents aged 65 and over were more likely to state that this was very important (24% cf. total, 15%).

The appearance of CBD buildings was the greatest concern regarding appearance of building fronts, with half of residents stating this. Complementing the buildings to each other (23%) and to the natural surroundings (23%) were of equal importance.

8 Household Waste and Recycling

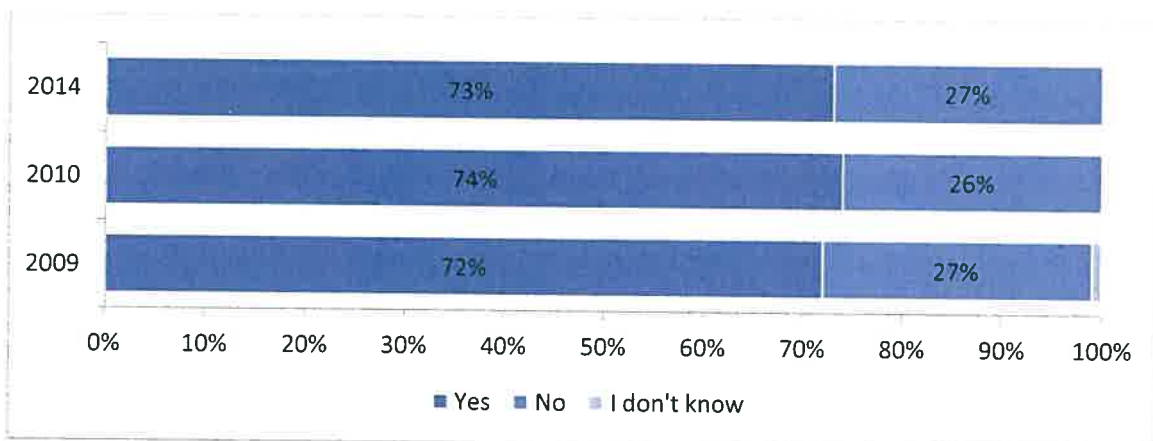
Similar levels to both 2009 and 2010 results were seen for residents who compost household food waste, with two thirds (67%) of Nelson residents currently composting food waste.

Household Food Waste¹⁰



Seventy three per cent of Nelson residents compost their household garden waste, with no significant decreases or increases seen since 2010 and 2009 results. Stoke residents and those aged over 65 were less likely to compost household garden waste (57% and 63% respectively, cf. total, 73%).

Household Garden Waste¹¹

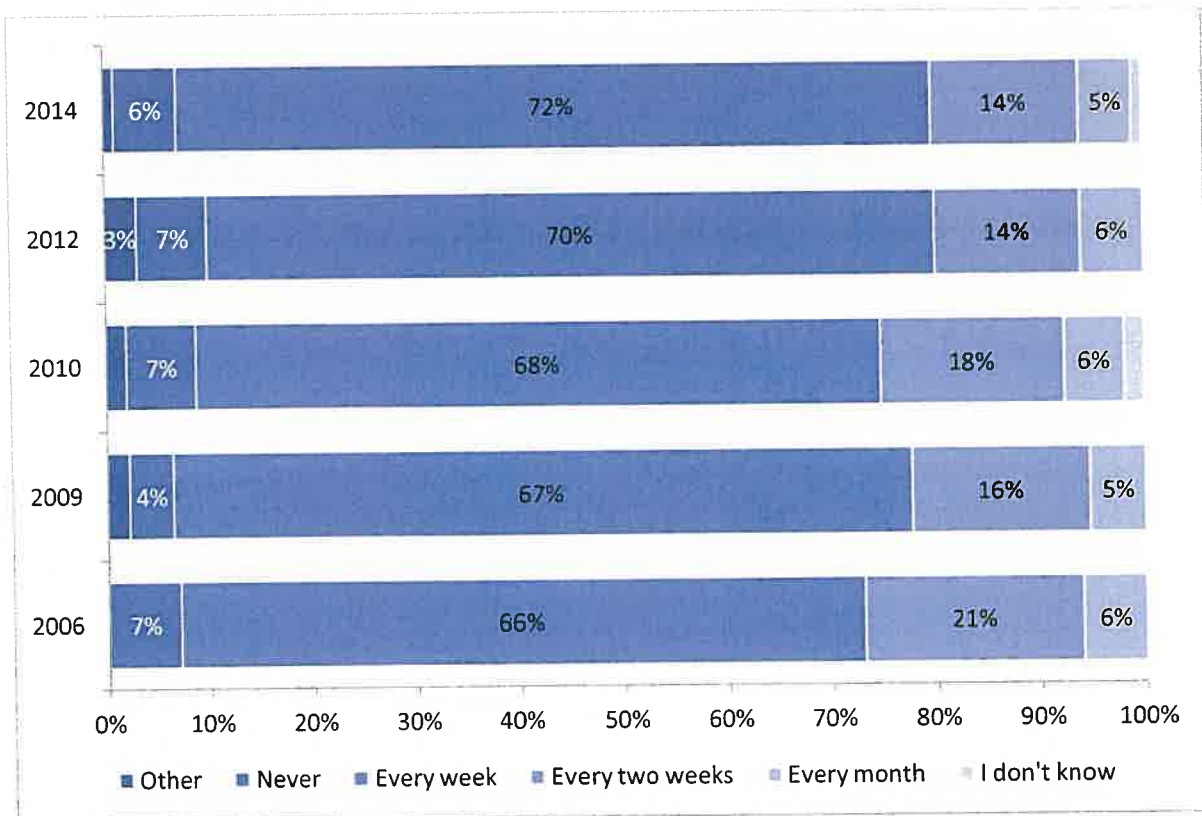


¹⁰ Q: The next set of questions looks at specific waste and recycling behaviour in your household. Does your household currently compost food waste? Base: 2014 n=400, Base: 2010 n=398, Base: 2009 n=400.

¹¹ Q: The next set of questions looks at specific waste and recycling behaviour in your household. Does your household currently compost garden waste? Base: 2014 n=400, Base: 2010 n=398, Base: 2009 n=400.

Almost three quarters (72%) of residents recycle their household waste every week, a steady increase from 2006. Fourteen per cent recycle ever two weeks, while five per cent recycle every month. Residents aged over 65 were less likely to recycle every week (64% cf. total, 72%) and more likely to recycle every two weeks (22% cf. total, 14%).

