



**Notice of the ordinary meeting of the
Infrastructure Committee
*Te Kōmiti Hanganga***

Date:	Thursday 3 June 2021
Time:	9.00a.m.
Location:	Council Chamber, Civic House 110 Trafalgar Street Nelson

Agenda

Rārangi take

Chair	Cr Brian McGurk
Deputy Chair	Cr Rohan O'Neill-Stevens
Members	Her Worship the Mayor Rachel Reese Cr Yvonne Bowater Cr Trudie Brand Cr Mel Courtney Cr Kate Fulton Cr Judene Edgar Cr Matt Lawrey Cr Gaile Noonan Cr Pete Rainey Cr Rachel Sanson Cr Tim Skinner

**Pat Dougherty
Chief Executive**

Quorum: 7

Nelson City Council Disclaimer

Please note that the contents of these Council and Committee Agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision

Infrastructure Committee

Areas of Responsibility:

- Bylaws, within the areas of responsibility
- Recycling
- Regional Landfill
- Solid Waste management, including transfer stations and waste minimisation
- Stormwater and Flood Protection
- Transport network, including, roading network and associated structures, walkways, cycleways and shared pathways, footpaths and road reserve, street lighting, traffic management control and parking.
- Wastewater, including Bell Island Wastewater Treatment Plant
- Water

Delegations:

The committee has all of the responsibilities, powers, functions and duties of Council in relation to governance matters within its areas of responsibility, except where they have been retained by Council, or have been referred to other committees, subcommittees or subordinate decision-making bodies.

The exercise of Council's responsibilities, powers, functions and duties in relation to governance matters includes (but is not limited to):

- Monitoring Council's performance for the committee's areas of responsibility, including legislative responsibilities and compliance requirements
- Developing, monitoring and reviewing strategies, policies and plans, with final versions to be recommended to Council for approval
- Developing and approving draft Activity Management Plans in principle, including the Infrastructure Strategy, for inclusion in the draft Long Term Plan
- Reviewing and determining whether a bylaw or amendment, revocation or replacement of a bylaw is appropriate
- Undertaking community engagement, including all steps relating to Special Consultative Procedures or other formal consultation processes
- Approving submissions to external bodies or organisations, and on legislation and regulatory proposals
- Hear, consider and decide all applications for road stopping
- Approval of increases in fees and charges over the Consumer Price Index (CPI)

Powers to Recommend to Council:

In the following situations the committee may consider matters within the areas of responsibility but make recommendations to Council only (in accordance with sections 5.1.3 - 5.1.5 of the Delegations Register):

- Matters that, under the Local Government Act 2002, the operation of law or other legislation, Council is unable to delegate
- The purchase or disposal of land or property relating to the areas of responsibility, other than in accordance with the Long Term Plan or Annual Plan
- Unbudgeted expenditure relating to the areas of responsibility, not included in the Long Term Plan or Annual Plan
- Decisions regarding significant assets
- Approval of final versions of strategies, policies and plans

1. Apologies

Nil

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

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

4. Public Forum**5. Confirmation of Minutes**

5.1 8 April 2021

5 - 9

Document number M16540

Recommendation

That the Infrastructure Committee

- 1. Confirms the minutes of the meeting of the Infrastructure Committee, held on 8 April 2021, as a true and correct record.***

6. Chairperson's Report**7. Hearing of Submissions - Review of the Water Supply Bylaw****10 - 32**

Document number R25876

8. Hearing of Submissions - Review of Wastewater Bylaw**33 - 45**

Document number R25877

9. Infrastructure Quarter Three Report

46 - 112

Document number R22709

Recommendation

That the Infrastructure Committee

- 1. Receives the report Infrastructure Quarter Three Report (R22709) and its attachments A2617656 and A2629920.***



Minutes of a meeting of the Infrastructure Committee

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

On Thursday 8 April 2021, commencing at 9.01a.m.

Present: Councillor B McGurk (Chairperson), Her Worship the Mayor R Reese, Councillors Y Bowater, T Brand, M Courtney, J Edgar, K Fulton, M Lawrey, G Noonan, R O'Neill-Stevens (Deputy Chairperson), P Rainey, R Sanson and T Skinner

In Attendance: Group Manager Infrastructure (A Louverdis), Governance Adviser (E-J Ruthven and P Boutle), and Youth Councillors (T Wheatley and H Culverwell)

Apologies : Councillor M Lawrey (for lateness)

Karakia Timatanga

A karakia timatanga was given.

1. Apologies

An apology for lateness from Councillor Lawrey was noted.

2. Confirmation of Order of Business

Councillor McGurk noted that the public forum presentation from Nelson South/Toi Toi Street Residents regarding road safety issues had been withdrawn, and an additional public forum presentation from Blind Citizens New Zealand Nelson Branch regarding upgraded intersections had been added.

3. Interests

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

4. Public Forum

4.1 Residents of The Glen

Phil Osborne, Steve Dubieniec and Rosemary Cooke spoke about the project to rebuild the road and revetment at Seafeld Terrace. On behalf of The Glen community, they thanked Council, Council officers and all contractors involved in the process, noting challenges had been worked through and the end result of the project was much appreciated by the community.

Attendance: Councillor Lawrey joined the meeting at 9.11a.m.

Mr Osborne, Mr Dubieniec and Ms Cooke answered questions regarding the project and gave suggestions for further improvements.

4.2 Blind Citizens New Zealand Nelson Branch - Barnes Dance Crossings and Intersection Revamps

Karen Wilson and Rodger Curry spoke on behalf of the Blind Citizens New Zealand Nelson Branch. They thanked Council and Council officers for the installation of the Barnes Dance crossing at the Trafalgar/Halifax Streets intersection and for the inclusion of tactile surfaces in the improvements to the Rutherford/Halifax Streets intersection.

They answered questions regarding further improvements that could be made in the central city for people with low or no vision.

5. Confirmation of Minutes

5.1 25 February 2021

Document number M15444, agenda pages 5 - 13 refer.

Following discussion, it was agreed that the sixth paragraph under the heading 'Chairperson's Report' should be amended to read:

"With the agreement of the mover and seconder clause three was amended, and it was noted that further city centre engagement would take place before any works proceeded."

Resolved IC/2021/011

That the Infrastructure Committee

- 1. Confirms the minutes, as amended, of the meeting of the Infrastructure Committee, held on 25 February 2021, as a true and correct record.***

O'Neill-Stevens/Edgar

Carried

6. Chairperson's Report

There was no Chairperson's Report.

7. Water Services Bill - Nelson City Council Submission

Document number R22661, agenda pages 14 - 23 refer.

Senior Activity Engineer – Water Supply, Phil Ruffell, and Manager Utilities, David Light, presented the report.

Copies of the Water New Zealand and Local Government New Zealand submissions to the Water Services Bill were tabled (A2612142 and A2612113).

Resolved IC/2021/012

That the Infrastructure Committee

- 1. Receives the report Water Services Bill - Nelson City Council Submission (R22661) and its attachment (A2574192); and***
- 2. Approves retrospectively the Nelson City Council submission to the Health Select Committee on the Water Services Bill (A2574192 - Attachment one of Report R22661).***

Edgar/Fulton

Carried

Attachments

- 1 A2612142 - Tabled document - Water NZ submission on Water Services Bill
- 2 A2612113 - LGNZ submission on Water Services Bill

8. Nelson Regional Sewerage Business Unit - 2021/22 Business Plan and 2021-31 Activity Management Plan

Document number R21467, agenda pages 24 - 158 refer.

Group Manager Infrastructure, Alec Louverdis, presented the report and explained the process for making changes to the Nelson Regional Sewerage Business Unit (NRSBU) Business Plan and Activity Management Plan (AMP) following Nelson City Council's feedback to the NRSBU Board in December 2020.

Along with Mr Louverdis, General Manager Regional Sewerage and Landfill, Nathan Clarke, and NRSBU Board Chair, Tasman District Councillor Kit Maling, answered questions regarding the rationale for the proposed

changes and any associated effects, including potential adaptive mitigation steps in relation to climate change.

During discussion, Mr Clarke noted the possibility of exploring adaptive mitigation steps in relation to climate change, including climate-friendly alternatives to relying on diesel generators.

Councillor Skinner, seconded by Councillor McGurk, moved the recommendation in the officer report, with the addition of the word 'draft' prior to the words 'Long Term Plan' in clause three.

The meeting was adjourned from 10.44a.m. to 11.02a.m.

Councillor Courtney, seconded by Councillor Fulton moved a procedural motion:

That the Infrastructure Committee

1. *Leaves the item Nelson Regional Sewerage Business Unit – 2021/22 Business Plan and 2021-31 Activity Management Plan to lie on the table and not be further discussed at this meeting.*

The procedural motion was put and lost.

The substantive motion was put in parts.

Resolved IC/2021/013

That the Infrastructure Committee

1. ***Receives the report Nelson Regional Sewerage Business Unit - 2021/22 Business Plan and 2021-31 Activity Management Plan (R21467) and its attachments (A2588684 and A2588602).***

Skinner/McGurk

Carried

Resolved IC/2021/014

That the Infrastructure Committee

2. ***Adopts the Draft Nelson Regional Sewerage Business Unit 2021/22 Business Plan (A2588602); and***
3. ***Adopts the Draft 2021-31 Nelson Regional Sewerage Business Unit Activity Management Plan (A2588684) as the version to populate the draft Long Term Plan 2021-31.***

Skinner/McGurk

Carried

A division was called:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Cr McGurk (Chairperson)	Cr Courtney	Her Worship the Mayor Reese
Cr Brand	Cr Fulton	Cr Bowater
Cr Edgar		Cr Noonan
Cr Lawrey		
Cr O'Neill-Stevens		
Cr Rainey		
Cr Sanson		
Cr Skinner		

The motion was carried 8 – 2, with three abstentions.

Karakia Whakamutunga

A karakia whakamutunga was given.

There being no further business the meeting ended at 11.36am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

REPORT R25876

Hearing of Submissions - Review of the Water Supply Bylaw

- 1.1 9.05a.m. Bill Gilbertson, Trustee of the Nelson Tasman Cycle Trails Trust, will speak to the Trust's submission (28933) on the draft Water Supply Bylaw review.

Note: None of the other submitters wish to speak to their submission.

- 1.2 Draft Water Supply Bylaw Review – Index and submissions
Document A2646901

Author: Jasmin Brandt, Governance Adviser

Attachments

Attachment 1: A2646901 - Water Supply Bylaw Review 2021 - Submissions [↓](#)

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Submission Summary

Draft Water Supply Bylaw 2021 - Submission #27676

Jane Murray

Nelson Marlborough District Health Board

Richmond 7020

Speaker? False

Department	Subject	Opinion	Summary
NCC - Infrastructure Services	Water Supply Bylaw		Please see attached



Nelson City Council

Water Supply Bylaw

27 April 2021

For more information please contact:

Jane Murray

NMDHB Public Health Service

Email: jane.murray@nmdhb.govt.nz

Phone: (03) 543 7805

Submitter details

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Nelson City Council's Water Supply Bylaw.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH.

Specific Comments

4. NMH supports the proposed changes to the Water Supply Bylaw.
5. NMH supports the introduction of the concept of source protection zones with the aim of providing layers of protection related to the potential for contaminant entry to waterways. This concept recognises that the catchments are available for recreational use and seeks to strike a balance between use and source water protection.
6. NMH seeks that NCC provide more clarity on the permitting processes for each of the three Zones.

Clause 8.5 states –

No person shall carry out any of the following activities within any Source Protection Zone 1 in any water supply catchment without a permit:

i) Construction, maintenance or any other activity not associated with the Nelson City Water Supply.

Clause 8.3 states –

No person shall carry out any of the following activities within any Source Protection Zone within any catchment without first obtaining a permit and any building or resource consent (where required) from the Council authorising the same:

There follows a list of activities from i to xi.

These clauses appear not to afford Source Protection Zone 1 any greater level of protection than Zones 2 and 3, in that a permit can potentially be obtained

for any activity in Zones 1, 2 and 3. Similarly, Zone 2 does not appear to be afforded greater protection than Zone 3.

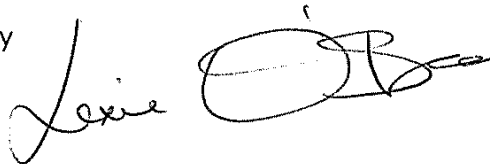
What then becomes crucial to the protection of the catchment is the permitting process and this process is not transparent within the Bylaw.

7. NMH recommends that greater clarity is given to the relative protections that each zone is to be afforded.
8. NMH recommends that the protection afforded to each zone is conservative in recognition of one of the principles of Water Safety Planning that protection of source water is paramount.
9. **Clause 8.2:** NMH recommends that the wording of clause 8.2 (i) and (ii) is amended to read 'existing consented tracks' with the aim of reducing the proliferation of informal tracks that might be otherwise viewed as 'existing' tracks.
10. **Clause 8.3 (viii):** NMH recommends adding 'mountain biking' to this clause.

Conclusion

11. NMH thanks the Nelson City Council for the opportunity to comment on the Water Supply Bylaw.
12. NMH **does not wish to be heard** in support of its submission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lexie O'Shea', with a stylized flourish at the end.

Lexie O'Shea
Chief Executive
Lexie.OShea@nmhs.govt.nz

Submission Summary

Draft Water Supply Bylaw 2021 - Submission #28285

Mr Simon Jones

Private

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Infrastructure Services	Water Supply Bylaw		Not sure why these controls are being done as a bylaw rather than the District Plan. Certainly needs to be an explanation at the beginning of the bylaw explaining the reason for the bylaw in the first place. Seems to be a lot of overlap with existing management plans. Bylaw needs to line up and refer to those. Suggest start again

Submission Summary

Draft Water Supply Bylaw 2021 - Submission #28933

Mr Bill Gilbertson

Trustee Nelson Tasman Cycle Trails Trust

Nelson 7040

Speaker? True

Department	Subject	Opinion	Summary
NCC - Infrastructure Services	Water Supply Bylaw		Please see attached



SUBMISSION TO: DRAFT NCC Water Supply Bylaw 2021

From Bill Gilbertson, Trustee Nelson Tasman Cycle Trails Trust

Email [REDACTED]

Address [REDACTED]

Phone [REDACTED]

Nelson Tasman Cycle Trails Trust

The Nelson Tasman Cycle Trails Trust is a charitable trust that advocates for and enables the construction of cycling infrastructure in the Nelson Tasman region.

The Trust has worked with Nelson and Tasman Councils, NZTA (Waka Kotahi) and NZ Cycle Trails (NZCT) to develop strategies and seek funding to enable cycling for both a range of recreational uses and urban and rural transport.

Trust projects include

- Tasman's Great Taste Trail – Obtained TDC and Central Govt funding (NZCT and MBIE) for construction and maintenance of the trail. Currently manage the operation and maintenance under contract with Tasman District Council.
- Coppermine Trail (Dun Mountain Trail). Obtained NCC and Central Govt funding for construction and operation of the trail. Recently have taken over the inspection and maintenance of the trail with a major overhaul carried in 2019/20 and a further section upgrade planned April 2021.
- Heartland rides linking trails around the top of the south region including advocacy for upgrades or new trails next to highways for safety.

Draft Bylaw

Thank you for the opportunity to comment on this bylaw. We will confine our comments to the Water Source sections.

This submission is split into two sections :

- A. Specific comments related to the bylaw and suggested changes.
- B. Comments on the Council's use of the bylaw provisions under the Local Bodies Act (LBA)



A. Specifics of the draft Bylaw.

The **stated purpose** of this bylaw is to:

- a) enable the Council to manage and provide public water supply services; and
- b) protect the public water supply network from damage, misuse, and interference; and
- c) protect the environment and the health and safety of the public and persons using the public water supply; and
- d) provide for water restrictions when necessary.

We interpret this as meaning that the purpose is to protect the source (b) and thus provide water supply services (a) at a level that is sufficient for health and safety of the public (c).

ZONES

The bylaw proposes to use a zoning system extracted from *Technical Guidelines for Drinking Water Source Protection Zones 2018*.

This zoning has largely been used in its default state.

We understand that no scientific analysis has been carried out by council to examine the effects of existing uses or vary the default zone sizes. (email P. Ruffell 16/ 3/ 21).

The difficulty how the zones have been applied is that there is no explanation or rationale as to why certain existing activities can take place within the zones and others cannot.

Zone 1 – To protect infrastructure.

Within this zone currently lies a toilet block, several open access tracks and side tracks carrying in excess of 14,000 people visits a year on foot or bike. One can only assume that Council does not perceive a risk from these **types of activities** to the infrastructure.

Note . a change has been made without explanation to default distances in zone 1.

Zone 2 – To safeguard against microbial contamination and chemical discharges or spill.

Within this zone currently are at least 25km of trails with over 14,000 people visits per year. Travel times for people can be in excess of 3-4 hours and in some cases tracks are very close to rivers or cross them without bridges. One can only assume that Council does not perceive an E coli or other microbial risk from these **types of activities**.

Zone 3 – to safeguard the whole Catchments (Maitai and Roding)

Within this zone are at least 40km of tracks with over 14,000 people visits per year, and significant numbers of feral animals. Again one can only assume the existing **types of use from humans are**



acceptable. Councils is to be commended for carrying out wild animal control to protect the vegetation which will also reduce the likelihood of microbial contamination.

To conclude; Council appear to accept certain existing types of use (in particular biking and walking) within all 3 zones and have not to our knowledge carried out any research to establish any rational for numbers or routes to be restricted.

Relating this to specific clauses of the proposed bylaw

8.2 The following activities are permitted within all Source Protection Zones in the catchments subject to any restrictions necessary for fire prevention or Health and Safety requirements:

i) Walking/jogging on existing tracks

Comment

In zone 1 this seems sensible to protect infrastructure where there is a **likelihood** that access to infrastructure is increased. However where infrastructure is separated by physical barriers (lake or fence) the restricting of walking off- track seems illogical in terms of protecting the infrastructure.

In zones 2 and 3 Council appear to accept that the risk of microbial or other contamination is no different whether it is on or off a track. [As mentioned above, existing tracks are close if not in the watercourse which is currently accepted by Council]

ii) Mountain biking (non-engine assisted) on existing tracks.

Comment

As there is no definition of engine, one can only go by the dictionary which states that an engine is device that converts stored energy to mechanical energy. An electric mountain bike fits this description.

Electric Mountain bikes are extremely common (48% in a recent survey) and are regularly used on both the Coppermine and Maungatapu.

We submit that there is no greater risk from electric mountain bikes over non- motorized bikes in terms of protection of source water.

Comment

The question as to what is an **existing track** (walking or biking) is not clear in this document.

- There are many unmapped existing tracks – are all these **existing** tracks?
- Existing when? at the time of the bylaw writing? or when a new trail is created?

It is accepted there needs to be some control over new tracks as there are potential issues from creating them. However, the Reserve Management Plan has sufficient clauses related to this:



5.12.1 Allow public access to and recreational use of reserves, unless restrictions are required for reserves management, Council-approved projects and activities, public safety, to manage conflict between users or for the protection of water quality and reserve values

5.14.5 Prohibit the construction of unauthorized mountain-bike tracks in reserves.

6.2.10. Improve track access from the reserve to The Rocks and Mt Malita (Roding Water Reserve) and around the lake.

6.2.11. With the exception of policy 6.2.10, proposals for the creation of new tracks above the intake will be investigated and considered, to ensure adverse effects on the city's water supply are avoided or mitigated.

The DN3 for water supply purposes also reinforces the above provision for assessing any new proposal.

The Trust submits that 8.2 appears to be creating a recreational strategy rather than protecting the water source. There is no need for the restrictions (existing and non-motorised) as stated in 8.2 because

- The Reserves Management Plan policies create a process and even suggests some new tracking. [As noted above, the bylaw cannot be in conflict with the management plan].
- The bylaw is not the appropriate mechanism to develop a recreational planning strategy. The reserves management plan, and the out and about strategy are the appropriate tools for this.

If council wishes to have a permitted use 8.2 it should be amended to

- Walking/jogging except in zone 1 where a permit is required.
(this new zone 1 should be re drawn to only include areas where there is a likelihood of risk to infrastructure)
- Mountain biking on Council approved trails as per the provisions of the Reserves Management Plan.

The Trust will only comment on some parts of 8.3

8.3 Activities permitted in catchments pursuant to a permit No person shall carry out any of the following activities within any Source Protection Zone within any catchment without first obtaining a permit and any building or resource consent (where required) from the Council authorizing the same:

vii) Walking any dog or taking or allowing any livestock into any area

Comment – this seems sensible in terms of infrastructure and microbial contamination, but the dog part is a double up as it is already in the Council Dog control bylaw.



viii) Walking/jogging off existing tracks.

As commented above what is an existing track and when is it existing There is also no reason for this outside of a reduced Zone 1.

ix) Driving a motor vehicle (including a motor cycle or motorised bike) or any organised motor sport on the Maungatapu Track. (Note: This track is generally only suitable for four wheel drive vehicles and a \$100 bond is required for the permit).

Comment

The Trust supports the premise for restrictions on the Maungatapu road as there are conflicts with other users, the road is deteriorating to a dangerous level recreationally and the fiber cable warning tape is exposed in many places. However, we question if this is the appropriate mechanism to determine a recreational planning Strategy.

The reference to motorized bike needs to be removed as electric mountain bikes pose no greater risk to source water than non electric.

x) Construction or maintenance activities not associated with the Nelson City Water Supply (Source Protection Zones 2 and 3 only).

Comment As this relates to construction or maintenance of new or existing tracks a process needs to be in place but is a **permit under a bylaw** the appropriate process. The DN3 and Management Plan adequately deal with this.

xi) Any activity that may lead to a conflict with the Nelson City Council maintenance contractors Health and Safety requirements.

Comment Why is this different to 8.2? (subject to any restrictions necessary for fire prevention or Health and Safety requirements) H&S should not just apply to maintenance contractors. Also why is this part of a water source bylaw when the Health and Safety Act deals with it.

The Trust submits that there is no need for the parts of 8.3 as commented on above;

- The bylaw is also not the appropriate mechanism to develop a recreational planning strategy. The Reserves Management Plan and the Out and About strategy are better tools for this. The Reserves Management Plan policies create a process and even suggest some new tracking. [As noted above, the bylaw cannot be in conflict with the management plan].



Conclusion

The Trust submits that there are significant flaws in this bylaw.

These include

- The bylaw appears to be a Recreational Strategy which is not its stated aim.
- In places the bylaw appears to be in conflict with the Management Plan which allows for new tracks.
- The term 'existing' is confusing as when is existing.
- The justification for restrictions in all zones does not seem to follow any logic when every zone has large numbers of users already.
- The application of default zones does not reflect the actual risk as evidenced by Councils acceptance of significant numbers of existing users in those zones.

The Trust submits that the parts of the bylaw related to source water be substantially rewritten so that it is not acting in isolation with other planning documents nor acting as a recreation strategy. This should be done in consultation with the affected user groups.

Any bylaw rules must take into account Councils acceptance of existing types of use and should only be set in place if necessary and justifiable.

B. Bylaw provisions

- we would like to examine the mandate for the bylaw.

The Local Bodies act (LBA) enables bylaws to be enacted for various reasons (relevant extracts below)

145A territorial authority may make bylaws for its district for 1 or more of the following purposes:

*(b) protecting, promoting, and maintaining **public health** and safety:*

.

146 Specific bylaw-making powers of territorial authorities Without limiting section 145, a territorial authority may make bylaws for its district for the purposes—

(b) of managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of, the land, structures, or infrastructure associated with 1 or more of the following:

(ii) water supply:

(vi) reserves, recreation grounds, or other land under the control of the territorial authority:

149 Power of regional councils to make bylaws (1)

A regional council may make bylaws in relation to the following matters:



(a) forests that the regional council owns or controls, whether or not the forest is within the region of the regional council;

(b) parks, reserves, recreation grounds, or other land that the regional council owns or controls;

(d) water supply works undertaken by, or on behalf of, the regional council.

(2) Without limiting the generality of subsection (1), bylaws may be made in relation to the matters listed in subsection (1) for the purpose of managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of,—

(a) the real and personal property owned or controlled by the regional council; and

(b) sites or places on land of the regional council that have cultural, historical, recreational, scientific, or other community or amenity.

- However it is important to note that there are qualifications in the LBA to those powers

Procedure for making bylaws

155 Determination whether bylaw made under this Act is appropriate (1AA) This section applies to a bylaw only if it is made under this Act or the Maritime Transport Act 1994.

(1) A local authority must, before commencing the process for making a bylaw, determine whether a bylaw is the most appropriate way of addressing the perceived problem.

(2) If a local authority has determined that a bylaw is the most appropriate way of addressing the perceived problem, it must, before making the bylaw, determine whether the proposed bylaw—

(a) is the most appropriate form of bylaw;

- In addition it is noted that the Conservation and Landscape Reserves Management Plan 2009 for the Maitai and Roding has the following to say about a bylaw.

5.31.1 Review bylaws to ensure they give effect to the provisions of this management plan and revoke any that are inconsistent.

5.31.3 Give precedence to the policies in this plan, if there is any conflict between this plan and Council Bylaws.

So in summary the Trust accepts the powers to make a bylaw but questions the application of the mandate and contradictions that have arisen in this proposed bylaw.

The Trust submits that most of this bylaw is NOT the appropriate mechanism for the restrictions it imposes. It attempts to create a recreational strategy rather than set in place justifiable zones.

Thank you for the opportunity to comment and we request the right to be heard on this submission.

Bill Gilbertson

Submission Summary

Draft Water Supply Bylaw 2021 - Submission #29418

Ian Shapcott

Te Atiawa Manawhenua Ki Te Tah Ihu Trust

Picton 7250

Speaker? False

Department	Subject	Opinion	Summary
NCC - Infrastructure Services	Water Supply Bylaw		<p>Would have liked to have got into this important mahi but no capacity to do so.</p> <p>Noting the date, please see the attached and apply the content as being a submission from our KT Office. The principles developed in this document apply to all our involvement with change and its management – tēnā koe.</p> <p>Happy to kōrero.</p>

Contemporary Kaitiakitanga Explained

INTRODUCTION

Whilst Māori continue with their cultural responsibilities and act - strive to act - as kaitiaki / practice kaitiakitanga¹ in 2021, there is an almost immeasurable gap between how the practice of kaitiakitanga took place, before colonization (read, before interference by the *sealers and whalers*), in the *Historic World*, and today. Whilst the holism of Tikanga Māori, under the korowai of Te Ao Māori, remains unchanged and the principles of kaitiakitanga are defensible and abiding, discharging responsibilities as Kaitiaki today confronts a completely different world – the **Contemporary World**, as opposed to the **Historic World**, when Māori were the sole representatives of the human species in Aotearoa / NZ.

THEN

In that Historic World, Māori were functionally / culturally embedded with the other species that they shared Aotearoa with; joined by whakapapa. The living world (Te Taiao), of which Māori were an inextricable part, reflected the physical and metaphysical expression of the gods / the atua and their progeny – ancestors of the Māori people. All relationships were clearly interdependent and interrelated. That state of being was culturally understood and that pervasive subtle (and at times, not so subtle) interrelationship was known and carried forward intergenerationally by oral and other traditions, with the aim that the people would live responsibly in Te Taiao for their own good. After Māori had come to grips with the idiosyncrasies of living in Aotearoa, this state of things was further understood / progressively refined, ever the more subtly.

In that Historic Aotearoa World, kaitiakitanga was part of an inherent Māori living consciousness. Natural world stability and changes small and large by the moment and / or over time were all observed by the Māori of the day in their rohe. Each observed state signalled a continuum of necessary responses, from inaction to clearly necessary human behavioural responses of a minor or significant nature, from **Noa** to **Tapū**. In this scheme of things, kaitiakitanga was automatically discharged, inherently and inextricably in daily life. Other species also played a culturally understood and acknowledged part in delivering this tikanga, e.g., as spiritual custodians / guides.

NOW

In 2021, in our Contemporary World, gone is the relative natural world stability of the Historic World, the Mauri of Te Taiao is in a parlous state and progressively declining. No longer do Maori (humans in Aotearoa) experience the Historic World situation, when expected change arose from relatively stable seasons, weather and the like, and when a range of minor human misbehaviour was administered to by tribal elders; we are literally fighting for survival (climate change outcomes are merely a symptom of our present situation). The situation is calamitous. Māori of today are certainly not subtly applying kaitiakitanga automatically, inherently and inextricably in daily life, BUT, our relationship with Te Taiao is ever more obviously interdependent and interrelated. **Urgent action is required to heal Te Taiao.**

¹ **Kaitiaki** – guardians

Tiaki

The word tiaki is the basis of the longer word kaitiakitanga. Tiaki means to guard. It also means to preserve, foster, protect and shelter. So, notions of care and protection are at the heart of **kaitiakitanga**, and give it its conservation ethic.

Role of kaitiaki

The prefix kai means someone who carries out an action. A kaitiaki is a person, group or being that acts as a carer, guardian, protector and conserver. The gods of the natural world were considered to be the original kaitiaki – for instance, Tāne, god of the forest, was the kaitiaki of the forest. All other kaitiaki emulate those original ones. (teara.govt.nz)

Although, in 2021, Māori are mostly rebounding post-Settlement, they inevitably remain in relative disarray and of limited capacity, with the world of Aotearoa largely being run - not governed - on a platform of Western ideological thinking; economics'-first (read GDP) and related resource exploitation – largely unfettered exploitation of Te Taiao, which includes the majority of the people (evidence abounds). Unfortunately, this is the pervading Global state of our Contemporary World, and it is unimaginably different from the state of Te Taiao in Aotearoa prior to the arrival of the sealers and the whalers.

As things currently stand, as Mātauranga Māori and Western Science clearly advise us, there is no option other than to challenge the failing status quo. A transition is required, involving a return to knowledgeable responsibility, from the present economics'-first focus and reductionism, coupled with anthropocentrism (humans first and central), to informed holistic thinking and responsible action. The status quo can be effectively countered – explained away and transcended - by the holistic approach offered by Tikanga Māori / Kaitiakitanga (read Contemporary Kaitiakitanga).

AND SO, TO CONTEMPORARY KAITIAKITANGA

In 2021. The Kaitiaki o Te Taiao Team (the KT Team), working for Te Ātiawa Trust, is inevitably faced with responsibly adapting the traditional precepts of kaitiakitanga to the current circumstances. The stakes are high, the resources are few and the forces opposing the necessary change are significant / powerful. Pleasingly, there is an increasing understanding, in Aotearoa and Globally, that the traditional knowledge of the indigenous peoples (read Māori) has a message for all of us in how we can live responsibly together in a way to enable positive change, with a view to urgent restorative action and a goal of achieving a *Regenerative State*².

These outcomes are by no means guaranteed and the prevailing circumstances must be intelligently and vigilantly confronted and challenged with a view to succeeding. **There is no choice.** This is where Contemporary Kaitiakitanga has a significant role to play in leadership, through adapting the principles of kaitiakitanga to the present Contemporary World challenge by:

1. Stating the principles of kaitiakitanga, founded upon an Atua Framework (Appendix 1), in clear Contemporary World terms, so that everyone in Aotearoa / NZ is able to understand them and help apply them in their daily lives (an example follows – Appendix 2);
2. Interpreting the principles of Kaitiakitanga, so they can be practically applied to gaining an understanding of the implications of all present circumstances promoting change;
3. Providing and applying explanatory and analysis tools (e.g., *NERO* – Appendix 3) that can be vehicles for ensuring that decision-making involving prospective change is responsibly addressed;
4. By using the forgoing mechanisms to assist with re-enlivening post-Settlement Te Ātiawa (Māori) hapū and whānau, progressively supporting the proactive practical application of kaitiakitanga, anew – rohe-wide - in the context of our current challenges and thus lead by cultural example (importantly, consolidating mana);
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1. ² **A REGENERATIVE STATE:** A continuing/ stable REGENERATIVE STATE is a state of *healthful self-renewal*, a self-perpetuating harmonious balance – theoretical only. A Regenerative State is an aspiration rather than a target point and, in consequence, it is the guiding motivator for the hikoi that takes that direction (KT Office October 2020).

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Important notes:

1. Whilst anyone can apply the principles of kaitiakitanga, in how they go about their work and daily living practices, and it is extremely desirable that everyone does, in the pure sense it is only Maori who can actually act as kaitiaki (cultural kaitiaki), in meeting long-standing Maori Cultural Responsibilities within Te Ao Māori - The Māori World.
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Whakataukī³

Toitū te marae a Tāne-Mahuta, Toitū te
marae a Tangaroa, Toitū te tangata.

*If the land is well and the sea is well, the
people will thrive.*

This Maori Proverb embraces the truth of the matter and speaks, powerfully and elegantly, of the holism of our Earth Life, our *oneness*.

Everything is inter-reliant⁴.

The successful delivery of kaitiakitanga (Contemporary Kaitiakitanga) embraces holistic-care / nurturing, eventuating in a self-sustaining state of elevated mauri
(a *regenerative state*).

Healthy Planet – Healthy People: *iwi hauora ao hauora*

(KT Team – February 2021)

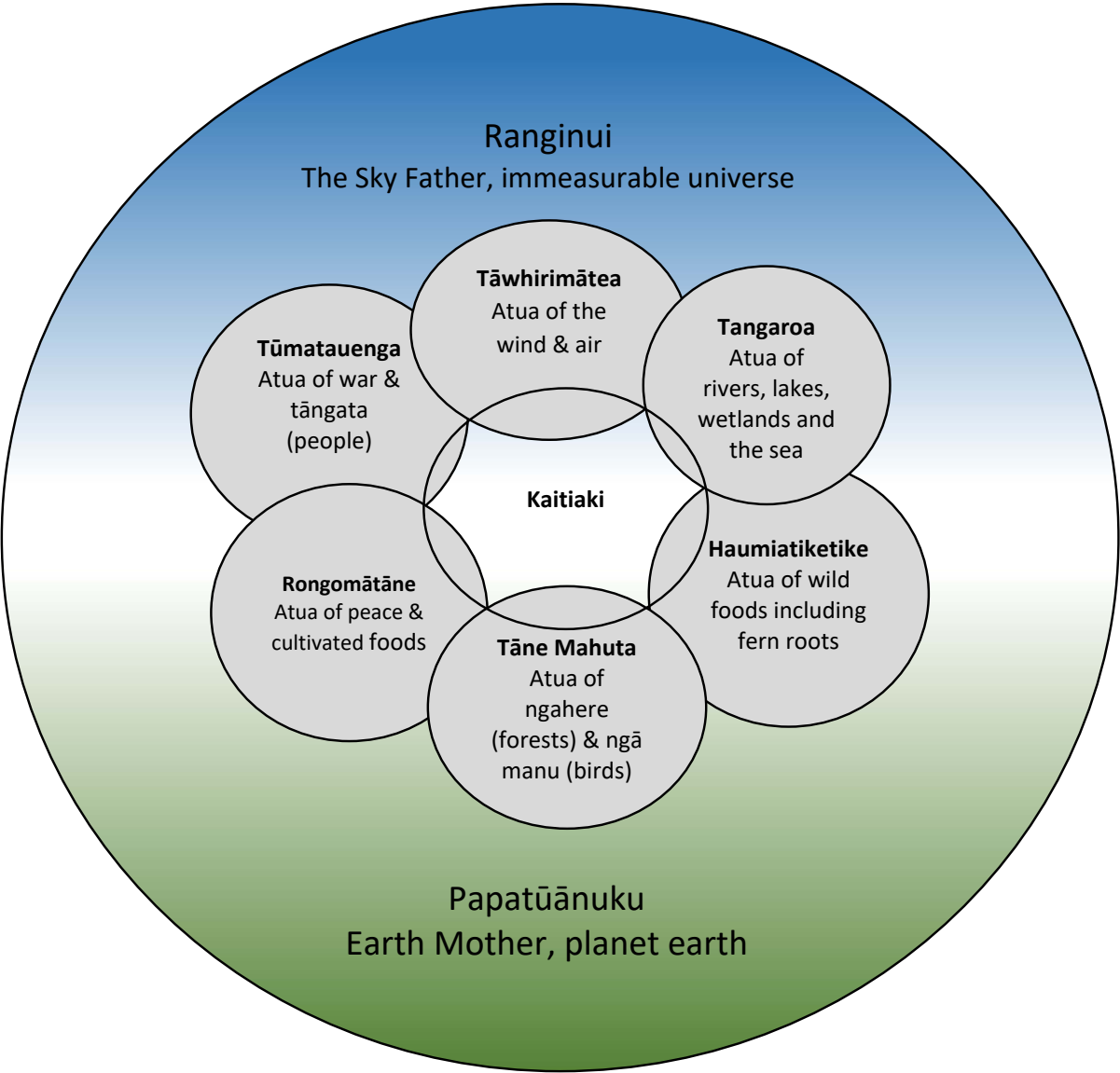
³ (noun) proverb, significant saying, formulaic saying, aphorism - particularly those urging a type of behaviour. Like *whakataukī* and *pepeha* they are essential ingredients in *whaikōrero*.