Household Recycling¹²

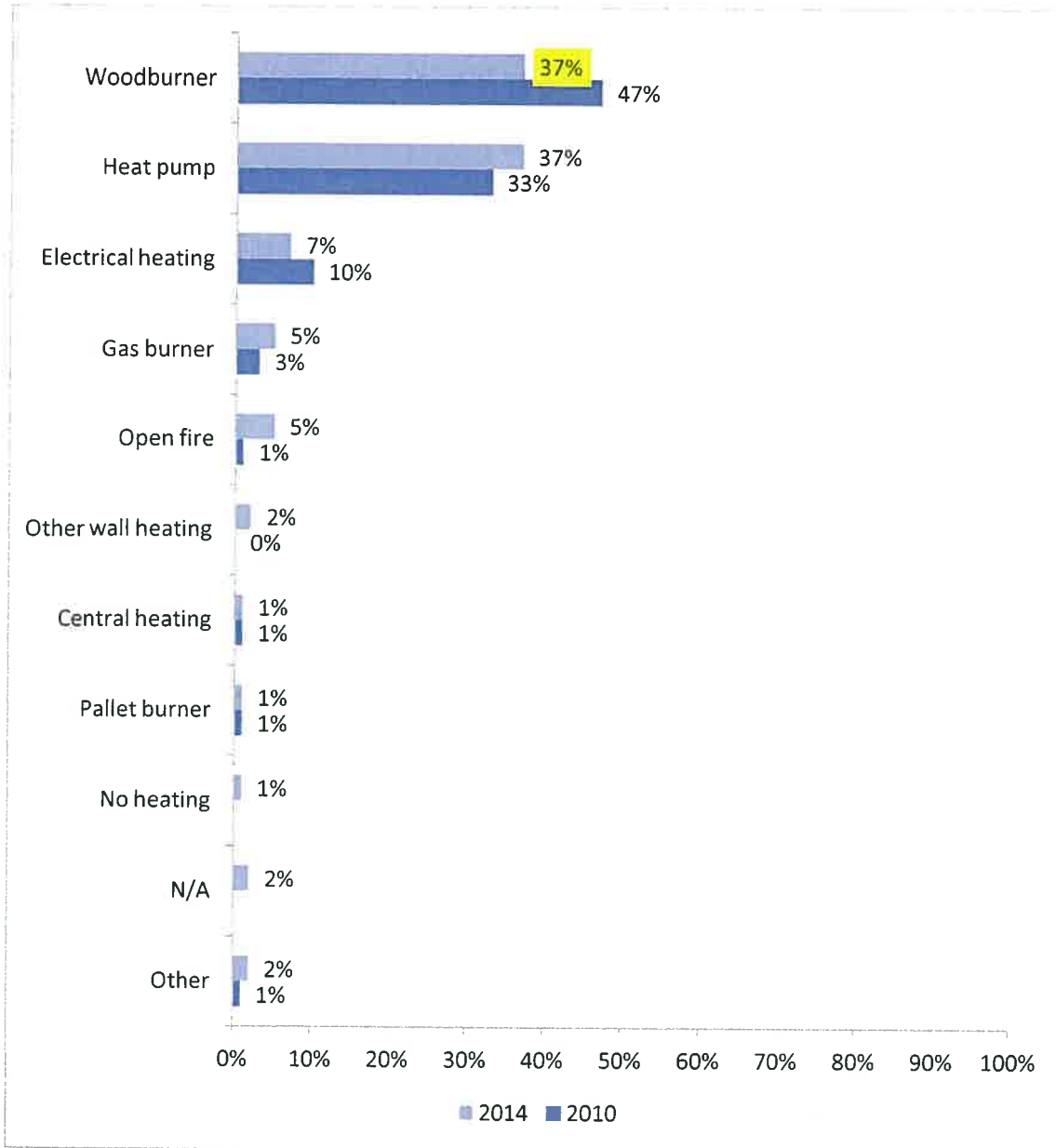


¹² Q: The next set of questions looks at specific waste and recycling behaviour in your household. How often does your household put out your recycling? Base: 2014 n=400, Base: 2012 n=400, Base: 2010 n=398, Base: 2009 n=400, Base: 2006 n=400.

9 Home heating

The most used types of home heating for Nelson residents were wood burners and heat pumps (both 37%). Wood burners have decreased in usage by 10 percentage points since 2010.

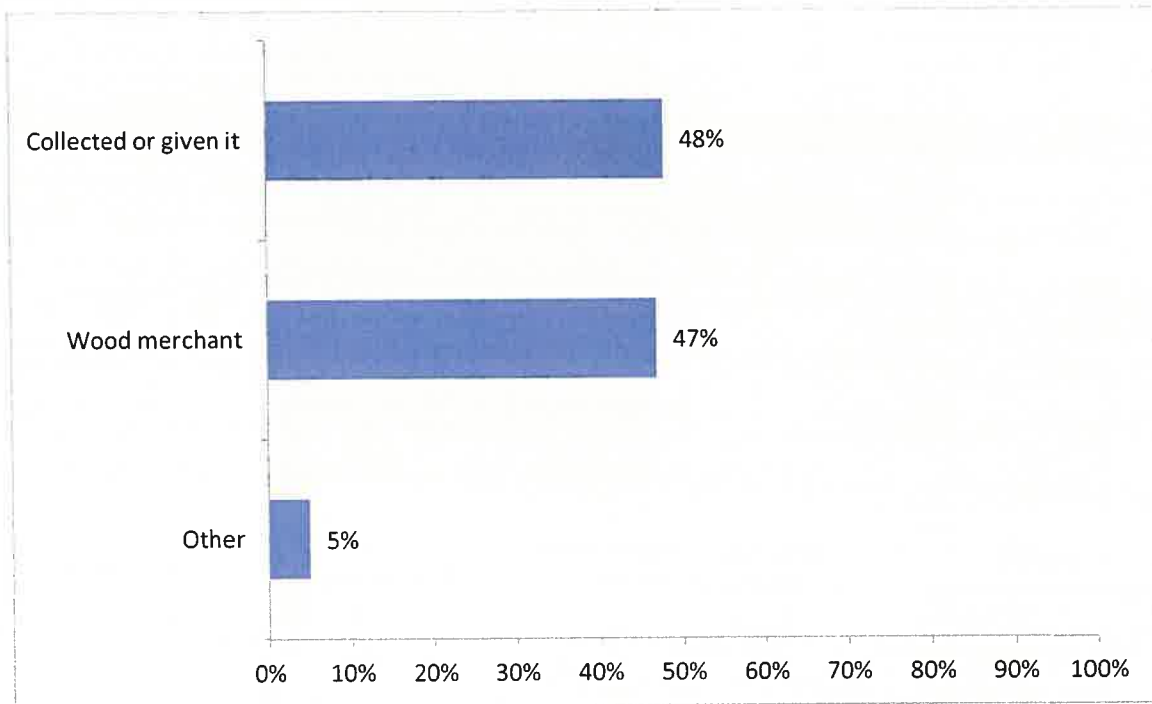
Home heating last winter¹³



¹³ Q: We are now going to talk about your home heating. For the main living room of the house you are in, what is your main form of heating last winter? Base: 2014 n=400, Base: 2010 n=400.

Almost equal proportions of those who had a wood burner collected/were given their wood (48%) or bought it from a wood merchant (47%).

Heating option last winter: Firewood¹⁴



¹⁴ Q: To help us understand the fuel costs of different heating options, where did you get most of your firewood from last winter? Base: 2014 n=148.

10 Arts and Heritage

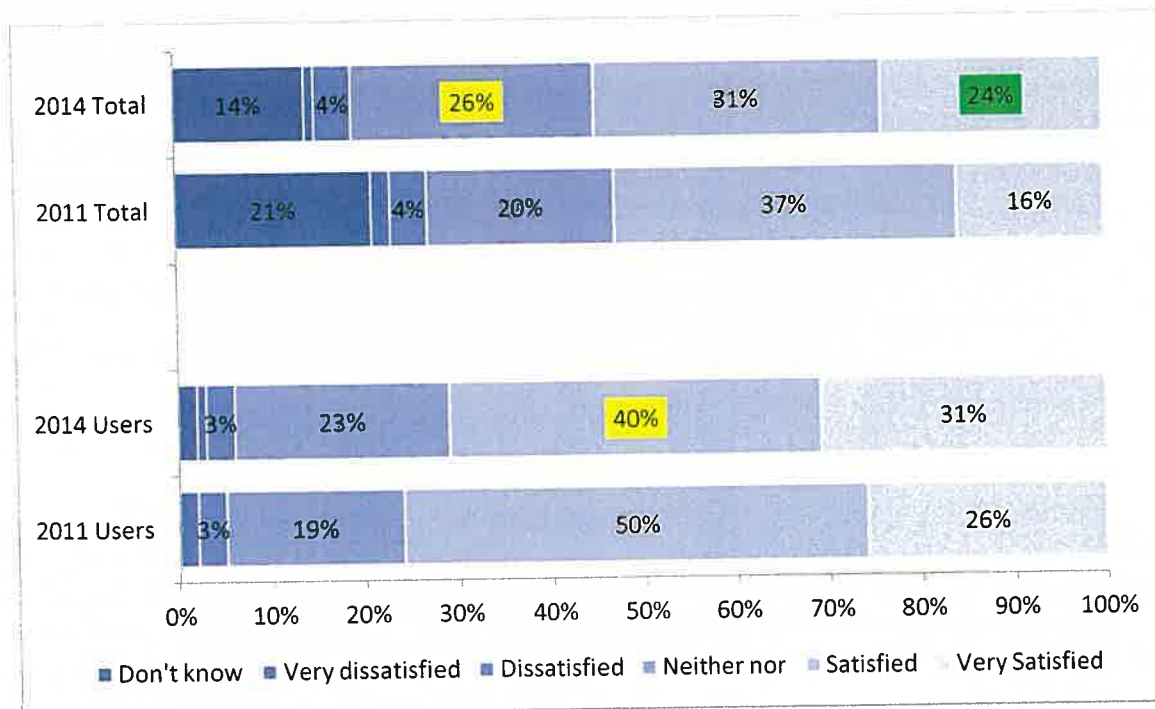
Sixty three per cent of Nelson residents had visited the Suter Art Gallery in the last two years, 60 per cent had visited the provincial museum, while 23 per cent had not visited either of these.

Nelson Central residents were more likely to visit both the Suter Art Gallery (74% cf. total, 63%) and the provincial museum (67% cf. total, 60%), while Tahunanui residents were less likely to visit either of these (42% cf. total, 63% and 37% cf. total, 60%, respectively). Stoke residents were less likely to visit the Suter Art Gallery (44% cf. total, 63%).

Residents more likely to use the Suter Art Gallery included: those aged 40 to 64, those aged 65 and over, and female residents (70%, 78%, and 74% respectively, cf. total, 63%). Residents more likely to use the provincial museum included those aged 65 and over (75% cf. total, 60%). Residents more likely to have not visited either included male residents (30% cf. total, 23%).

Fifty five per cent of Nelson Residents were satisfied (31%) or very satisfied (24%) with the Suter Art Gallery, with an increase seen in those who were very satisfied (24% cf. 2011, 16%) and neither nor (26% cf. 2011, 20%). Only small levels of dissatisfaction were evident with four per cent dissatisfied, and one per cent very dissatisfied. There has been a decrease in users of the Suter Art Gallery who said they were satisfied (40% cf. 2011 users, 50%).

Satisfaction with the Suter Art Gallery¹⁵

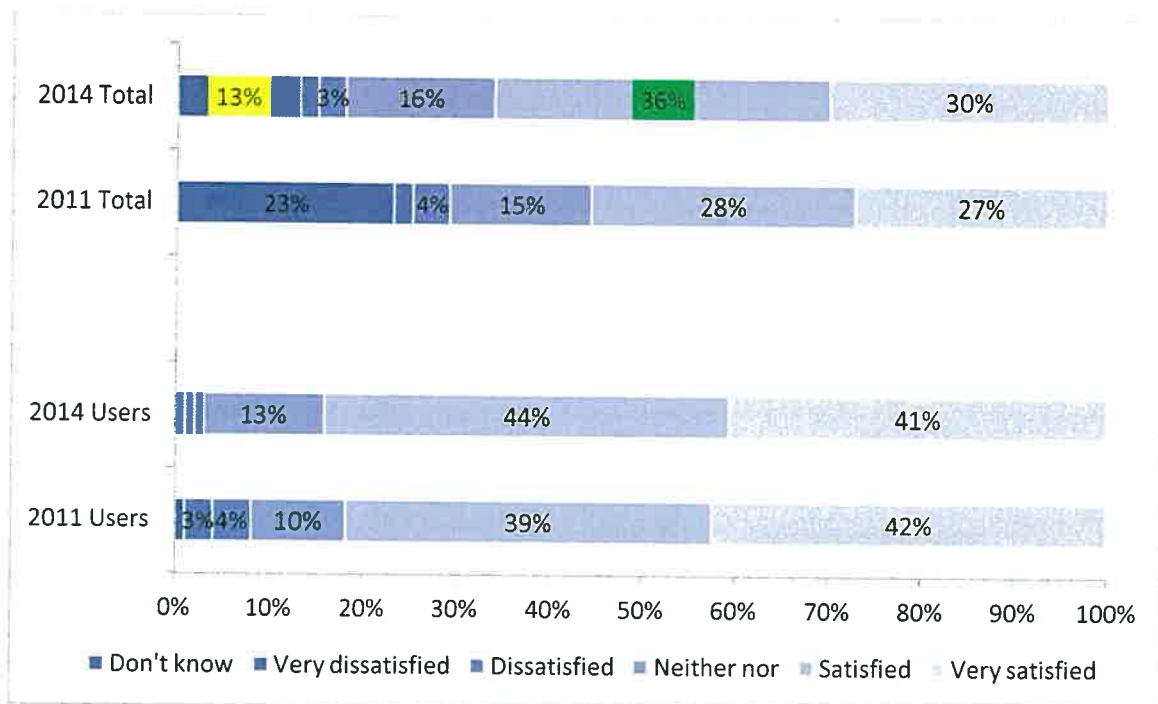


Nelson Central residents were more likely to be very satisfied with the Suter Art Gallery (28% cf. total, 24%) corresponding to higher levels of usage displayed in this area. Residents aged 40 to 64 were more likely to be very satisfied with the Suter Art gallery (29% cf. total, 24%). Residents aged 25 to 39 and male residents were more likely to give this a neutral rating (38% and 31% respectively, cf. total, 26%).

¹⁵ Q: On a scale of 1 to 5, where 1 is very dissatisfied and 5 is very satisfied, how satisfied or dissatisfied are you with The Suter Art Gallery? Base: 2014 n=400, Base: 2011 n=550. 2014 Users n=276, 2011 Users n=319

Sixty six per cent of Nelson residents were satisfied (36%) or very satisfied (30%) with the Provincial Museum, with an increase seen in those satisfied with the museum (36% cf. 2011, 28%), and a decrease seen in those who were unsure how to rate this (13% cf. 2011, 23%). Satisfaction ratings amongst users of the Provincial Museum remain consistent with 2011 results.