<https://maoridictionary.co.nz/search?idiom=&phrase=&proverb=&loan=&histLoanWords=&keywords=proverb>

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Appendix 1

Tikanga Māori – Atua⁵ Framework (KT Team – February 2021)



⁵ A significant creation story concerns Rangi and Papa. Ranginui (sky father) and Papatūānuku (earth mother) were locked in an eternal embrace. Their children, the departmental gods, were trapped between them in eternal darkness, and decided to try and separate their parents. The children (except Tāwhirimātea) tried and failed to separate them. Then Tāne used his legs to push the sky apart from the earth.

Other significant gods were the war gods, Maru, Uenuku and Kahukura. <https://teara.govt.nz/en/traditional-maori-religion-nga-karakia-a-te-maori/page-1>

Appendix 2

Contemporary Kaitiakitanga in Rohe Management

- **Te Ao Māori** - The Māori World
- **Acknowledging / respecting the Atua** - Acknowledging and respecting the deities of the natural world / ancestors
- **Tikanga Based** - Based on the customary system of values and practices that have developed over time and are deeply embedded in the social context
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- **All mahi to result in: *Net Enduring Restorative Outcomes (elevating / strengthening Mauri)*** - All work to result in Net Enduring Restorative Outcomes to restore the health of the natural world
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A healthy balanced natural world (which includes the human species), people with a quality sustainable lifestyle, which is underpinned by socio-cultural equity and justice.

(KT Team, March 2021)

Appendix 3

Net Enduring Restorative Outcomes (NERO) defined

The Kaitiaki o te Taiao Team (the KT Team) for Te Ātiawa Manawhenua Ki Te Tau Ihu Trust understands/is advised, from the current findings of Mātauranga Māori and Western Science, that the natural world, which includes the socio-cultural world of the human species, is being progressively degraded by unwise human activity/behaviour. (Climate change impacts are an overt expression/symptom of this continuing process, as is the widening gap in wealth-equity between *Haves* and *Have-nots* in Aotearoa.).

This situation, which adversely confronts the exercise of kaitiakitanga (the role of the KT Team in supporting the cultural responsibilities of Te Ātiawa Whānau), has arisen as a consequence of a long sequence of human decisions/actions that have enabled collective, unsustainable change. We have reached a point at which it is clear that human survival is at stake (also noting that this outcome has meant the extinction of many other species).

To halt and attempt to reverse this unacceptable outcome, all decisions/actions that deliver change⁶ must improve our current situation – be **restorative**. The changes must also **endure** if they are to be meaningfully contributory. Change is mostly multi-factorial in its implications. So, for the aggregated elements of any particular change, e.g., housing development, the **net outcome** of those collective elements of change must be positive/restorative.

Accordingly, the KT Team, in undertaking its day-to-day mahi, in evaluating and responding responsibly to proposals for change and their related implications for Te Taiao, is seeking that resulting change(s) delivers:

Net Enduring Restorative Outcomes – (elevating / strengthening Mauri).

Incremental Definitions

(Lexico on-line Dictionary: <https://www.lexico.com/>)

NET: Remaining after all factors have been taken into account; overall.

ENDURING: Lasting over a period of time; durable.

RESTORATIVE: Having the ability to restore health, strength, or well-being.

OUTCOME(S): The way a thing turns out; a consequence.

(KT Team – February 2021)

⁶ A proposal for prospective *change* is not about *growth, development, progress* or any other inherently flawed and deceptively positive notion, it is simply about a proposal for 'change' and needs to be exhaustively evaluated and progressed in that context, with precaution consciously applied to decision-making, where there is inadequate information/doubt.

What sort of change might there be, negative, positive or no change at all? In today's known collapsing natural / social world, there is no defensible choice other than supporting action that enables 'Net Enduring Restorative Outcomes', with a view to ultimately achieving a *regenerative state*. (KT Team – 2020)

REPORT R25877

Hearing of Submissions - Review of Wastewater Bylaw

1.1 Wastewater Bylaw Review – Index and submissions

Document A2646900

Note: none of the submitters wish to speak to their submissions.

Author: Jasmin Brandt, Governance Adviser

Attachments

Attachment 1: A2646900 - Wastewater Bylaw Review 2021 - Submissions [↓](#)

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3.	<u>29417 - Ian Shapcott - Te Atiawa Manawhenua Ki Te Tah Ihu Trust</u>	4
4.	<u>29417-1 - Ian Shapcott - Te Atiawa Manawhenua Ki Te Tah Ihu Trust</u>	5

Submission Summary

Draft Wastewater Bylaw 2021 - Submission #29385

Jane Murray

Nelson Marlborough Health

Nelson 7010

Speaker? False

Department	Subject	Opinion	Summary
NCC - Infrastructure Services	Wastewater		Please see attached



Nelson City Council

Wastewater Bylaw

27 April 2021

For more information please contact:

Jane Murray

NMDHB Public Health Service

Email: jane.murray@nmdhb.govt.nz

Phone: (03) 543 7805

Submitter details

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Nelson City Council's Wastewater Bylaw.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH.

Specific Comments

4. NMH supports the proposed changes to the Wastewater Bylaw. These changes will ensure that public health is protected from potential adverse effects of harmful substances discharged to the waste water system.
5. NMH supports the regulation of discharges from trade wastes and domestic wastewater into the wastewater system, including minor changes, being:
 - (a) Clarification of the application of the bylaw's requirements to discharges from swimming pools;
 - (b) The bylaw's requirements for grease, silt, and oil traps being aligned with those in the Building Act 2004 and the Building Code.
6. NMH supports the proposal to align the bylaw with Tasman District Council's bylaw as much as practicable. This will ensure consistency across councils in how wastewater, including trade waste and domestic wastewater, are being managed.

Conclusion

7. NMH thanks the Nelson City Council for the opportunity to comment on the Wastewater Bylaw.
8. NMH **does not wish to be heard** in support of its submission.

Yours sincerely


Lexie O'Shea
Chief Executive
Lexie.OShea@nmhs.govt.nz

Submission Summary

Draft Wastewater Bylaw 2021 - Submission #29417

Ian Shapcott

Te Atiawa Manawhenua Ki Te Tah Ihu Trust

Picton 7250

Speaker? False

Department	Subject	Opinion	Summary
NCC - Infrastructure Services	Wastewater		<p>Would have liked to have got into this important mahi but no capacity to do so.</p> <p>Noting the date, please see the attached and apply the content as being a submission from our KT Office. The principles developed in this document apply to all our involvement with change and its management – tēnā koe.</p> <p>Happy to kōrero.</p>

Contemporary Kaitiakitanga Explained

INTRODUCTION

Whilst Māori continue with their cultural responsibilities and act - strive to act - as kaitiaki / practice kaitiakitanga¹ in 2021, there is an almost immeasurable gap between how the practice of kaitiakitanga took place, before colonization (read, before interference by the *sealers and whalers*), in the *Historic World*, and today. Whilst the holism of Tikanga Māori, under the korowai of Te Ao Māori, remains unchanged and the principles of kaitiakitanga are defensible and abiding, discharging responsibilities as Kaitiaki today confronts a completely different world – the **Contemporary World**, as opposed to the **Historic World**, when Māori were the sole representatives of the human species in Aotearoa / NZ.

THEN

In that Historic World, Māori were functionally / culturally embedded with the other species that they shared Aotearoa with; joined by whakapapa. The living world (Te Taiao), of which Māori were an inextricable part, reflected the physical and metaphysical expression of the gods / the atua and their progeny – ancestors of the Māori people. All relationships were clearly interdependent and interrelated. That state of being was culturally understood and that pervasive subtle (and at times, not so subtle) interrelationship was known and carried forward intergenerationally by oral and other traditions, with the aim that the people would live responsibly in Te Taiao for their own good. After Māori had come to grips with the idiosyncrasies of living in Aotearoa, this state of things was further understood / progressively refined, ever the more subtly.

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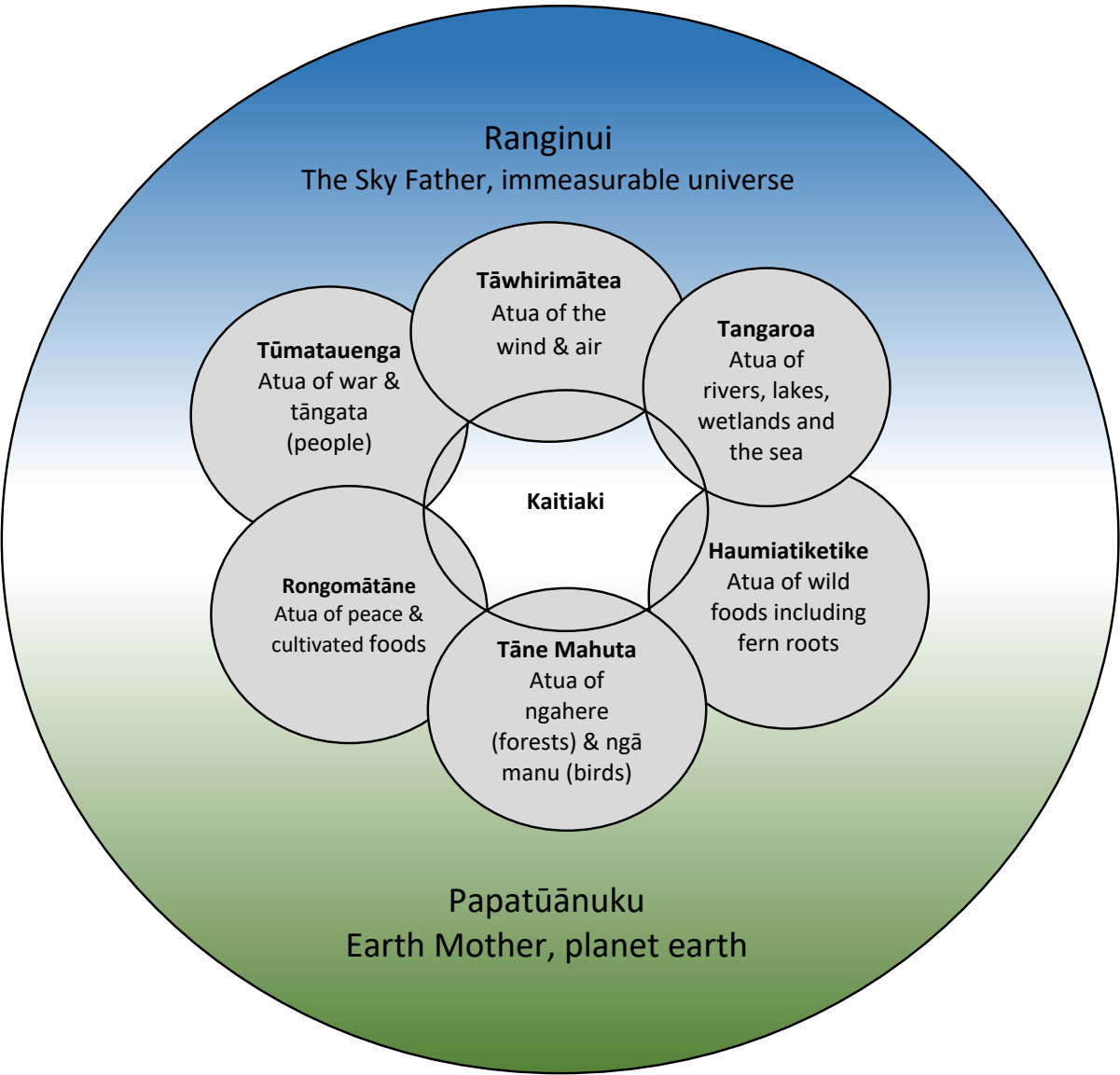
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The Kaitiaki o te Taiao Team (the KT Team) for Te Ātiawa Manawhenua Ki Te Tau Ihu Trust understands/is advised, from the current findings of Mātauranga Māori and Western Science, that the natural world, which includes the socio-cultural world of the human species, is being progressively degraded by unwise human activity/behaviour. (Climate change impacts are an overt expression/symptom of this continuing process, as is the widening gap in wealth-equity between *Haves* and *Have-nots* in Aotearoa.).

This situation, which adversely confronts the exercise of kaitiakitanga (the role of the KT Team in supporting the cultural responsibilities of Te Ātiawa Whānau), has arisen as a consequence of a long sequence of human decisions/actions that have enabled collective, unsustainable change. We have reached a point at which it is clear that human survival is at stake (also noting that this outcome has meant the extinction of many other species).

To halt and attempt to reverse this unacceptable outcome, all decisions/actions that deliver change⁶ must improve our current situation – be **restorative**. The changes must also **endure** if they are to be meaningfully contributory. Change is mostly multi-factorial in its implications. So, for the aggregated elements of any particular change, e.g., housing development, the **net outcome** of those collective elements of change must be positive/restorative.

Accordingly, the KT Team, in undertaking its day-to-day mahi, in evaluating and responding responsibly to proposals for change and their related implications for Te Taiao, is seeking that resulting change(s) delivers:

Net Enduring Restorative Outcomes – (elevating / strengthening Mauri).

Incremental Definitions

(Lexico on-line Dictionary: <https://www.lexico.com/>)

NET: Remaining after all factors have been taken into account; overall.

ENDURING: Lasting over a period of time; durable.

RESTORATIVE: Having the ability to restore health, strength, or well-being.

OUTCOME(S): The way a thing turns out; a consequence.

(KT Team – February 2021)

⁶ A proposal for prospective *change* is not about *growth*, *development*, *progress* or any other inherently flawed and deceptively positive notion, it is simply about a proposal for 'change' and needs to be exhaustively evaluated and progressed in that context, with precaution consciously applied to decision-making, where there is inadequate information/doubt.

What sort of change might there be, negative, positive or no change at all? In today's known collapsing natural / social world, there is no defensible choice other than supporting action that enables 'Net Enduring Restorative Outcomes', with a view to ultimately achieving a *regenerative state*. (KT Team – 2020)

Infrastructure Quarter Three Report

1. Purpose of Report

- 1.1 To inform the Committee of the financial and non-financial results for the third quarter of 2020/2021 for the activities under its delegated authority.

2. Recommendation

That the Infrastructure Committee

- 1. Receives the report Infrastructure Quarter Three Report (R22709) and its attachments A2617656 and A2629920.***

3. Background

- 3.1 Quarterly reports on performance are being provided to each Committee on the performance and delivery of projects and activities within their areas of responsibility.
- 3.2 The financial reporting focuses on the year to date performance (1 July 2020 to 31 March 2020) compared with the year to date (YTD) approved capital and operating budgets.
- 3.3 Unless otherwise indicated, all information is against approved operating budget, which is the 2020/21 annual budget plus any carry forwards, plus or minus any other additions or changes as approved by the Committee or Council.
- 3.4 More detailed project status reports are included (attachments) for the 38 projects that fall under the Infrastructure Committee. These have been selected if their budget is at least \$250,000 for 2020/21, are multi-year projects with a budget over \$1Million or have been assessed to be of particular interest to the Committee. The Provincial Growth Fund (PGF) funded projects have also been added as will any other projects that will be receiving external funding.

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- 3.5 Project status is analysed based on three factors: quality, time and budget. From the consideration of these three factors the project is summarised as being on track (green), some issues/risks (orange), or major issues/risks (red). Projects that are within 5% of their budget are considered to be on track regarding the budget factor.

4. COVID-19 costs impacts

- 4.1 The level of product delays and cost changes has increased over the quarter. Demand for construction materials is very high across NZ, and with very large contracts occurring in Auckland, product is often not available outside this area.
- 4.2 Products being sourced from overseas are subject to long delays because of shipping issues across the globe.
- 4.3 To help mitigate delays the team has identified key product requirements early in the project and are placing orders for materials such as pipe and pump components ahead of planned construction commencement. Unfortunately, this still does not guarantee delivery and it is expected that this trend will get worse over the coming months.

5. Tenders Awarded

- 5.1 Tenders above \$300,000 awarded under delegated authority in the last quarter are listed below:

Project Name	Awarded to	Tender Price
Poorman Stream Shared Path	Nelmac	\$645,000
Gloucester & Konini Stormwater and Watermain Improvements	Ching Contracting	\$691,000
Tosswill to Tahuna Stormwater Improvements	Tasman Civil	\$470,000
Tahunanui SH6 Stormwater Culvert Upgrade (Rocks Road)	Fulton Hogan	\$420,000

- 5.2 Tenders Subcommittee

Project	Awarded to	Tender Price
None for this quarter		

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6. Financial Results

Profit and Loss by Activity

Transport	YTD Actuals	YTD Operating Budget	YTD Variance	Operating Budget	Annual Plan Budget	Forecast
▼						
Income						
Rates Income	(8,677,846)	(8,677,845)	(1)	(11,570,461)	(11,570,461)	(11,523,264)
Other Income	(5,198,197)	(5,215,532)	17,335	(7,104,241)	(6,244,119)	(7,872,417)
Total	(13,876,042)	(13,893,377)	17,335	(18,674,702)	(17,814,580)	(19,395,681)
Expenses						
Unprogrammed Expenses	299,962	87,503	212,459	115,000	110,000	535,792
Staff Operating Expenditure	2,004,983	2,074,059	(69,076)	2,765,374	2,765,374	2,773,870
Programmed Expenses	409,139	1,301,807	(892,668)	1,938,291	1,171,630	1,966,921
Finance Expenses	316,818	323,199	(6,381)	430,921	430,921	430,921
Depreciation	6,268,059	5,947,281	320,778	7,929,698	7,929,695	8,467,390
Base Expenditure	6,428,900	6,792,410	(363,510)	9,505,910	9,452,076	9,272,187
Total	15,727,861	16,526,259	(798,398)	22,685,194	21,859,696	23,447,081
Total	1,851,818	2,632,882	(781,064)	4,010,492	4,045,116	4,051,400

Solid Waste	YTD Actuals	YTD Operating Budget	YTD Variance	Operating Budget	Annual Plan Budget	Forecast
▼						
Income						
Rates Income	0	0	0	0	0	0
Other Income	(4,623,976)	(4,573,677)	(50,299)	(6,106,477)	(6,106,478)	(6,106,477)
Total	(4,623,976)	(4,573,677)	(50,299)	(6,106,477)	(6,106,478)	(6,106,477)
Expenses						
Unprogrammed Expenses	35,627	21,987	13,640	29,318	23,505	29,318
Staff Operating Expenditure	317,836	185,544	132,292	247,375	247,375	247,375
Programmed Expenses	175,774	202,184	(26,410)	260,821	266,634	260,821
Finance Expenses	15,303	15,372	(69)	20,501	20,501	20,501
Depreciation	116,603	111,204	5,399	148,271	148,271	155,219
Base Expenditure	3,935,071	4,101,321	(166,250)	5,450,905	5,450,906	5,458,405
Total	4,596,215	4,637,612	(41,397)	6,157,191	6,157,192	6,171,639
Total	(27,761)	63,935	(91,696)	50,714	50,714	65,162

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Flood Protection	YTD Actuals	YTD Operating Budget	YTD Variance	Operating Budget	Annual Plan Budget	Forecast
▼						
Income						
Rates Income	(1,296,281)	(1,293,887)	(2,394)	(1,725,341)	(1,725,342)	(1,725,341)
Other Income	0	0	0	0	0	0
Total	(1,296,281)	(1,293,887)	(2,394)	(1,725,341)	(1,725,342)	(1,725,341)
Expenses						
Unprogrammed Expenses	114,742	53,558	61,184	83,558	83,558	100,000
Staff Operating Expenditure	162,618	220,464	(57,846)	293,955	293,955	293,955
Programmed Expenses	6,625	15,813	(9,188)	21,088	21,088	27,713
Finance Expenses	483,538	491,589	(8,051)	655,453	655,453	655,453
Depreciation	497,533	461,295	36,238	615,056	615,056	676,289
Base Expenditure	63,326	47,064	16,262	56,232	56,232	79,053
Total	1,328,382	1,289,783	38,599	1,725,342	1,725,342	1,832,463
Total	32,101	(4,104)	36,205	1	0	107,122

Wastewater	YTD Actuals	YTD Operating Budget	YTD Variance	Operating Budget	Annual Plan Budget	Forecast
▼						
Income						
Rates Income	(6,636,745)	(6,611,030)	(25,715)	(8,814,057)	(8,814,058)	(8,814,057)
Other Income	(1,540,096)	(1,874,173)	334,077	(3,253,073)	(2,911,137)	(3,253,074)
Total	(8,176,841)	(8,485,203)	308,362	(12,067,130)	(11,725,195)	(12,067,131)
Expenses						
Unprogrammed Expenses	553,948	489,569	64,379	629,569	574,464	650,000
Staff Operating Expenditure	766,958	801,005	(34,047)	1,082,775	1,061,347	1,061,347
Programmed Expenses	393,684	470,878	(77,194)	853,509	710,557	853,619
Finance Expenses	27,837	28,197	(360)	37,599	37,599	37,599
Depreciation	3,746,808	2,933,892	812,916	3,911,862	3,911,862	5,007,142
Base Expenditure	4,109,957	4,159,151	(49,194)	5,477,038	5,354,590	5,444,027
Total	9,599,192	8,882,692	716,500	11,992,352	11,650,419	13,053,734
Total	1,422,351	397,489	1,024,862	(74,778)	(74,776)	986,603

Stormwater	YTD Actuals	YTD Operating Budget	YTD Variance	Operating Budget	Annual Plan Budget	Forecast
▼						
Income						
Rates Income	(3,383,584)	(3,377,336)	(6,248)	(4,503,528)	(4,503,528)	(4,503,528)
Other Income	(5,000)	(39,001)	34,001	(115,573)	0	(115,573)
Total	(3,388,584)	(3,416,337)	27,753	(4,619,101)	(4,503,528)	(4,619,101)
Expenses						
Unprogrammed Expenses	136,635	124,786	11,849	179,786	229,786	200,000
Staff Operating Expenditure	623,377	676,912	(53,535)	938,790	885,219	885,219
Programmed Expenses	102,897	251,320	(148,423)	361,132	299,130	344,128
Finance Expenses	222,650	235,764	(13,114)	314,355	314,355	314,355
Depreciation	2,374,683	1,846,179	528,504	2,461,570	2,461,571	3,189,573
Base Expenditure	368,073	335,075	32,998	363,468	313,467	419,439
Total	3,828,316	3,470,036	358,280	4,619,101	4,503,528	5,352,714
Total	439,732	53,699	386,033	0	0	733,613

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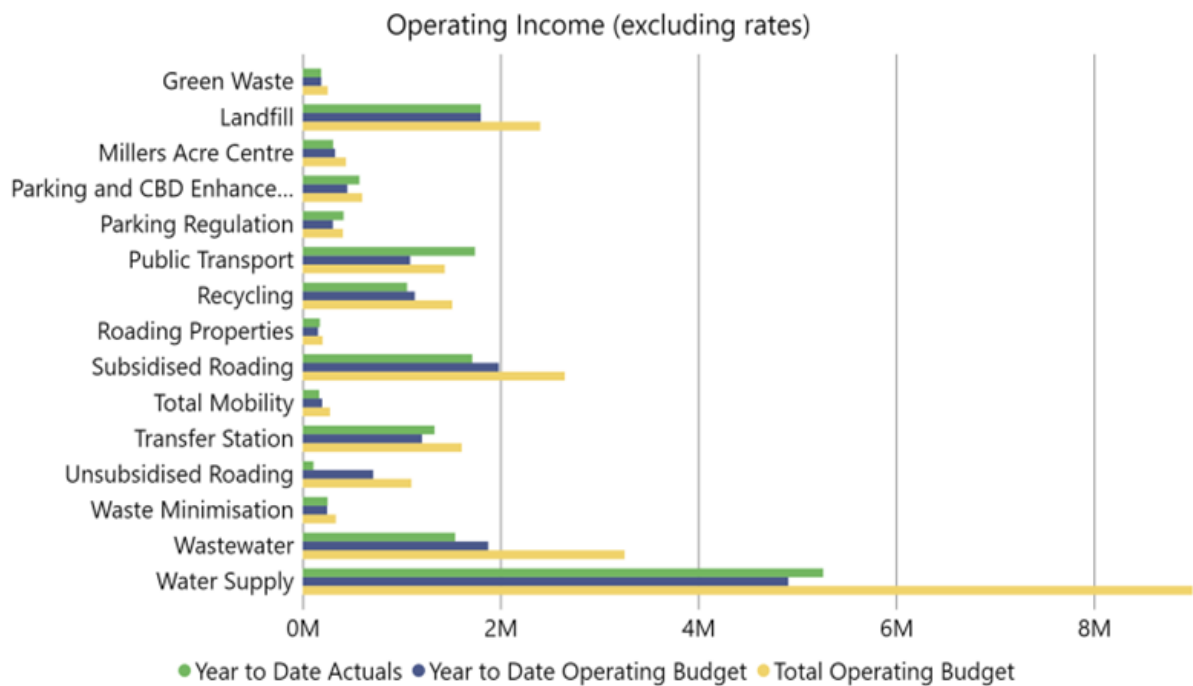
Water Supply	YTD Actuals	YTD Operating Budget	YTD Variance	Operating Budget	Annual Plan Budget	Forecast
▼						
Income						
Rates Income	(2,813,021)	(2,790,849)	(22,172)	(3,721,307)	(3,721,307)	(3,721,307)
Other Income	(5,261,812)	(4,908,590)	(353,222)	(8,995,875)	(8,756,523)	(9,003,128)
Total	(8,074,832)	(7,699,439)	(375,393)	(12,717,182)	(12,477,830)	(12,724,435)
Expenses						
Unprogrammed Expenses	1,649,415	1,472,715	176,700	1,963,622	1,963,622	2,023,622
Staff Operating Expenditure	902,087	830,285	71,802	1,128,530	1,096,387	1,096,387
Programmed Expenses	120,984	281,160	(160,176)	444,949	320,241	408,345
Finance Expenses	751,742	756,864	(5,122)	1,009,152	1,009,152	1,009,152
Depreciation	3,723,975	3,283,110	440,865	4,377,476	4,377,476	4,978,517
Base Expenditure	2,749,460	2,812,881	(63,421)	3,793,453	3,710,952	3,768,593
Total	9,897,662	9,437,015	460,647	12,717,182	12,477,830	13,284,616
Total	1,822,830	1,737,576	85,254	0	0	560,181

Notes

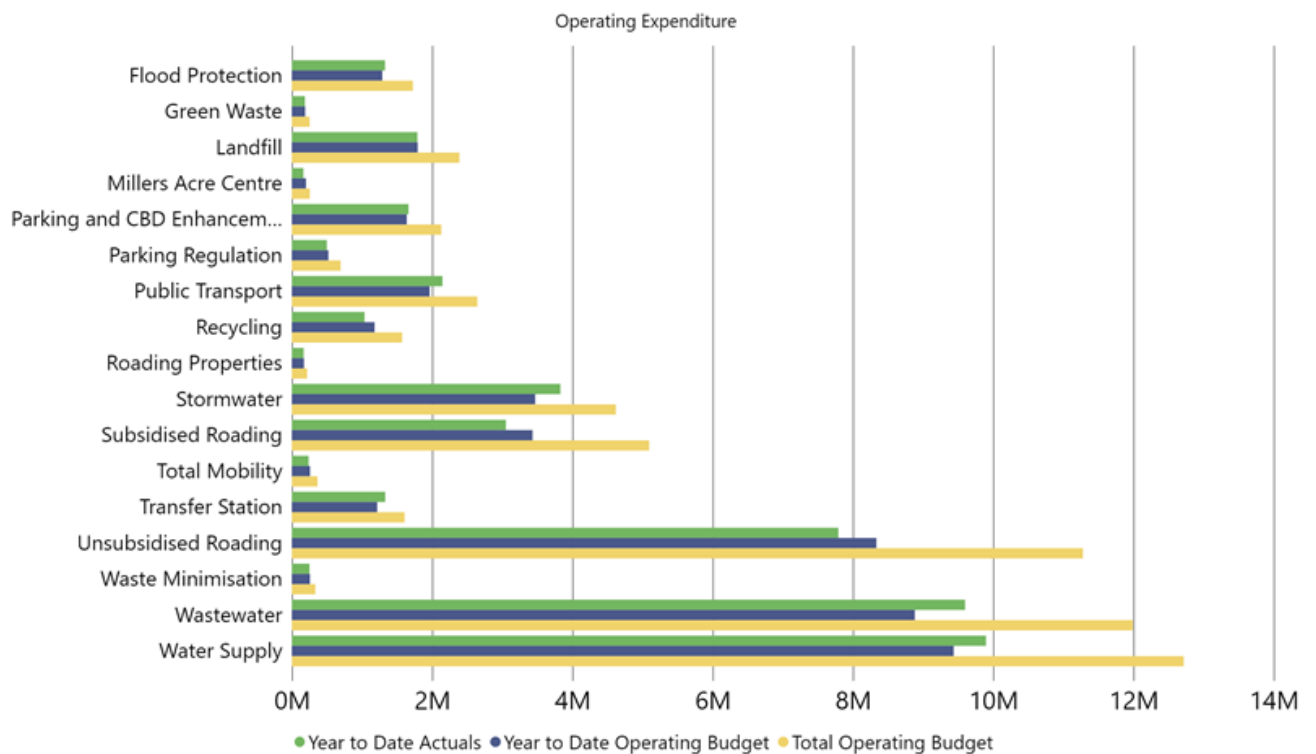
- The “Total Operating Budget” differs from the “Total Annual Plan Budget” in that it includes carry forwards and reallocations made after the final approval of the Annual Plan.
- Base Expenditure is expenditure that happens year after year, for example yearly contracts or operating expenses.
- Programmed Expenditure is planned work, or there is a specific programme of works. For example, painting a building.
- Unprogrammed Expenditure is reactive or unplanned in nature, for example responding to a weather event. Budgets are included as provisions for these expenses which are unknown.

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Operating Revenue (excluding rates)

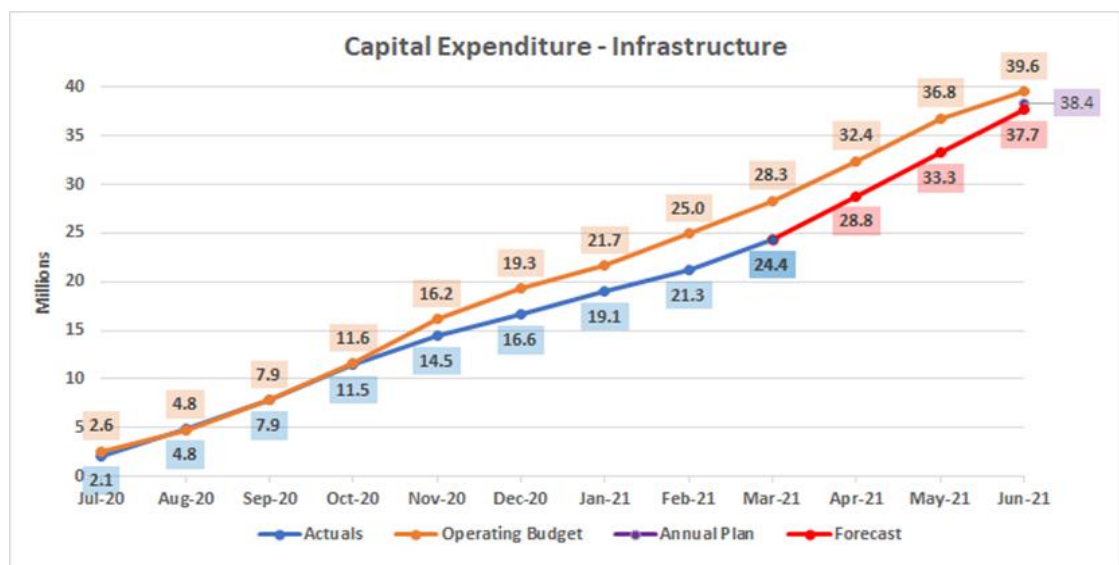
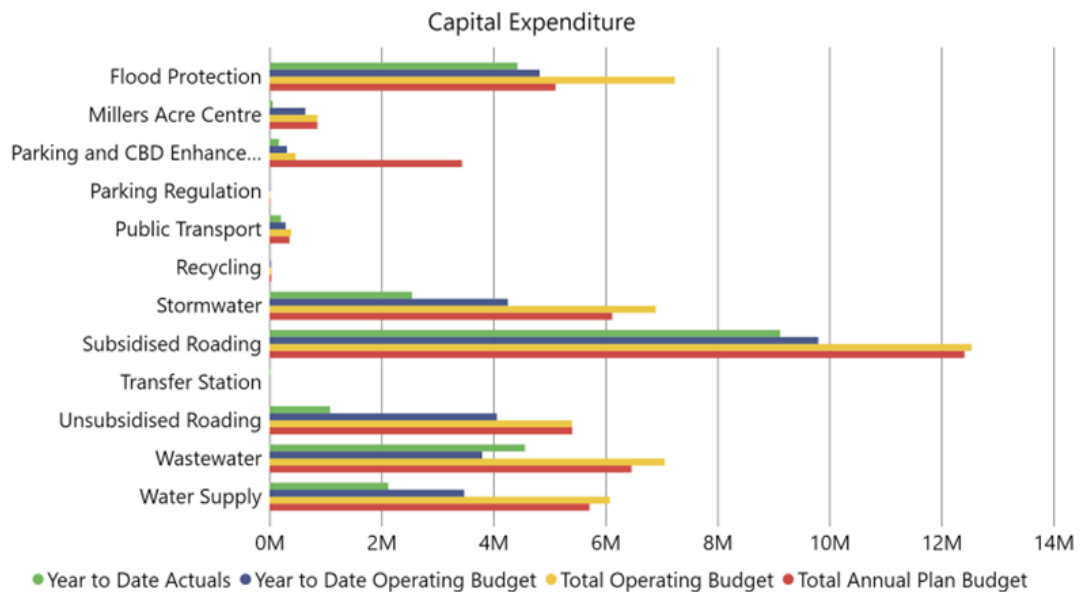


Operating Expenditure (excluding internal interest)



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Capital Expenditure Infrastructure (excluding vested assets)



- 6.1 As at 31 March 2021, Capital Expenditure is \$4.0 million behind budget. Renewals are \$1.6 million behind budget and increased LOS projects are \$3.3 million behind budget. Capital Growth expenditure is \$881,000 ahead of budget.
- 6.2 There have been some minor delays during the quarter, along with some timing changes to start dates, due to contractor availability and potential work clashes. The full year forecast as at 31 March was projected to be \$37.7 million which is \$1.8 million behind the operating budget of \$39.6 million.