Satisfaction with the Provincial Museum¹⁶

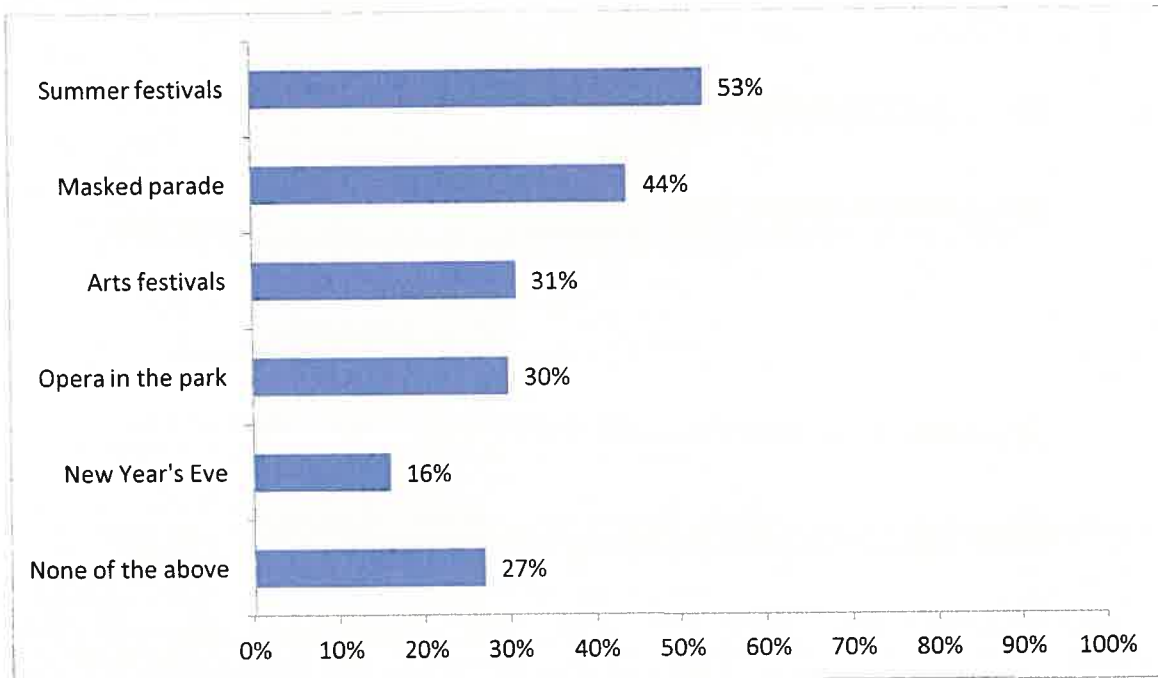


Nelson Central residents were less likely to be dissatisfied with the Provincial Museum, whereas both Stoke and Tahunanui residents were more likely to be dissatisfied (7% and 9% respectively, cf. total, 3%). Residents aged 40 to 64 and female residents were more likely to be very satisfied with the provincial museum (37% (each) cf. total, 30%). Residents aged 25 to 39 were more likely to be dissatisfied with this (6% cf. total, 3%). Male residents were more likely to be neither nor (21% cf. total, 16%).

¹⁶ Q: On a scale of 1 to 5, where 1 is very dissatisfied and 5 is very satisfied, how satisfied or dissatisfied are you with The Provincial Museum? Base: 2014 n=400, Base: 2011 n= 550. 2011 users n=302; 2014 users n=252

Nelson residents were asked which Council events they had participated in, in the last year. Just over half (53%) indicated they had been involved in a summer festival, followed by 44 per cent who were involved in the masked parade. Thirty one per cent had attended an arts festival, and 30 per cent attended Opera in the park. Sixteen per cent attended the New Year's Eve celebrations. Just over a quarter (27%) attended none of these events.

Participation in Council events¹⁷



Nelson Central residents were more likely to be involved in both arts festival events (37% cf. total, 31%) and New Year's Eve celebrations (21% cf. total, 16%) while Stoke and Tahunanui residents were less likely to be involved in arts festival events (21% and 11% respectively, cf. total, 31%) and Nelson North residents were less likely to be involved in New Year's Eve celebrations (5% cf. total, 16%). Female residents were more likely to have participated in the masked parade (50% cf. total, 44%). Residents aged over 65 were more likely to have attended the Opera in the Park (43% cf. total, 30%) and less likely to have attended the masked parade (30% cf. total, 44%). Residents aged 25 to 39 were less likely to have attended the Opera in the Park (19% cf. total, 30%).

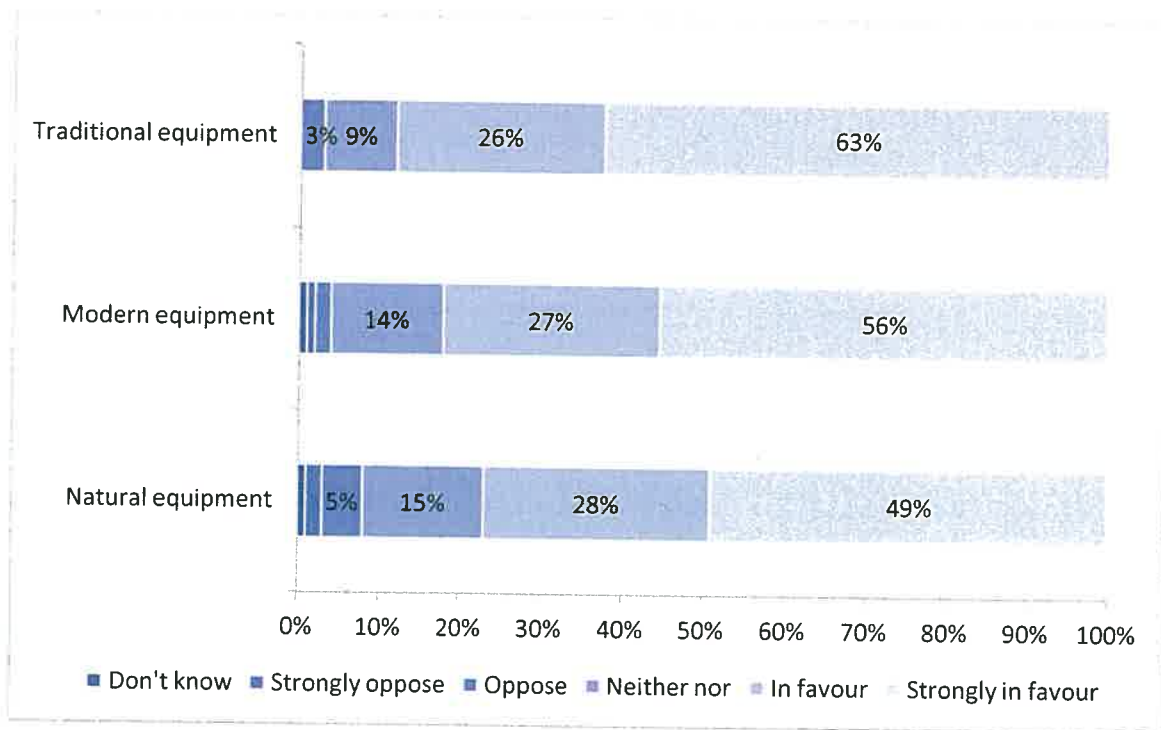
¹⁷ Q: Have you attended or participated in any of the following council events in the past year? Base: 2014 n=400.

11 Playgrounds

Sixty two per cent of Nelson residents had used playgrounds and play equipment in the area.

Playground users were asked if they were in favour of or opposed to a range of different types of playground equipment. Traditional equipment received the strongest level of support, with 89 per cent of playground users in favour (26%) or strongly in favour (63%) of this type of equipment. Eighty three per cent were in favour (27%) or strongly in favour (56%) of modern equipment, and 77 per cent were in favour (28%) or strongly in favour (49%) of natural equipment.