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Terms Used
Ahead/behind – this indicates that the variance is due to timing, or that it is not yet known whether the variance will continue for the full year. This should be clarified in the commentary.
Over/under – this indicates that a budget has been overspent or underspent, and that it is likely there is an actual cost saving or overrun. This should be made clear by the commentary.

Activity income and expenses have been reviewed in detail and commentary has been included below for variances between actuals and budget of greater than or less than \$50,000.

6.3 Transport

- 6.3.1 **Subsidised Roding income is less than budget by \$269,000.** Waka Kotahi income is \$290,000 under budget at the end of the quarter and expecting to be \$208,000 under budget at the end of the year. Subsidised roading expenditure was phased correctly throughout the year. However, Subsidised Roding income was misaligned causing a larger variance.
- 6.3.2 **Subsidised Roding expenditure is less than budget by \$379,000.** Staff costs are behind budget by \$148,000 as staff are coding work to specific projects instead of to general subsidised roading. The category titled "Condition assessment" which covers several overheads, is currently underspent by \$121,000. The entire work category will be balanced out across the subsidised work programme to maximise Waka Kotahi subsidy uplift. Parking Strategy is \$63,000 behind budget with work underway.
- 6.3.3 **Unsubsidised Roding income is less than budget by \$604,000.** Waka Kotahi Funding for Kawai Street is \$532,000 behind budget due to a timing issue, with associated expenditure also behind. Recoveries from Corridor Access are under budget by \$75,000 and expecting to be \$96,000 under budget by the end of the year.
- 6.3.4 **Unsubsidised Roding expenditure is less than budget by \$542,000.** Kawai Street Innovative Streets is behind budget by \$486,000, but the budget is spread across both Kawai Street and Hampden Street/Locking Street initiatives and is on target for full expenditure this financial year. Champion Road Roundabout expenditure is behind budget by \$150,000, with payment to TDC to be made by June. Street Tree Maintenance is behind budget by \$66,000. Depreciation is over budget by \$200,000. Depreciation budget was based on the value of assets at the start of 2019/20, but actual depreciation is based on the revaluations completed on 30 June 2020.

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- 6.3.5 **Parking Regulation income is greater than budget by \$109,000.** Infringement Fees are \$132,000 over budget due to the new meters increasing fine activity. This is expected to continue for the remainder of the year with Infringement Fees expecting to be \$179,000 over budget by the end of the year.
- 6.3.6 **Parking and CBD Enhancement income is greater than budget by \$123,000.** Off Street Meter Fees are over budget by \$195,000 due to the installation of the new meters and is anticipated to be over budget by \$265,000 at the end of the year
- 6.3.7 **Public Transport income is greater than budget by \$656,000.** Waka Kotahi income is \$537,000 ahead of budget and expecting to be \$395,000 over by the end of the year due to unprogrammed expenditure for the response to COVID-19. TDC's contribution to public transport is \$47,000 over budget and Beecard revenue is \$66,000 over budget.
- 6.3.8 **Public Transport expenditure is greater than budget by \$183,000.** Unprogrammed expenditure of \$172,000 for the response to COVID-19 has been incurred against a nil budget, however this is covered by additional Waka Kotahi income.

6.4 Solid Waste

- 6.4.1 **Transfer Station income is greater than budget by \$126,000.** Local Disposal Levies are \$56,000 ahead of budget and Disposal Fees are \$41,000 ahead of budget.
- 6.4.2 **Total Transfer Station expenditure is greater than budget by \$115,000.** The transfer station revenue is \$126,000 above budget while total costs are \$109,000 over budget. This is a Quarter 3 positive result of \$17,000 and follows Council taking the transfer station kiosk back in-house. Following maintenance work presently being undertaken at the transfer station, it is expected the end of year result will be +/- \$20,000 against budget.
- 6.4.3 **Recycling income is less than budget by \$78,000.** Local Disposal Levies are \$64,000 behind budget and Recycling Bin sales are behind budget by \$19,000.
- 6.4.4 **Recycling expenditure is less than budget by \$143,000.** The Kerbside Contract is \$121,000 behind budget due to the invoice not being received in March. Recycling Bins expenditure is \$41,000 behind budget because bins have not yet ordered as stock this year.

6.5 Wastewater

- 6.5.1 **Wastewater income is less than budget by \$334,000.** Commercial Trade Waste income is behind budget by \$117,000. The Return of Investment from NRSBU is behind budget by \$214,000. These are timing variances expecting to correct themselves by the end of the year.
- 6.5.2 **Wastewater expenditure is greater than budget by \$717,000.** Due to the revaluation of assets, depreciation expense is \$813,000 over budget. Depreciation budget was based on the value of assets at the start of 2019/20 but actual depreciation is based on the revaluations completed on 30 June 2020 which saw depreciated replacement value of wastewater assets increase by an average of 25% when compared with values at 1 July 2019.

6.6 Stormwater

- 6.6.1 **Stormwater expenditure is greater than budget by \$358,000.** Due to the revaluation, depreciation expense is \$529,000 over budget. Depreciation budget was based on the value of assets at the start of 2019/20 but actual depreciation is based on the revaluations completed on 30 June 2020 which saw depreciated replacement value of stormwater assets increase by an average of 29% when compared with values at 1 July 2019.

6.7 Water

- 6.7.1 **Water Supply income is greater than budget by \$353,000.** Commercial and Residential Water charges are \$402,000 ahead of budget due to increased commercial sales volumes compared with budget and prior year.
- 6.7.2 **Water Supply expenditure is greater than budget by \$461,000.** Due to the revaluation, depreciation expense is \$441,000 over budget YTD. Depreciation budget was based on the value of assets at the start of 2019/20 but actual depreciation is based on the revaluations completed on 30 June 2020 which saw depreciated replacement value of water supply assets increase by an average of 13% when compared with values at 1 July 2019.

7. Commentary on Capital Projects

- 7.1 All infrastructure capital projects with a budget greater than \$250,000 in this financial year or have an overall project budget of over 1M across the life of the project have a project sheet in Attachment 1 of this report.
- 7.2 The following projects were completed this quarter:
- 7.2.1 Gracefield Sewer Diversion project.

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- 7.2.2 Seafeld Terrace revetment works. A Karakia and breakfast were held just after completion. The physical works went extremely well with no significant challenges experienced resulting in an underspend of \$130,000 (refer also carry forward section).
- 7.2.3 The inner-city bike shelter in Trafalgar Street.
- 7.2.4 Waimea Road Snows Hill Footpath upgrade.
- 7.2.5 Footpath widening Annesbrook Drive.
- 7.3 The following projects commenced in the quarter:
 - 7.3.1 Poorman Stream shared path.
 - 7.3.2 Orphanage Stream flood protection.

8. Provincial Growth Funded Projects

- 8.1 Both the raised table at Waikare Street/Beach Road and the Maitai path improvements works are complete.
- 8.2 The following two projects have had a contract variation approved to extend the 12-month initial contract by a further 16 weeks to maximise use of the funding opportunity on site.
 - 8.2.1 Eves Valley Planting – Ground preparation for planting is underway in April and planting will follow in May/June to maximise seedling strike.
 - 8.2.2 York Valley Road resurfacing – the balance of the access road was resurfaced over Easter weekend and the remaining funds will be used to do works at the truck wheel wash area.

9. Three Waters Services Reform Stimulus Package Update

- 9.1 The Department of Internal Affairs (DIA) and Crown Infrastructure Partners (CIP) have approved the Council's Delivery Plan (Plan) resulting in just over \$5.7M of external funding being awarded to Council.
- 9.2 Key items to note during this quarter are as follows:
 - 9.2.1 Staff Resources – One out of three roles have been appointed. The recruitment for the two remaining roles is delayed due to the difficulty in attracting suitable applicants. Officers anticipate this is a result of the uncertainty with job security due to the three waters reform. This delay in recruitment will result in a \$91,319 underspend by the end of March 2022. Officers have requested approval from the DIA to reduce the funding allocation to \$388,683 and reallocate the \$91,319 underspend to an already approved project, NWWTP Pond Management Improvements. This additional money will continue to provide additional support to the Pond Management Team to proactively monitor the

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discharge quality and pond health (algae counts, diversity, total suspended solids and other influencing water quality parameters) to enable timely operational changes, including making sludge.

9.3 A summary of the progress for all projects is summarised below:

PROJECT	TYPE	ORIGINAL FUNDING	UPDATED FUNDING	Progress
General Programme				
3 Waters roll out - discussion/collaboration	Opex	\$300,000	\$300,000	To start in May 2021
General Programme Sub-Total		\$300,000	\$300,000	
Staff Resources		\$480,000	\$388,683**	Commenced
Staff Resources Subtotal		\$480,000	\$388,683	
Water Programme				
Maitai Dam – Lindavia Testing	Opex	\$40,000	\$40,000	Commenced
Climate Change – Emission Reduction Strategy	Opex	\$30,000	\$30,000	Commenced
Water Pipeline Renewals Strategy	Opex	\$30,000	\$30,000	Commenced
Maitai Original Raw Water Pipeline Renewal Strategy	Opex	\$60,000	\$60,000	Commenced
Reticulation Water Quality Improvement and Pressure Management Strategy	Opex	\$70,000	\$70,000	Commenced
Water Programme Sub-Total		\$230,000	\$230,000	
Wastewater Programme				
NWWTP Resource Consent Monitoring Programme	Capex	\$200,000*	\$200,000	Commenced
NWWTP Pond Management Improvements	Opex	\$60,000	\$151,317**	Commenced
Awatea Road Pump Station	Capex	\$3,538,458*	\$3,538,458*	Procurement Stage
Beach Road Wastewater Storage	Capex	\$300,000*	\$300,000*	Completed
Trade Waste Improvement Programme	Opex	\$170,000	\$170,000	Commenced
Wastewater Pipeline Renewals Strategy	Opex	\$30,000	\$30,000	Commenced
Climate Change - Wastewater Network Heat Mapping	Opex	\$30,000	\$30,000	Commenced
Climate Change Emission Reduction Strategy	Opex	\$175,000	\$175,000	Commenced
Pump Station Data Collection, Storage and Use	Opex	\$50,000	\$50,000	Commenced
Wastewater Programme Sub-Total		\$4,553,458	\$4,644,775	
Stormwater Programme				
Condition Performance Assessment	Opex	\$30,000*	\$30,000*	Commenced

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PROJECT	TYPE	ORIGINAL FUNDING	UPDATED FUNDING	Progress
Stormwater Quality Strategy	Opex	\$130,000	\$130,000	Commenced
Stormwater Programme Sub-Total		\$160,000	\$160,000	
GRAND TOTAL		\$5,723,458	\$5,723,458	

* Does not represent total project budget, only the external contribution from the Three Waters Stimulus Programme.

** Subject to DIA approval.

- 9.4 Three Waters Services Reform: Request for Information Update. Officers submitted the RFI in accordance with agreed timeframes. Officers are continuing to liaise with both the DIA and Water Commission for Scotland on this substantial exercise.

10. Potential Carry Forward into 2021/22

- 10.1 The following carryovers are likely:

- 10.1.1 Wastewater model calibration has been delayed due to model technical issues - \$60,000.
- 10.1.2 Seafeld Terrace construction – whilst physical works are complete an information board acknowledging the archaeological site describing the importance of Ngati Kuia, Apa, and Rangitane is still required. A hui was held on the 26 March 2021 to discuss this further, but the works will not be completed this financial year and \$25,000 is required to be carried forward.
- 10.1.3 Mount Street/Konini Street stormwater & watermain (linked to the Vanguard/Hardy watermain project) – As a result of the delay in commencing the construction works for Vanguard/Hardy due to the request from New World to only commence work after Easter, there is a later start for Gloucester/Konini requiring a carry forward of approximately \$100,000.
- 10.1.4 Washington Valley services upgrade project. Design delays requires a carry-over of \$120,000
- 10.1.5 Flood Protection - Jenkins Stream near Nelson Airport. Approximately \$60,000 is being requested to be carried over to continue both detail design and negotiation with the airport.
- 10.1.6 Whakatu Drive Stormwater project has seen delays in achieving traffic management approvals from Waka Kotahi and pipeline delivery resulting from COVID-19. There is potential need to carry forward approximately \$300,000.

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- 10.1.7 Cawthron Crescent Stormwater upgrade requires a carry forward of \$45,900 from 2020/21 to next financial year, to supplement the 2021/22 budget – to allow the project to continue.
- 10.1.7 Tosswill Stormwater has been delayed some months due to clashes with services requiring a significant re-design. Works are on site, but bad weather may result in a carry forward of \$100,000.

11. Status Report Update

11.1 Sandbags

To inform a future Infrastructure report, officers will investigate what policy and practice other New Zealand councils have in this area. Advice is being taken from Civil Defence. In addition, messaging about sandbags in general for Council communication will be improved (how they work, where to get them, how to install/dispose of).

12. Commentary on operational projects

- 12.1 There is a detailed status report for two operational projects (Inflow and Infiltration and Water Loss Reduction) included in the attachments. These projects have been selected for quarterly reporting as they have been assessed to be of particular interest to the Committee.
- 12.2 These operational projects are assessed on the same factors – quality, time and budget and noted as being on track, with some issues/risks or with major issues/risks. These project updates are appended in Attachment 1.

Waste Minimisation

- 12.3 The first collection of the kitchen waste trial commenced on 11 February. There are presently 130 participants from the 302 residents that were invited. Each participating resident has received a 20-litre bucket with a lid. This is placed on the street on Thursday and a clean bucket is left in its place.
- 12.4 To date the average weight from a household is 5.5 kg/week, which is about 14 litres of kitchen waste. This compares favourably with the amount of kitchen waste produced in other NZ cities. The collection route extends from The Wood to Saxton Road and reflects the variety of households in Nelson. Community compost are contracted to deliver this trial.
- 12.5 The initial results suggest that, if upscaled to the whole city, Nelson could divert at least 3,000 tonnes per year from the landfill and prevent the production of 5,700 tonnes of CO₂ per annum. The trial will run until February 2022 giving a full 12-month trial to identify seasonal variations and supply data on which any future plans can be based.

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- 12.6 The waste minimisation Rethink Waste programme delivered the following activities in this quarter:
- 12.6.1 Delivered Round 2 of the waste minimisations grants trial, with five grants being awarded for projects ranging from building local repair café capacity to supporting waste minimisation at markets and events through packaging and refill your own container projects. The final round will be delivered in Q4, after which the grants process will be reviewed to support the delivery of a more extensive grant programme in 2021/22.
 - 12.6.2 Design and implementation of an autumn programme of Rethink Waste workshops and events.
 - 12.6.3 Support for completion of Halifax Street deconstruction project including internal staff engagement session, and planning for building sector engagement.
 - 12.6.4 Completion of the shared work programme with Tasman District Council to support the delivery of the Joint Waste Management and Minimisation Plan (JWMMP).
 - 12.6.5 Design commenced on Council Walking the Talk programme for Council-run events and use of Council facilities, including building waste minimisation into Council Events Team requests for proposals, advice for Matariki Festival, collaboration with NRDA to improve delivery of waste minimisation in Nelson Events Fund grants, and working with Tahuna Summer Sounds organiser to create case study with generic plan and budgets for Council event waste minimisation.
 - 12.6.6 Participation in national steering group for voluntary product stewardship for textile waste – focusing on future projects in partnership with opshops.
 - 12.6.7 Ongoing delivery of 'business as usual' waste minimisation activities including Second-hand Saturday, Rethink Waste newsletter, subsidy programmes to encourage diversion of waste from landfill and supporting waste minimisation at events.
 - 12.6.8 A large event focused on developing Repair Café culture is planned for delivery Quarter 4.
- 12.7 Council continue to collaborate and share information with Tasman District Council and staff from the regional landfill business unit. Recent 'SWAP' (solid waste assessment protocol) survey work by the business unit has identified the proportion of waste able to be diverted from landfill and Council will be using this information to inform it's diversion efforts, including investigating options for diverting batteries from landfill.
- 12.8 We have received preliminary results from the audit of contamination levels at the materials recycling facility and are working through the

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findings. We have also jointly commissioned, with Tasman District Council, a survey to identify attitudes and behaviours relating to waste minimisation and recycling, (data from previous surveys will provide a baseline to measure change against). We will be using the results of these two surveys later in the year to identify where we need to improve our information to ratepayers and how to focus our waste minimisation engagement work.