Types of Playgrounds¹⁸



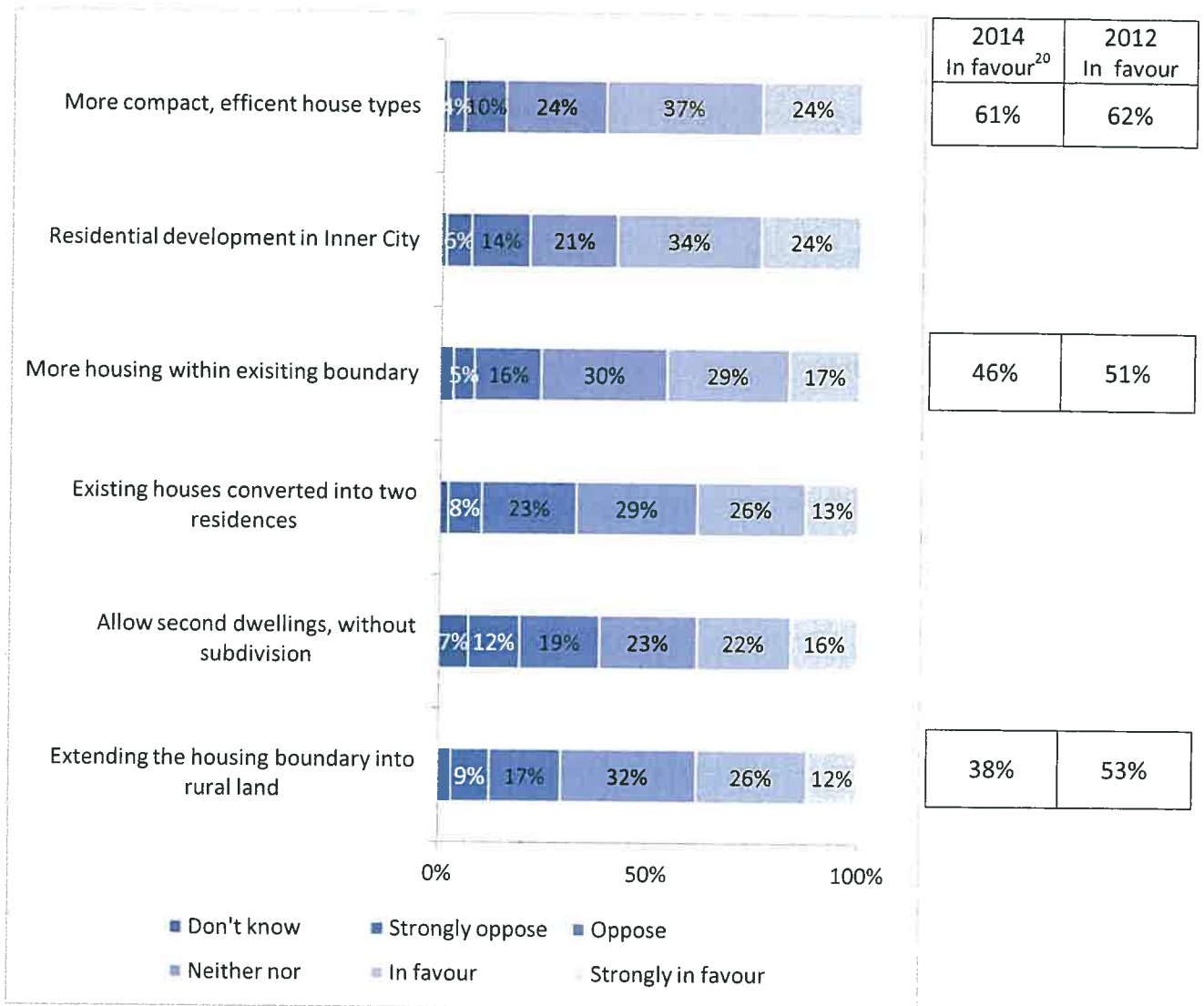
¹⁸ Q: Now thinking about different types of playgrounds, can you please tell me whether you are in favour of, or opposed to each type using a scale of 1 to 5, where 1 is strongly oppose, and 5 is strongly support. Base: 2014 n=252.

12 Nelson Development

Residents were asked whether they were in support of or opposed to a number of different Council initiatives concerning the development and landscape of Nelson. More compact, efficient house types received the strongest level of support with 61 per cent in favour (37%) or strongly in favour (24%) of this. Extending the housing boundary into rural land and allowing second dwellings without subdivision received the least support.

Chart displayed overleaf.

Development and Landscape of Nelson¹⁹



¹⁹Q: The next set of questions looks at the development and landscape of Nelson. Using the same scale of 1 to 5, where 1 is strongly oppose and 5 is strongly support, in principle, are you in favour of or opposed to the council doing the following. Base: 2014 n=400.

²⁰ Change in scale means that results are not directly comparable to previous years. Results for 2014 strongly in favour/in favour have been compared to 2012 results for in favour. Results should be read as indicative only.

Nelson Central residents were less likely to be opposed to encouraging planned, but more compact and efficient house types (6% cf. total, 10%) and were less likely to be neither nor on this (20% cf. total, 24%). These residents were also more likely to be strongly in favour of allowing more houses within existing residential boundaries (20% cf. total, 17%) and more likely to be in favour of allowing existing houses to be converted into two or more residences (32% cf. total, 26%).

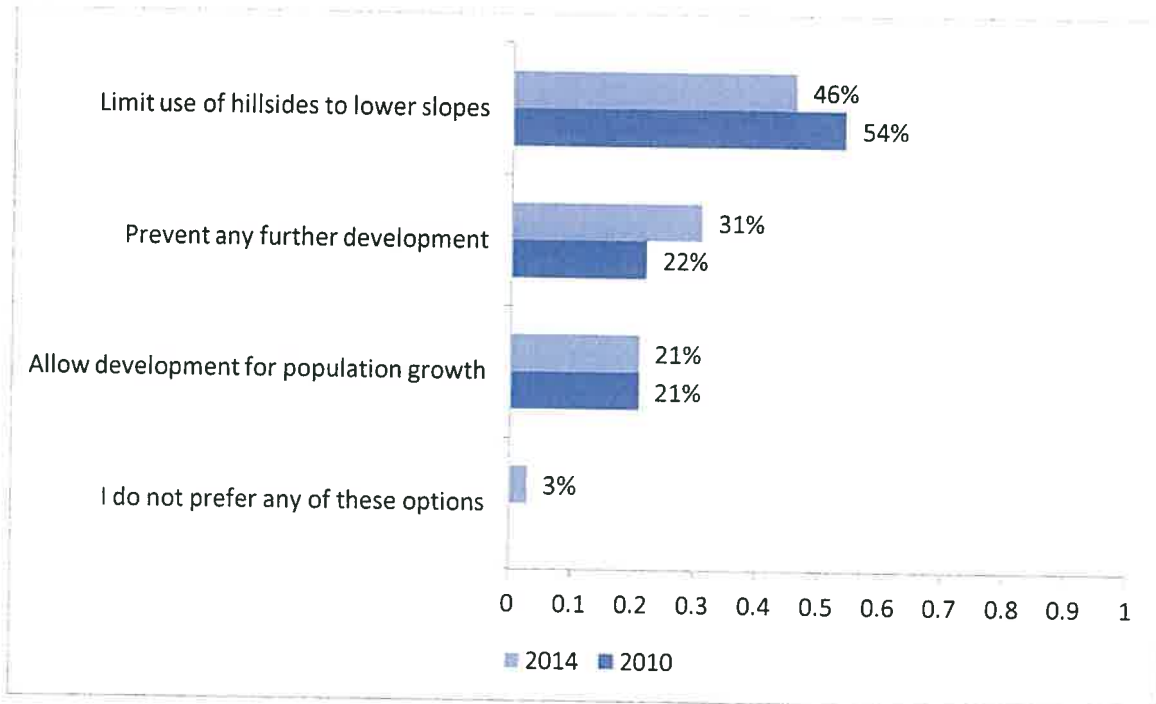
Tahunanui residents were more likely to be neither nor (45% cf. total, 24%) to encouraging planned, but more compact and efficient house types, and neither nor regarding extending the edge of the residential boundaries out into the hills or rural land (50% cf. total, 32%). These residents were less likely to be in favour of allowing more houses within existing residential boundaries (13% cf. total, 29%), and less likely to be in favour of allowing existing houses to be converted into two or more residences (4% cf. total, 26%).

Stoke residents were more likely to be opposed to encouraging planned, but more compact and efficient house types (18% cf. total, 10%).

Residents aged 65 and over were more likely to be opposed to allowing second dwellings on existing properties (26% cf. total, 19%).

Nelson residents were asked which option they preferred when considering hillside development around Nelson. Almost half (46%) preferred to limit use of hillsides to the lower slopes, with almost a third (31%) wanting to prevent any further development. Twenty one per cent felt that allowing development for population growth was preferable. Only three per cent stipulated that they did not prefer any options.