- 12.9 At the time of report writing we are also working with Tasman District Council to investigate an application for funding to the Waste Minimisation Fund. The next round of funding opens in late April and closes in May. The investment focus for the fund this year is reducing construction and demolition waste and achieving beneficial outcomes for organic waste. This focus aligns with the areas that we are already working on with Tasman District.

Transport

12.10 Innovative streets

- 12.10.1 Phase 1 of the project on Kawai Street was completed prior to the end of Q2 but monitoring data has since shown its effectiveness. The aim of this phase was to slow down vehicles and reduce through traffic and both have been achieved with a 37.5% reduction in mean speed and a 30% reduction in average daily traffic volume at measured sites. Nelson Intermediate School support the project and an evening engagement session was held at the school on 11 March 2021 (original date delayed 1 week by move from Covid alert level 1 to 2) where more feedback was received on phase 1 and some ideas for phase 2 were gathered.
- 12.10.2 Phase 2 focuses on connecting the community with destinations such as schools, Victory Community Centre, and the railway reserve. This will include enhancing pedestrian and cycling safety. Concepts for traffic calming on Tipahi Street were trialled on the street in the first week of April and more feedback gathered.
- 12.10.3 The project received high praise at the national Walking and Cycling conference in March and, in May won the prestigious National 3M Innovation Awards. This award recognises exemplary innovation and effectiveness to save lives and injuries on roads. Judges considered innovations in thinking and technology, problem-solving, cost-effectiveness and transferability to other areas when making their decision.

12.11 Locking Street

- 12.11.1 A community meeting was held in late February 2021 to discuss options for a way forward that would mitigate the effects the Locking Street community have experienced due to the trial Hampden Street closure. Feedback and suggestions were

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received from residents of Locking Street, Locking Terrace, Kawai Street (and the surrounds) that added to the understanding of the challenges they face, and what could possibly be done to make the street safer.

- 12.11.2 As a result, Council will be trialling new road markings, signage changes, speed cushions, and landscaping improvements on the street gardens to create safer areas for pedestrians to stand and wait for passing traffic. The physical work will be done in May. Officers will carry out ongoing traffic volume and speed monitoring on Locking Street and Kawai Street (north), including pedestrian, cyclist, and vehicle monitoring.
 - 12.11.3 Hampden Street Trial Closure will continue and will next be brought to the committee in November 2021. Officers will assess the success of these trial measures on Locking Street as part of this review.
- 12.12 Road safety activity. A variety of road safety activities have taken place in the last quarter.
- 12.12.1 Cops with Cakes: A safety promotion event that is in its second year and proving to be very popular with the community. Over 4,000 people attended the event that involved several government and community agencies including Fire and Emergency, Police Search and Rescue and Police dog sections, along with St John Ambulance. NCC involvement included teaching of introductory cycle skills.
 - 12.12.2 Shiny Side Up: 900 people attended this Motorcycle Safety event. NCC and TDC were present, giving away tool kits and drink bottles with Motorcycle Safety information. The event was an opportunity to promoting our "save a mates life" Ride2Live campaign, where mates can sign their motorcycling mates up to a Ride2Live course for free. Enrolments for 42 riders were taken on the day.
 - 12.12.3 School Stopping Demonstrations: Unfortunately, due to a change in COVID-19 levels, the School Stopping Demonstrations were postponed. These events involve a professional travelling around school locations and demonstrating the distance it takes a car to stop at 20, 50 and 60km/h. This highlights that just a small increase in speed can have a devastating impact in a crash. The demonstrations will be rescheduled for later in the school year.
 - 12.12.4 Go by Bike Day: An annual event held in February, during the Aotearoa Bike Challenge month. The 1903 Square was packed with cyclists celebrating with breakfast, coffee, and entertainment by the Plinkers Ukulele band, who fundraise for Hospice. Council adopted a zero-waste approach to this event

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and although 120 coffees and breakfasts were served, no disposable cups plates or utensils were used.

- 12.12.5 Rotary Young Driver Awareness (RYDA): RYDA is a road safety education programme that helps young drivers understand road safety and what they can do to keep themselves and their friends and whanau safe on our roads. NCC has supported RYDA for the last 10 years. Students become crash investigators for the day to discover the cause of real-life crashes. This year's event was attended by 311 high school aged students from Nelson Schools.
 - 12.12.6 Distraction campaign. Following on from last years 'Be Undistractable' campaign Council continues to distribute drink bottles with safety messages to novice drivers through the AA.
 - 12.12.7 RideOn: RideOn is the name of our local cycle education programme which has been running several years. During this quarter 786 primary and intermediate students received grade 1 cycle skills and an additional 213 year 1 and 2 students received scooter safety skills. The instructors are working towards being 'BikeReady' accredited, which is Waka Kotahi's national prescribed programme.
 - 12.12.8 Waka Kotahi has again updated Funding Guidance associated with the extra funding made available through the National Land Transport Fund (NLTF) to address the ongoing financial impacts of COVID-19 on the provision of public transport. This confirmed that any fare revenue shortfall and direct operating cost increases for public transport services, because of the COVID-19 disruptions between July 2020 and 30 June 2021 would be 100% funded. This 100% subsidy remains conditional on councils contributing at least their planned 2020/21 local share into public transport services.
- 12.13 Bee Card use accounted for an average of 77% of all bus trips in this quarter, showing continued high use of the scheme.

13. Risks

- 13.1 Several risks are front of mind through this quarter and are expected to remain going forward. As a result of the streamlined procurement process and key focus on supporting the economy, projects continue to move at pace. Risks associated with this are:
 - 13.1.1 Potential prices above approved budgets that will require Council approval resulting in contractors' programmes disrupted with potential for them to give preference to other work resulting in projects not proceeding this financial year.
 - 13.1.2 Delays on material delivery (local and overseas) is a high risk and has now been realised, with price increases and supply chain issues. As noted last quarter there are confirmed increases in the

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costs of pipes of up to 9%, and officers are also noting more products are taking longer to secure.

13.1.3 Nurseries and planting contractors have raised concerns in terms of meeting forward future work (20/21 and 21/22) due to the high requirement across all sectors for plants.

13.1.4 Market buoyancy leading to inability to secure resources in a timely manner.

13.1.5 There is some uncertainty around delivering Council's preferred transport programme in full in 2024-27, due to the unknown level of funding subsidy to be provided by Waka Kotahi. Waka Kotahi have signalled that the 2024-27 National Land Transport Fund (NLTF) has significant financial pressure. Officers expect to have an indication of funding subsidy levels in May 2021.

14. Temporary Traffic Management (TTM) Changes & Cost Increases

14.1 Traffic management across New Zealand's network of state highways and local roads is fundamental to keeping people safe on our roads. Waka Kotahi NZ is responsible for setting the requirements for the safe and efficient management and operation of temporary traffic management (TTM) on all roads in New Zealand. The Code of Practice for Temporary Traffic Management (CoPTTM) is best practice guideline for temporary traffic management in New Zealand.

14.2 Following several fatalities in recent years and subsequent industry discussions current CoPTTM rules have been amended and the impacts on Council are as follows:

14.2.1 Changes to the traffic management qualifications and higher levels of compliance expectations will impact Council's ability to perform work on site for the same cost. The qualification changes have begun to be deployed throughout New Zealand in a staged approach by Waka Kotahi commencing in April 2021 and expected to continue over the next 5 years.

14.2.2 New training and competency levels are being introduced so that staff have a higher level of understanding and risk evaluation to ensure practical site management responsibility experience. This has broken the qualifications down to being more task specific and will introduce practical assessments i.e. to check the member of staff can install traffic management correctly and safely whereas to date this assessment has all been classroom based. These extra qualifications and additional practical testing are playing a role in traffic management cost increases.

14.2.3 A much earlier consultation process with Road Controlling Authorities to ascertain the projects viability within the new rules and increased traffic volumes found on our roads today - this in

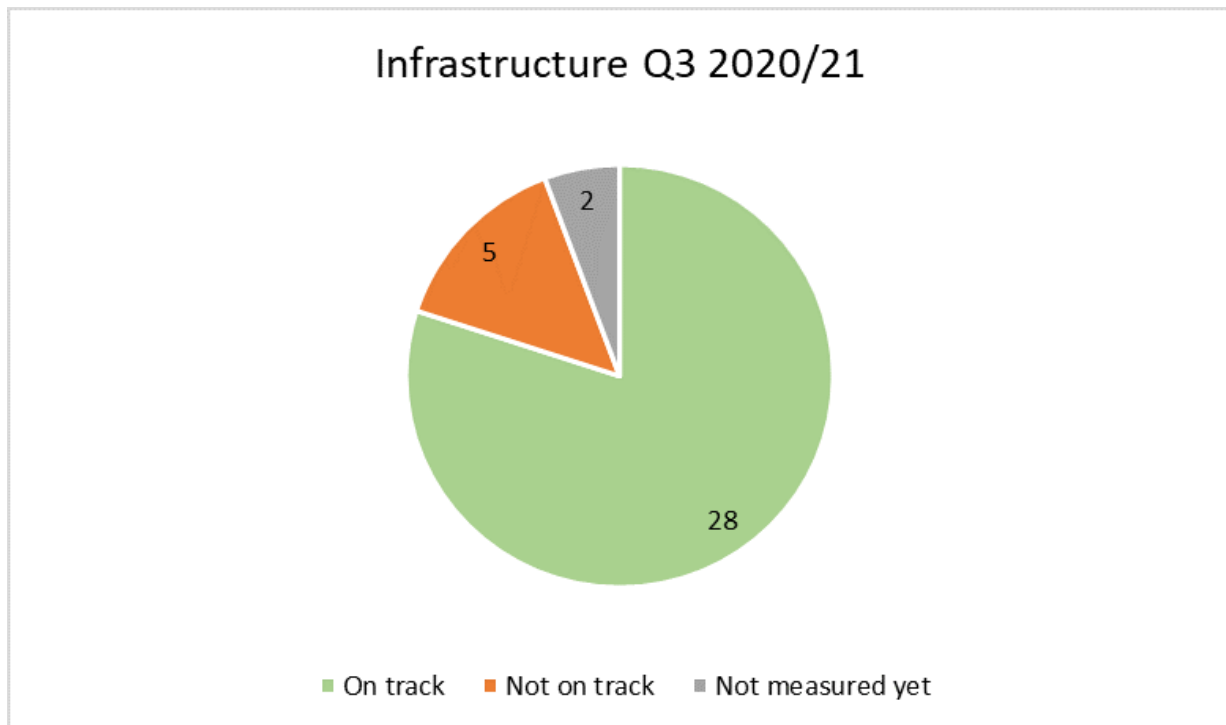
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the interim will potentially force council to set the traffic plans in planning phases reducing contractors ability to offer smarter/cheaper solutions in their methodologies.

- 14.3 This change means that only authorised people can draft traffic Management Plans (TMP's). Locally, only five contractors have passed the new TTM Planner qualification and have a valid practising warrant (as at April 2021). This creates a significant backlog of processing. Waka Kotahi has implemented a 4-month grace period on the new rules expiring at the end of April.
- 14.4 With the recent deaths as a result of poor traffic management, companies are starting to realise the level of risk that they are putting their staff, their company and in the case of council work Nelson City Council in if they do not have people onsite with a higher level of understanding of traffic management requirements and are dedicated to the onsite traffic management. A result of this is we are seeing this in recent projects where contractors engage a full time Site Traffic Management Supervisor (STMS). In the past this role has often be shared with ground staffs' other tasks and has not been prioritised. While the focus on safety needs to be a priority this additional role does come with additional cost.

15. Key Performance Measures

- 15.1 As part of the development of the Long-Term Plan 2018-28 (LTP) Council approved levels of service, performance measures and targets for each activity. There are 35 performance measures that fall under the Infrastructure Committee. The results for each performance measure will be reported on through the Annual Report.
- On track
 - Not on track
 - Achieved
 - Not achieved



15.2 Attachment two lists all performance measures within the Infrastructure Committee delegations, their status and commentary for the quarter.

15.3 Overall, 28 out of the 35 performance measures can be confirmed as being on track. Six performance measures are presently 'Not on track' and two performance measures have 'Not been measured yet' at this time.

15.4 For utilities, one performance measure not on track is within the Flood Protection activity, *'Develop risk based Maitai flood response options – Community engagement on response options.'*

Officers ran a public workshop at the Infrastructure Committee on the 11 February 2021. Following this workshop, consultation with the community was planned to begin following the Nelson Plan consultation on Flood Hazards in May/June 2021. However, due to the delay with the Nelson Plan, consultation is now anticipated to take place in Quarter 1 & Quarter 2 of the 21/22 FY.

15.5 In the 25 February 2021 Quarterly Report, officers had reported that one performance measure was not on track, *'100% compliance with the Nelson North Wastewater Treatment Plant (Plant) resource consent'*. This performance measure was at risk, due to issues surrounding the high total suspended solids (TSS) being experienced in the treated effluent prior to discharge to sea. Due to seasonal algae change, and improved management of the wetlands, officers can confirm that this performance measure is now back on track.

15.6 Three of the seven transport measures are not on track, two have not been measured due to timing, and two are on track.

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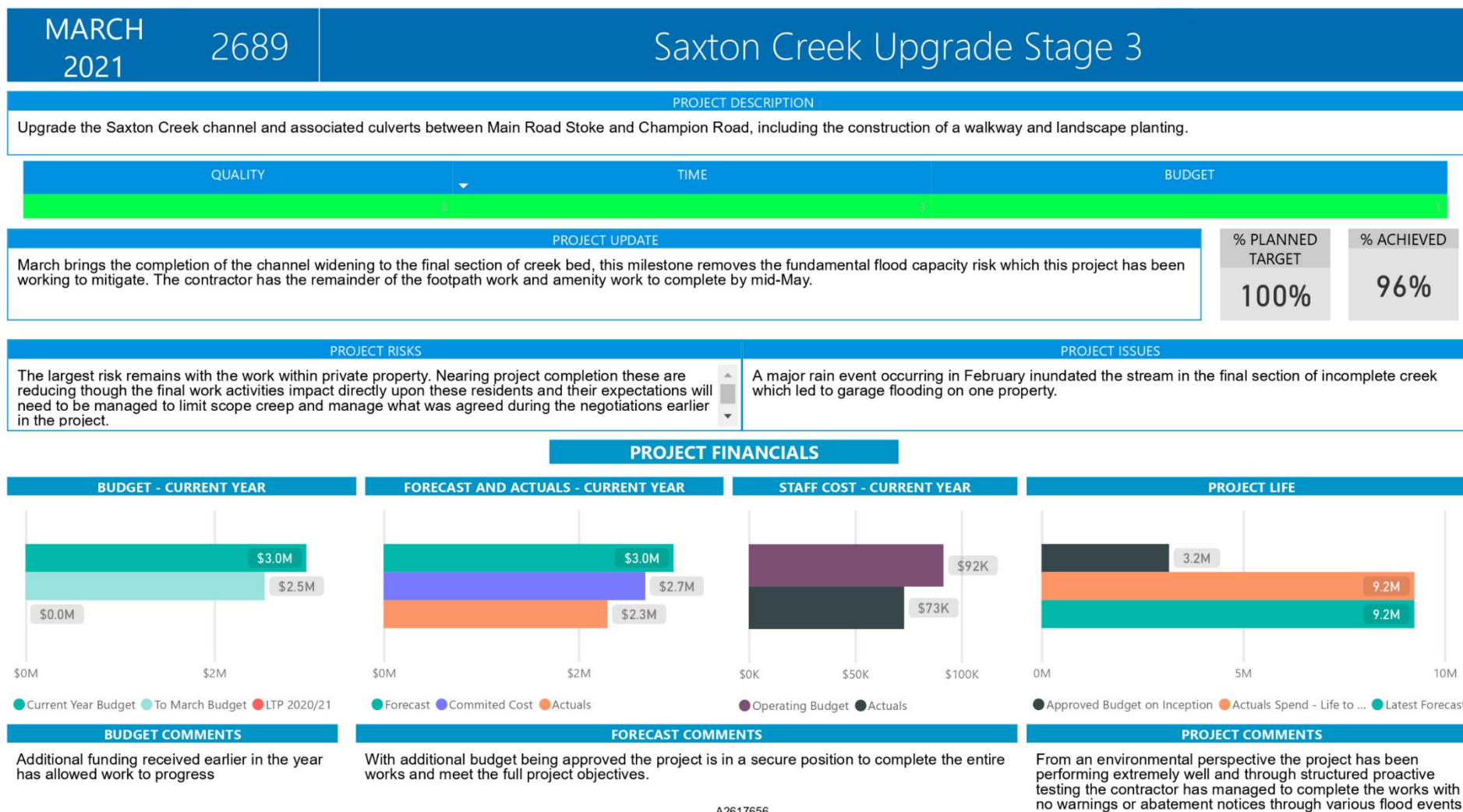
- 15.6.1 There have been 14 DSI (Deaths and /or Serious Injuries) crash events on the local road network to the end of March 2021. One crash resulted in a fatality. This is one more than the full year in 2018/19 and 4 more than the full year in 2019/20 (affected by COVID -19 shutdowns).
- 15.6.2 NBus patronage for the third quarter was 87% of the same quarter in 2019/20. Patronage patterns have been affected by COVID-19 but less so here than in other metropolitan areas.
- 15.6.3 Residents' Survey is undertaken in 4 waves, the results for November and December averaged 19% of those surveyed journeyed to work by walking, running, or cycling. The annual figure for 2019/20 was 16% and the end of year target for 2020/21 is 21%.
- 15.7 Quantity of waste to landfill per capita is not on track. The results for this measure in 2019/20 were skewed by two months of low tonnage caused by minimal commercial activity during COVID-19 lockdowns. This created an end of year (EOY) artificially low waste figure of 565Kg, per capita.
- 15.8 This has also resulted in YTD 2020/2021 disposal being over 5,000 tonnes (of general, commercial skips, and demolition) higher than the YTD 2019/20 year, but this total is not significantly different from the YTD 2018/19 year. Due to COVID-19's influence future comparisons will be more informative if made against the 2018/2019 year.
- 15.9 There has been a significant increase in home renovation (potentially due to the inability to travel overseas). In the last quarter of 2020/21, there will be more waste disposed than for the same period last year, resulting in an EOY projection of 625Kg per capita.