Hillside Development around Nelson²¹

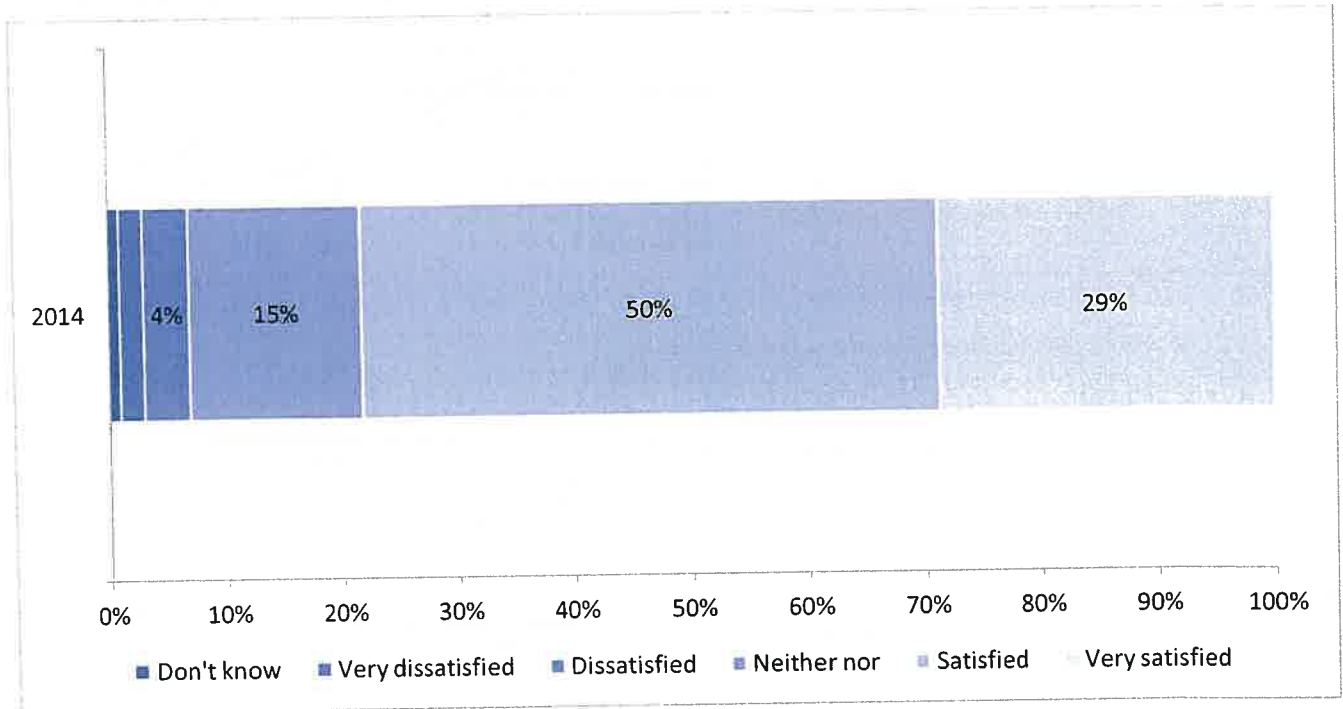


²¹ Q: Now I would like you to think specifically about the look of the hillsides around Nelson City. Which of the following options do you prefer? Base: 2014 n=400. Not directly comparable to previous years due to questionnaire wording change, results should be read as indicative only.

13 Performance Measures

Forty seven per cent of Nelson residents had visited Riverside or Nayland swimming pools in Nelson in the last year. Residents who had used the swimming pools were asked to provide a satisfaction rating. Seventy nine per cent of swimming pool users in Nelson were satisfied (50%) or very satisfied (29%) with Nelson swimming pools.

Satisfaction for Swimming Pools in Nelson²²



²² Q. Using a scale from 1 to 5, where 1 is very dissatisfied and 5 is very satisfied, how satisfied are you with the swimming pool facilities in Nelson? Base: 2014 n=184

All residents were asked satisfaction with the public library service, and in line with other years, results were re-proportioned to exclude don't know responses. Satisfaction with the public library service remains high, with 91 per cent of Nelson residents satisfied (38%) or very satisfied (53%) with the service. This was on par with previous years.

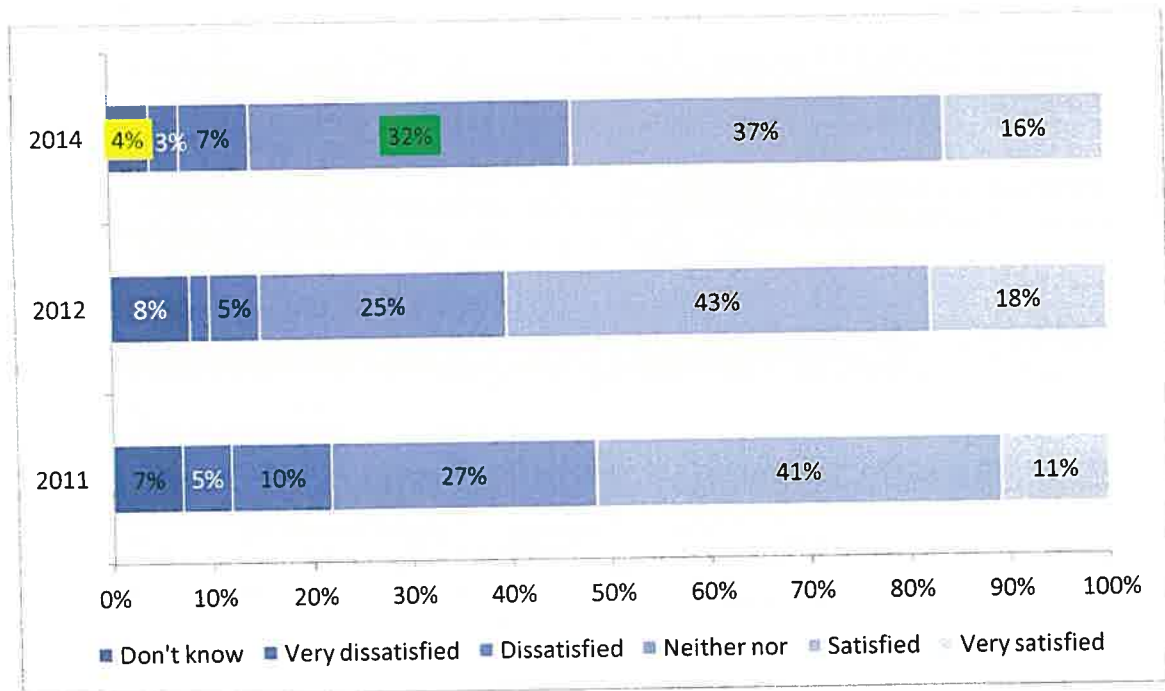
Satisfaction with the Public Library Service²³



²³ Q: Using the same scale of 1 to 5, how satisfied or dissatisfied are you with the public library service? Base: 2014 n=371, Base: 2013 n=321, Base: 2011 n=384, Base: 2010 n=384. Base sizes have been re-proportioned to exclude don't know responses.

Fifty three per cent of Nelson residents were satisfied (37%) or very satisfied (16%) with opportunities available to them to provide feedback and take part in decision making in the community. This year, significantly more residents gave this a neither nor response (32% cf. 2012, 25%) with a decrease in those who stated that they don't know how to rate this (4% cf. 2012, 8%).