Author: Lois Plum, Manager Capital Projects

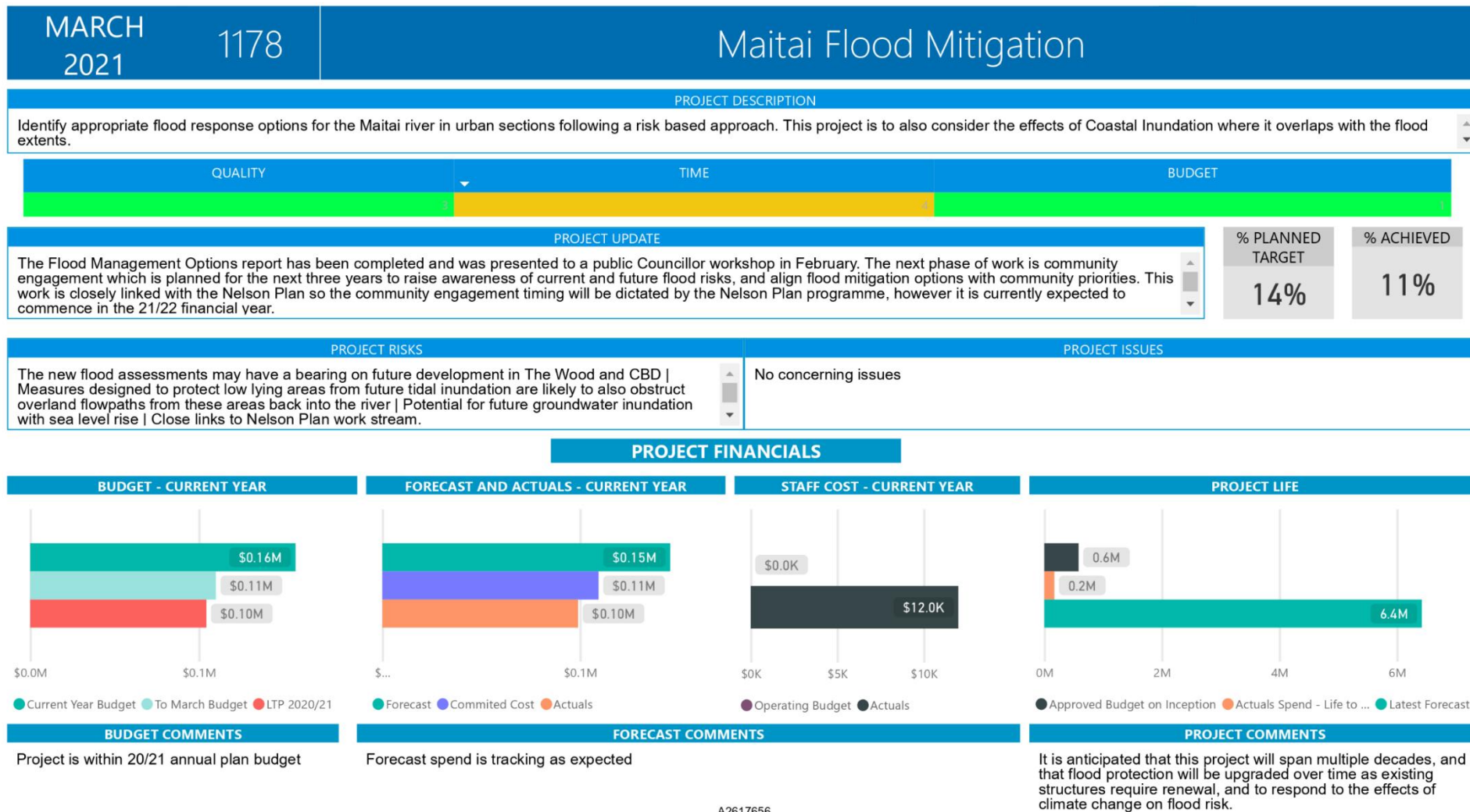
Attachments

Attachment 1: A2617656 - Infrastructure Q3 one page reports [↓](#)

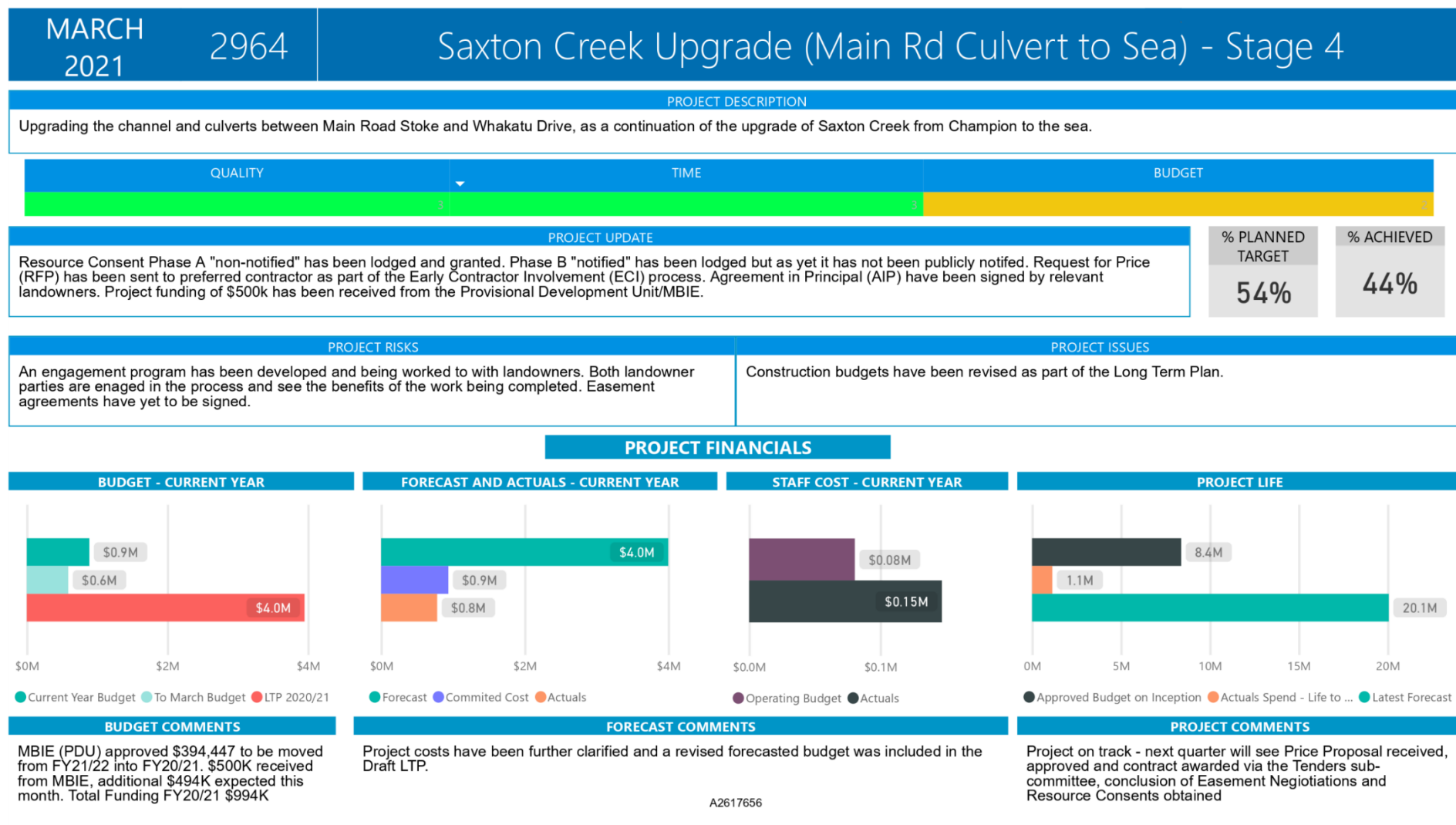
Attachment 2: A2629920 - Infrastructure Q3 Performance measures [↓](#)



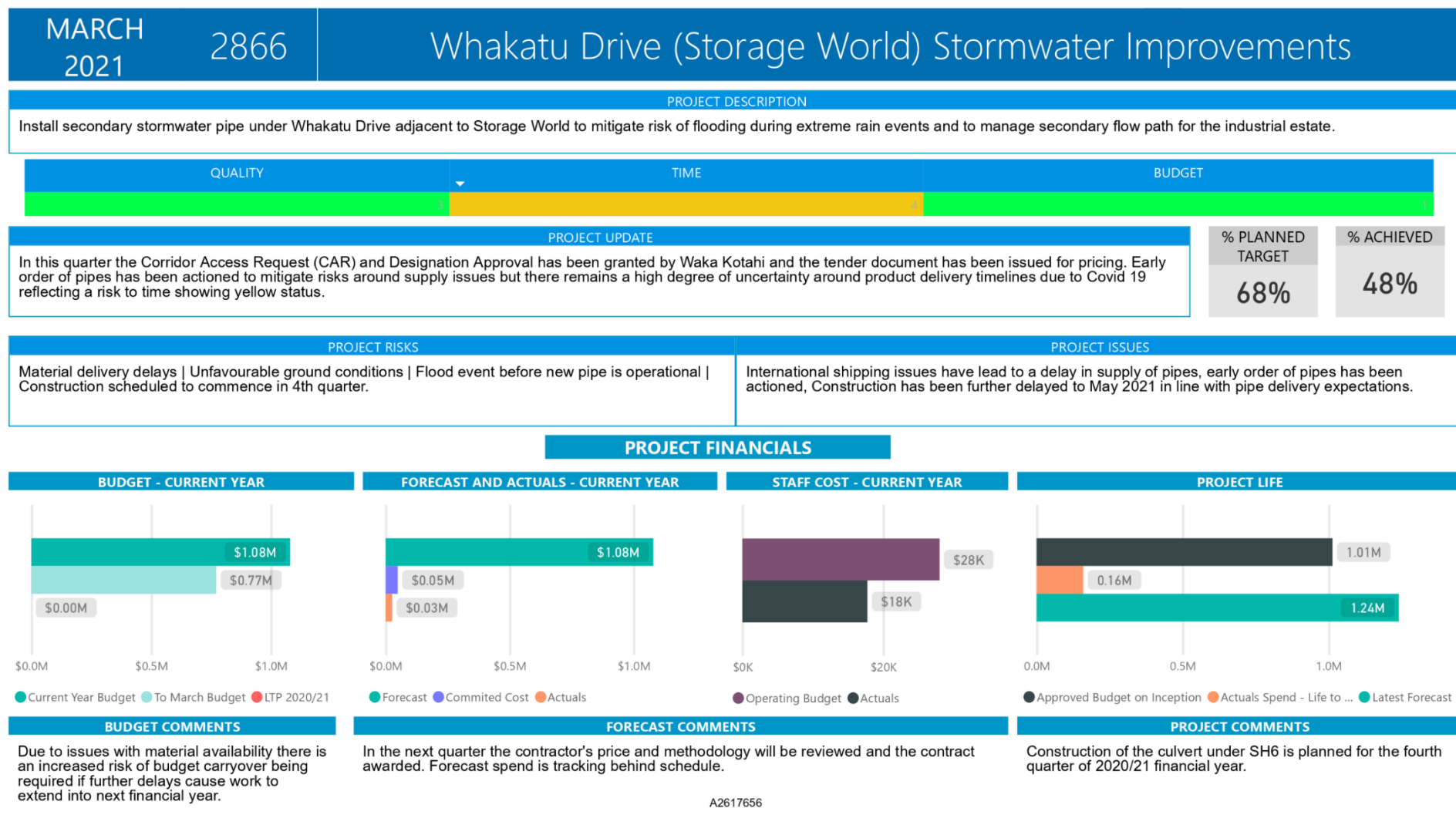
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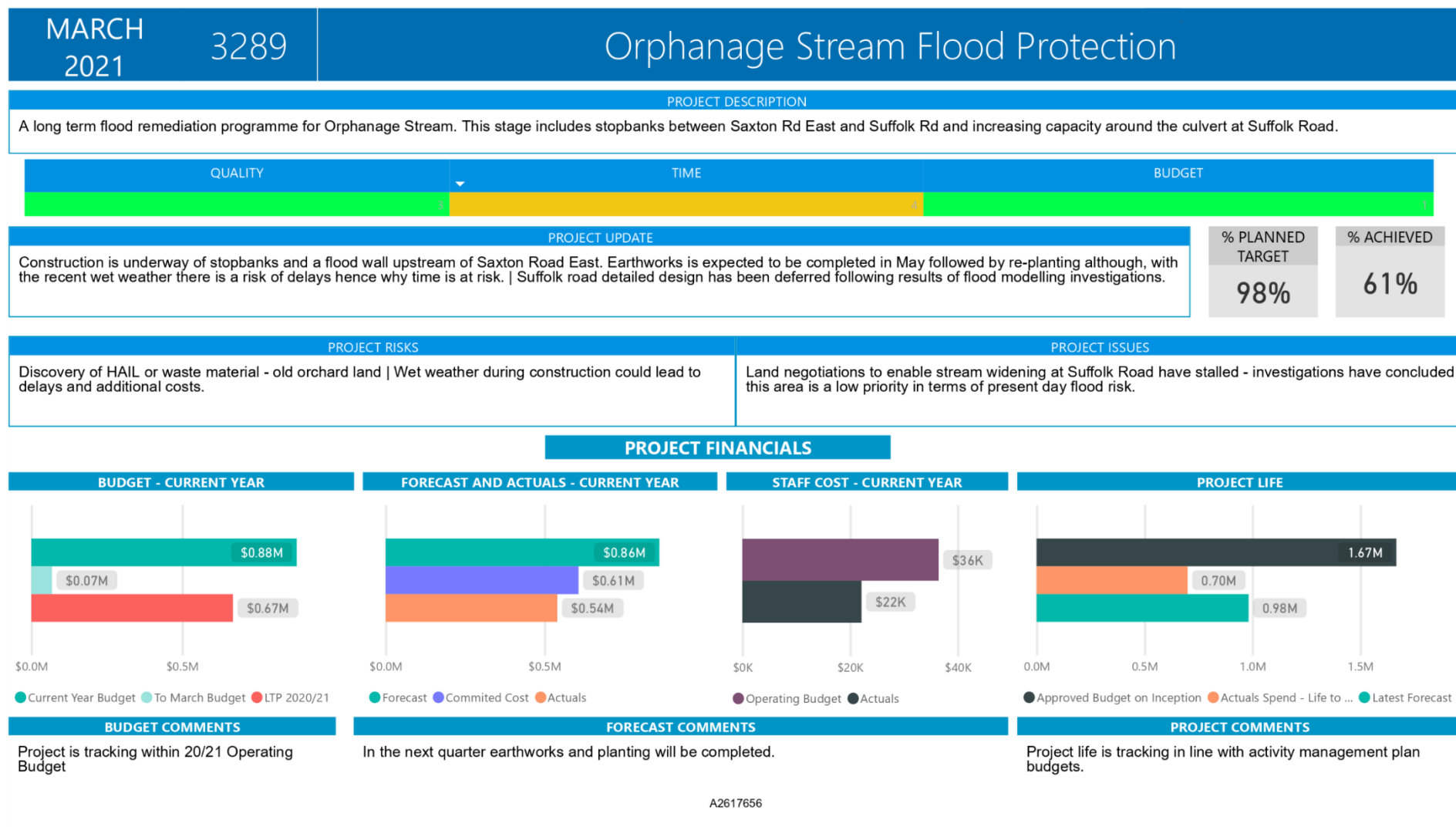
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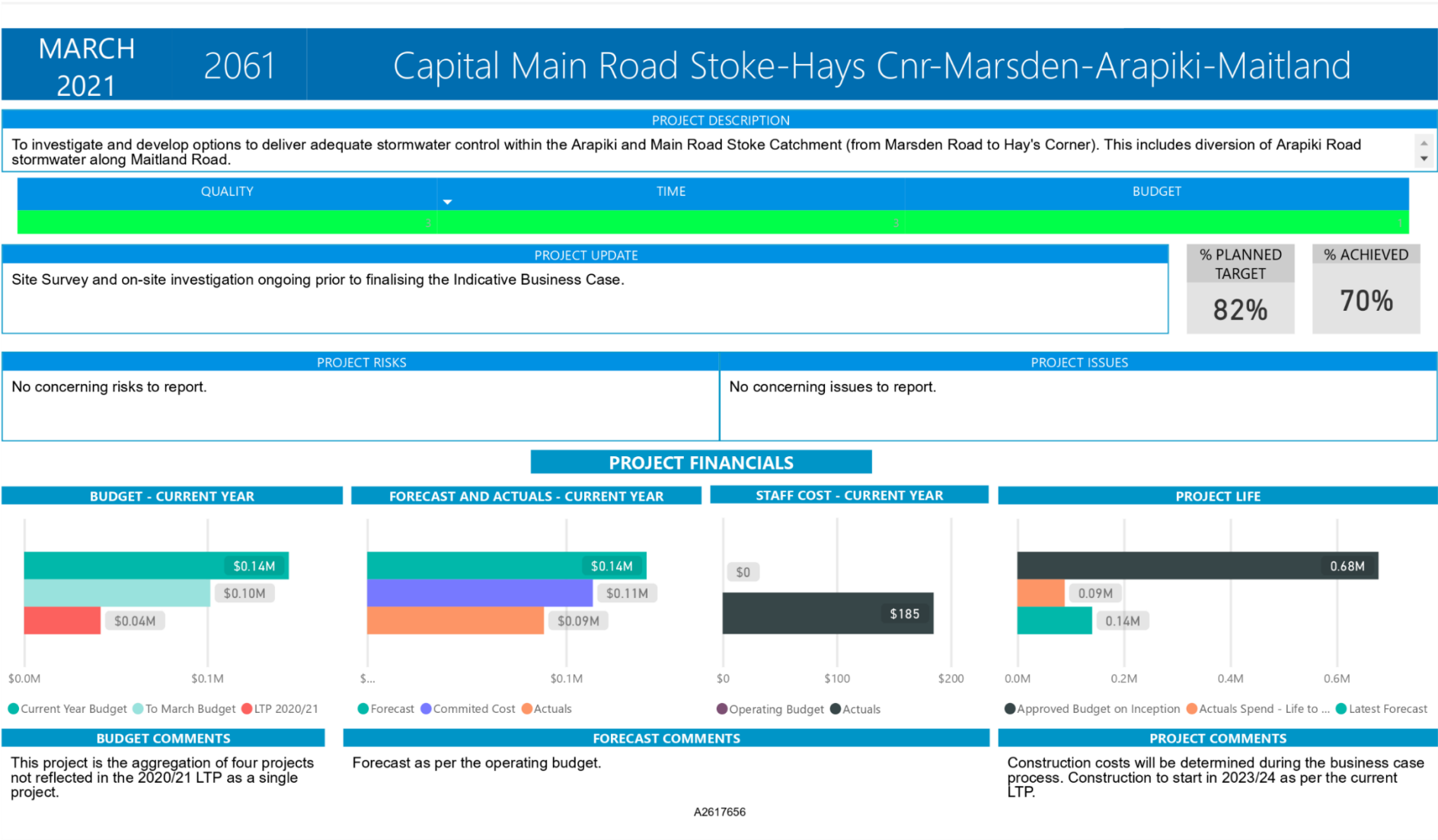