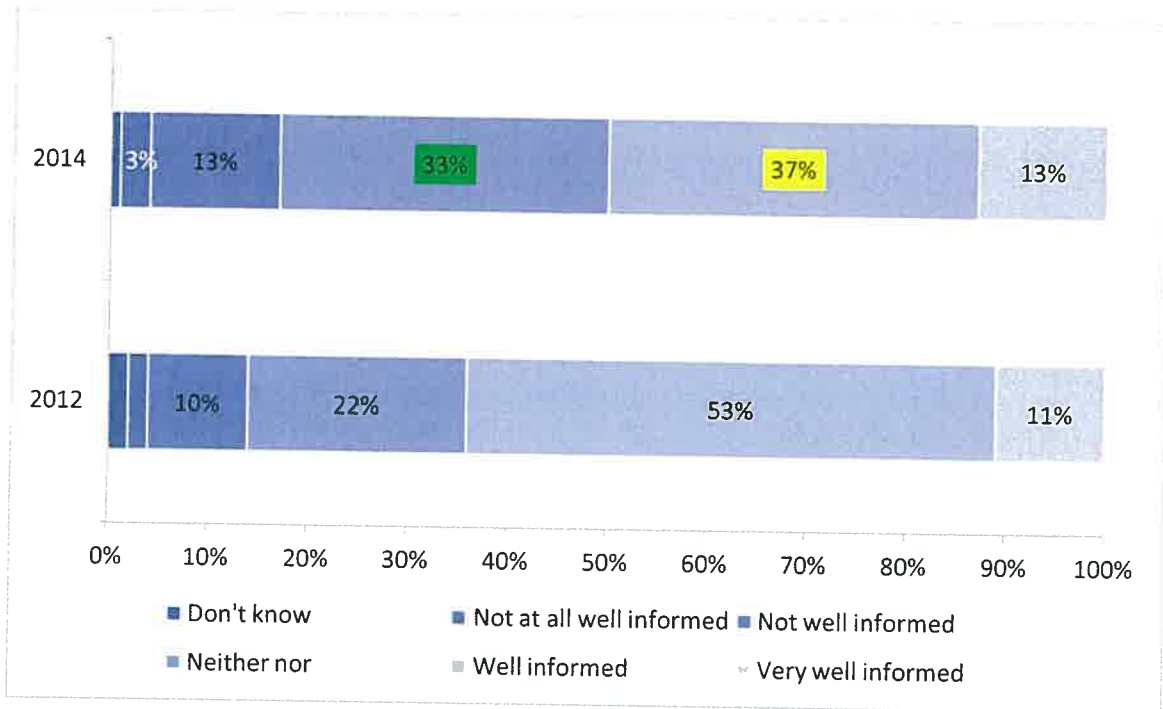
Satisfaction with feedback opportunities to the Council²⁴



²⁴ Q: The next couple of questions are about the ways Nelson City Council seeks feedback from residents and provides information. Using a scale from 1 to 5, where 1 is very dissatisfied and 5 is very satisfied, how satisfied or dissatisfied are you with the opportunities available for you to provide feedback and take part in Council's decision making in your community. Base: 2014 n=400, Base: 2012 n=400, Base: 2011 n=400.

Fifty per cent of Nelson residents felt informed (37%) or very well informed (13%) about the Council and its services, with a significant decrease noted for those who felt informed (37% cf. 2012, 53%). This corresponds to a significant increase in those who felt neither informed nor not informed (33% cf. 2012, 22%).

Informed about the Council and its services ²⁵



²⁵ Q: Using the same scale of 1 to 5, where 1 is not well informed and 5 is very well informed, how well informed do you feel about the Council and its services? Base: 2014 n=400, Base: 2012, n=400.

Sister Cities Update 2014

1. Purpose of Report

- 1.1 To receive the report from the Volunteer Sister Cities Coordinator.

2. Delegations

- 2.1 Sister Cities relationships are an area of responsibility of the Governance Committee.

3. Recommendation

THAT the report Sister Cities Update 2014 (A1246468) and its attachment (A1246473) be received.

4. Background

- 4.1 Nelson has four Sister City relationships:
- Miyazu, Japan
 - Huangshi, Hubei, People's Republic of China
 - Yangjiang, People's Republic of China
 - Eureka, California, United States.
- 4.2 Council has appointed a Volunteer Sister City Co-ordinator to oversee community activity in relation to Sister Cities. The Co-ordinator has prepared a report on these activities.

5. Discussion

- 5.1 Sister Cities relationships can deliver social, cultural and economic outcomes. It is important that Councillors are aware of these relationships and of opportunities to further enhance them.
- 5.2 The Sister Cities co-ordinating group has requested that Council formalise a policy on Sister City relationships. This has not been programmed for this financial year but could be included in the LTP with a view to developing it in 2015/16.

6. Assessment of Significance against the Council's Significance Policy

6.1 This is not a significant decision.

7. Alignment with relevant Council Policy

7.1 Provision has been made in the Long Term Plan 2012-22 for Sister Cities activities and these are consistent with the Council outcome of Kind, Healthy People - We are part of a welcoming, safe, inclusive and healthy community.

8. Consultation

8.1 No consultation has been carried out in preparing this report

9. Inclusion of Māori in the decision making process

9.1 Maori have not been consulted on this report

Chris Ward
Group Manager Community Services

Attachments

Attachment 1: Sister City Coordinator Report September 2014 ([A1246473](#))

Sister City Coordinator Tasks and Expectations 2013 - 2015

In relation Huangshi, Miyazu and Eureka

Visits internal & external

- Discuss and plan in conjunction with sister cities and groups possible rotation of annual visits to and from Nelson, taking into consideration special anniversaries.

***Action** Face to face discussions with all groups have been held and quarterly reports to Coordinating Group meetings presented. Nelson Miyazu Association will visit Miyazu in October along with the mayoral delegation for the 60 Th anniversary of Local Government.*

Three members of New Zealand China Friendship Society Nelson Branch (NZCFSN) and two young women Carla Lindley Nayland college and Kristine Eddy Nelson College for Girls were selected to attend the International Friendship Forum as members of the 2014 New Zealand Prominent Persons and Leaders tour to China.

Advise the Mayor and Staff on protocols for the various groups in relation to contacts and visits.

- Run sheets for events or visits
- Gift list, provide suggestions after consultation with the Sister City group (the gifts must be of the right scale and from Nelson)
- Draft invitation lists and menus suitable for the function
- The status of dignitaries and visitors, and how to address the delegation and individual guests.
 - Keep the Mayor briefed
- Go on sister cities trips as necessary

***Action-** Advice has been researched and provided when requested, the visit from Jangjiang was organised by EDA. The new policy of staff attendance on all Sister City visits has negated the final bullet point.*

Economic Development Agency - Yangjiang relationship

- Assist CE Economic Development Agency (EDA) as necessary in relation to Economic visits from or to any of the Three sister cities
- Assist EDA CE in relation to Yangjiang

Action *no requests have been made - I attended the Yangjiang Friendship Agreement signing in the Council Chamber and the welcome dinner for the delegation during the short visit they made to Nelson.*

Financial

- Submit an outline plan and funding requirements for each of the three sister cities to the Council officer delegated Sister City responsibility by end of February each year, and if additional funds are required by December.
- The outline plan submitted should state what is to be delivered and the anticipated total cost - a full budget is not required.
- An annual financial summary of expenditure by all groups to be reported to council after 30 June.

Action – *Miyazu and NZCFS Nelson branch have submitted funding requirements for the current financial year and summaries of expenditure reported.*

Eureka has not requested funds as they are currently inactive.

Meetings

- Identify an annual meeting schedule in liaison with identified administration advisors.(AA's)
- Provide items from all groups to AA's for inclusion in the agenda.
- Check draft minutes prior to distribution.
- Attend National meetings and local SC meetings especially Annual General meetings as necessary.
- Support the mayor at "SC" related meetings when requested.

Action *Meetings are scheduled until February 2015 and procedural matters followed and reported on. I attended the NZCFS AGM in Havelock North. This was a most useful networking opportunity from a Sister City perspective, and*

provided a good understanding of the protocols for the 2015 NZCFS AGM to be held in Tahunanui, Nelson.

This AGM will provide background experience for the 2016 NZ Sister City conference proposed to be hosted in Nelson

Three meetings to support the Mayor in regard to sister city matters have been attended.

Reporting

The coordinator will report to each Sister City meeting.

- Present a written report twice yearly to Council
- March
- Sept

Action *Reports have been provided and included in the agenda of the Sister City Coordinating group meetings. The next report to council will be March 2015*

Advice

- Seek advice and support from the NCC Kaihautu on all things Maori.
- Seek advice from Embassies and sister city groups when needs are identified
- Lead and coordinate response to enquiries for additional sister cities relationships

Action *The Kaihautu provided guidance on mihi and waiata for the group travelling to the Friendship Forum.*

The American Embassy were informed of the meeting to look at the future of the Eureka relationship and advised of the outcome that the association go into recess.

The Japanese Ambassador Mr Yasuaki Nogawa held a luncheon during his Nelson visit earlier in the year, members of the Miyazu Association and the Mayor attended.

The Ambassador of the Peoples Republic of China his Excellency Wang Lutong has been invited to Nelson to participate in the Garden Party on 28 September.

Suggestions for several new sister city relationship have been considered; the previous decision not to pursue a relationship with Nelson British Columbia was reconfirmed.

Tongchuan in China was referred to the EDA.

After discussion with TDC, a request forwarded from The President of the Sister City association to establish a relationship with a Prefecture in Japan was not actioned.

Support from Hiromi Morris President of the NZ Sister City Association has been outstanding.

Work with Council staff to coordinate national 2016 Sister City conference proposed to be held in Nelson involving Tasman District Council if needed.

Action *Council approval for Nelson to host the 2016 NZ Sister City Conference is still to be sought.*

Have fun as necessary

Conclusion

I was asked to look at the future of the Eureka Association as it had been inactive for some time. Marilyn Gibbs the current president and I held a meeting in the Council chamber with attendance of approx 40 people.

There was some support to continue the relationship with Eureka and many suggestions about other areas to replace Eureka or to establish new sister city links in America, United Kingdom, Europe and Asia.

The final outcome was a call for the Eureka Association to go into recess and the possibility of changing the status of the agreement.

The Coordinating group discussed the outcome and council staff is to investigate how to progress this.

The coordinating group also discussed the need for Council to formalise a policy on Sister City relationships to provide guidance for future requests for

agreements, funding, staff and councillor capacity and recommend that this matter is added to the elected members work programme.

Gail Collingwood

Volunteer Sister City Coordinator

September 2014

2013/14 Capital Programme – Carry Forwards into 2014/15

1. Purpose of Report

- 1.1 To inform Council of the process followed, and request approval of the resulting carry forward of unspent budget.

2. Delegations

- 2.1 The Governance Committee are responsible for monitoring of Council's financial and service performance.

3. Recommendation

THAT the report 2013/14 Capital Programme – Carry Forwards into 2014/15 (A1237456) be received;

Recommendation to Council

THAT \$1,856,618 of unspent capital budget from 2013/14 be carried forward for use in 2014/15;

AND THAT \$153,237 of capital spent in 2013/14 be offset against 2014/15 budgets;

AND THAT a net amount of \$164,077 operating budget be carried forward for use in 2014/15.

4. Background

- 4.1 The capital programme for 2013/14, as agreed in the Annual Plan 2013/14, totalled \$56.2 million including staff costs of \$1.7 million (all figures quoted in this report do not include vested assets).
- 4.2 Carry forwards totalling -\$0.1 million from 2012/13 were added to this giving a new total capital programme of \$56.1 million.
- 4.3 The last budget projections were completed by officers in early May 2014, as part of the Annual Plan 2014/15 process. This process revised the 2013/14 capital programme down to \$38.6 million. Delays to the Theatre Royal and Nelson School of Music projects contributed \$9.0 million of this reduction.

- 4.4 Capital expenditure for 2013/14 totalled \$36.0 million, a variance of \$2.6 million against the projection which includes the Trafalgar Centre (\$0.7 million) and IT projects delayed due to organisational restructure. The organisation delivered 93% of physical works against original budget.
- 4.5 Capital projects that were budgeted in 2013/14 but subsequently removed through the projections were then reconsidered for the 2014/15 Annual Plan.
- 4.6 The 2014/15 Annual Plan has a capital programme of \$55.3 million including projects carried over from 2013/14.
- 4.7 Once the 2013/14 year was closed for processing, officers collated data relating to the capital projects undertaken during the year, identifying variances against the last projection. Project managers were asked to identify which variances represented savings, and where they wished to carry forward budget into 2014/15 they were asked to support their request. Senior Leadership Team reviewed the resulting information with the project managers against agreed criteria.
- 4.8 Reasons for carry overs being requested include: expenditure committed but suppliers unable to deliver before financial year end, delays due to storm damage, and inclement weather.

5. Discussion

Savings

- 5.1 Officers identified \$1.0 million of savings in capital expenditure. This will have a positive impact on interest, depreciation and debt levels, in excess of that already identified through the 2014/15 Annual Plan.
- 5.2 Savings represent renewals budgets, land purchases budgets and staff time not required along with savings against completed projects or stages of projects.

Capital Carry Forwards

- 5.3 For renewals budgets and multi-year projects, any spend over the 2013/14 projection is considered a timing variance and is offset against the 2014/15 budget, thereby reducing it in the amount of \$153,237.
- 5.4 Officers have requested that \$1,856,618 be carried forward into 2014/15, revising the total capital programme to \$57.1 million. Interest, depreciation, and debt relating to these amounts was already built into the 2014/15 Annual Plan.
- 5.5 Totals by activity are as follows:

Activity	2013/14 Projection \$000	2013/14 Expenditure \$000	Savings \$000	2014/15 Budget reduction \$000	Carry forward to 2014/15 \$000
Transport	14,179	13,637	255	(148)	435
Water supply	6,729	6,624	31	0	74
Wastewater	4,511	4,207	205	0	99
Stormwater	1,959	1,771	62	0	126
Flood protection	906	846	12	0	48
Environment *	125	273	(152)	0	4
Social **	963	1,299	(348)	0	13
Parks and active recreation	5,426	4,326	502	0	598
Economic	0	0	0	0	0
Corporate	3,845	2,994	397	(6)	459
Total	38,643	35,977	963	(153)	1,857

* Negative savings due to Civil Defence spending on fitout of new building with no projection

** Negative savings due to earthquake prone building remediation for which the projection sits in the Corporate activity

Operating Expenditure Carry Forwards

- 5.6 It is not normal practise to carry forward operating expenditure. The items below represent specific projects that cross the 2013/14 and 2014/15 financial years, and were budgeted/projected on a whole of project basis. In some cases expenditure exceeded the projection for 2013/14 and it is therefore recommended that the 2014/15 budget be reduced. In other cases, anticipated spend did not occur in 2013/14 and it is recommended that the budget remaining be added to that already approved for 2014/15. This treatment means that the whole of project budget remains the same.

Activity	Project	2014/15 Budget reduction \$000	Carry forward to 2014/15 \$000
Water supply	Emergency Response		69
Wastewater	Desludging - loan funded		59
Stormwater	Emergency Response		33
Flood protection	Emergency Response		1
Parks and active recreation	Velodrome grant	3	
	Emergency Response	3	
Economic	Cricket World Cup		15
	Councillor training	9	
Total		14	178

2013/14 Capital Programme - Carry Forwards into 2014/15

6. Options

- 6.1 Option 1 – accept the officer’s recommendation. Work has continued on 2013/14 capital projects following the resolution at the Governance committee on 14 August 2014 and costs will have been incurred.

7. Assessment of Significance against the Council’s Significance Policy

- 7.1 This is not a significant decision under the Council’s significance policy.

8. Alignment with relevant Council Policy

- 8.1 The amounts proposed to be carried forward to 2014/15 were approved spending in the Annual Plan 2013/14.

9. Consultation

- 9.1 The amounts proposed to be carried forward were already consulted on through the Annual Plan 2013/14.

10. Inclusion of Māori in the decision making process

- 10.1 No specific consultation with Maori is required for this decision.

11. Conclusion

- 11.1 An analysis of capital expenditure against projection for 2013/14 and subsequent review by Senior Leadership Team indicates:
- 11.2 There are savings from the capital budget of \$1.0 million;
- 11.3 Renewals and multi-year projects overspent by \$153,237 should be offset against 2014/15 budgets;
- 11.4 \$1,856,618 of capital budget not spent should be carried forward into 2014/15.
- 11.5 Operating expenditure overspent by \$14,106 should be offset against 2014/15 budgets
- 11.6 \$178,183 of operating expenditure not spent should be carried forward into 2014/15.

Tracey Hughes
Senior Accountant

Attachments

None