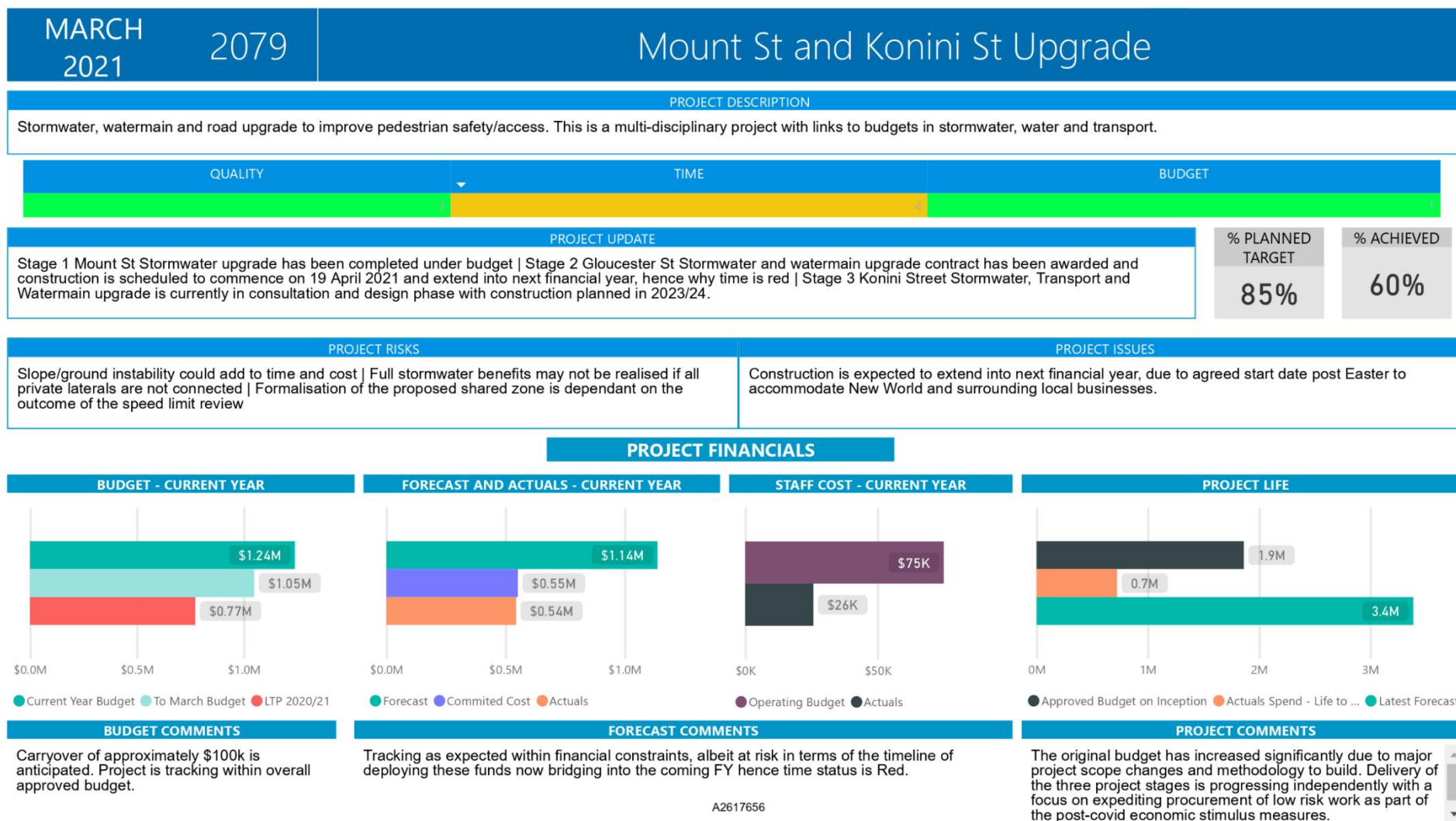
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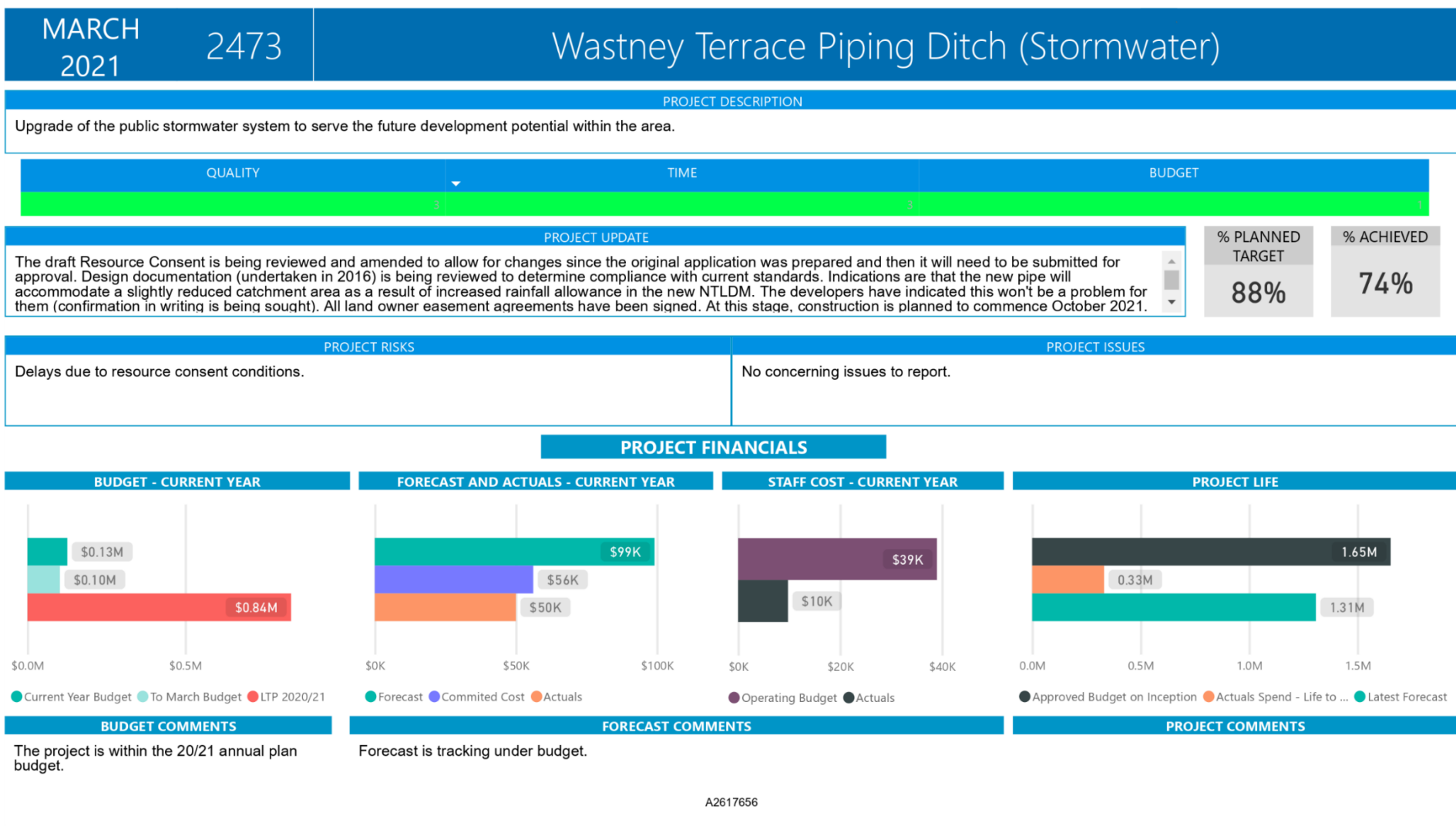
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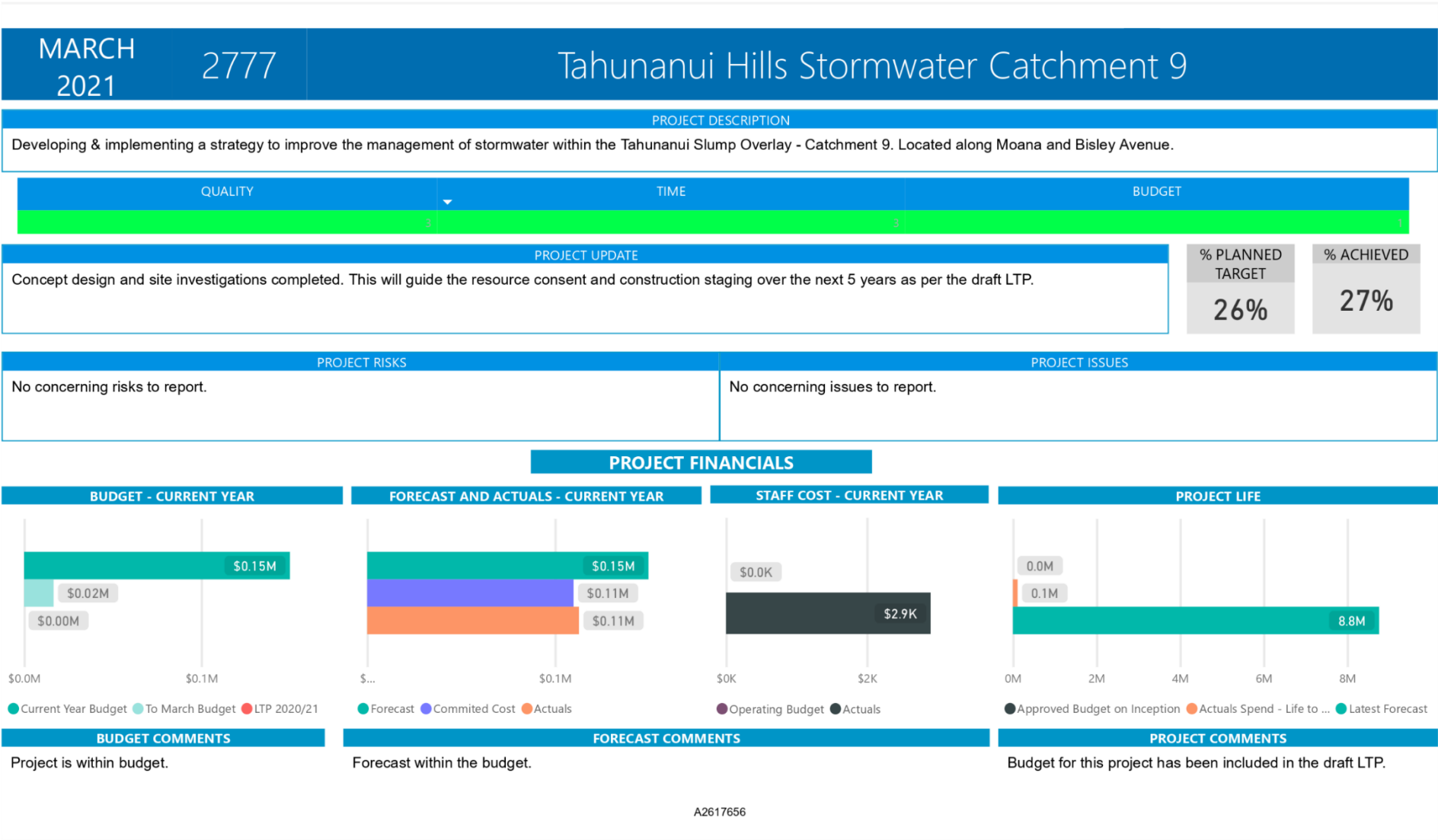


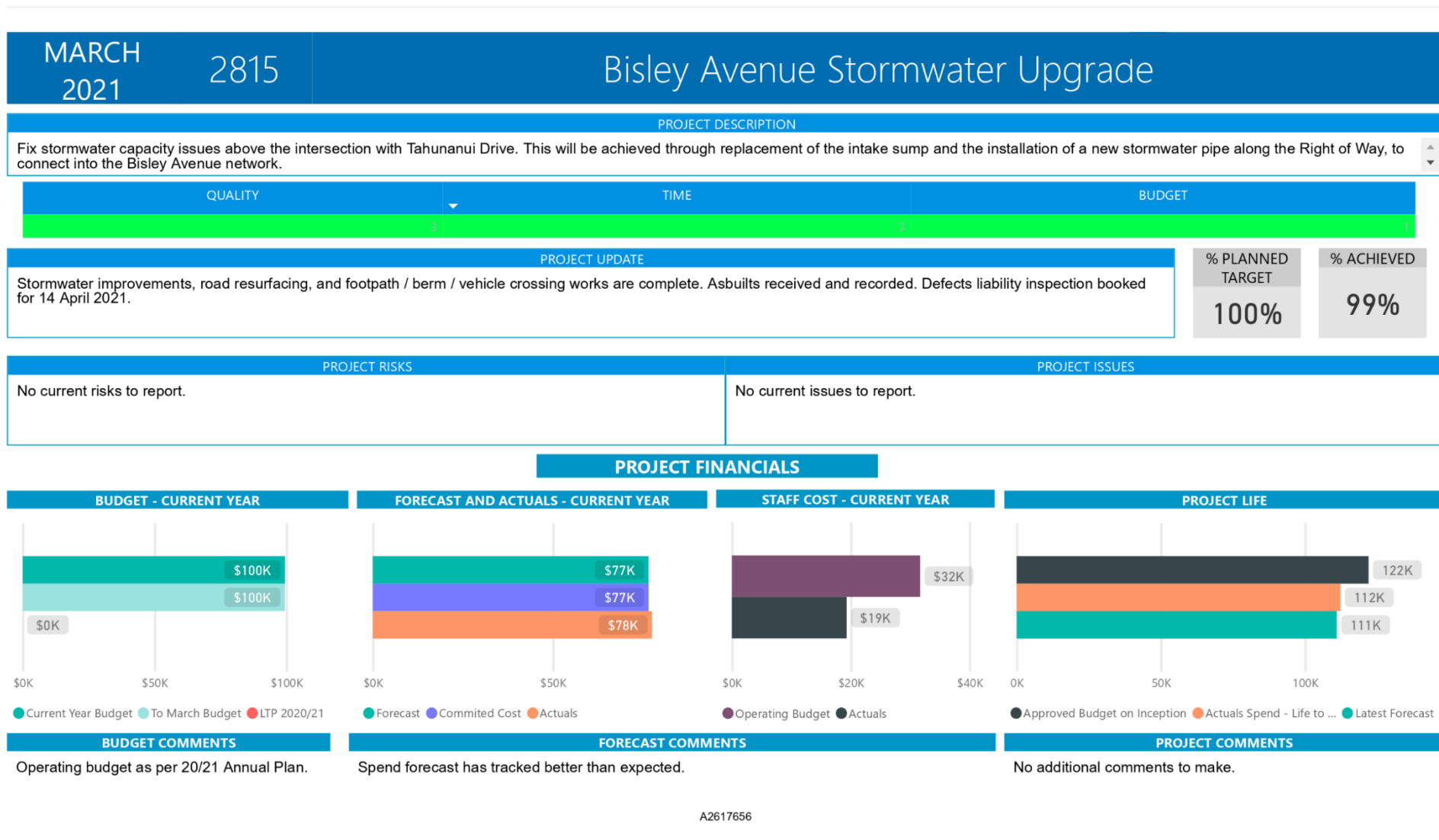


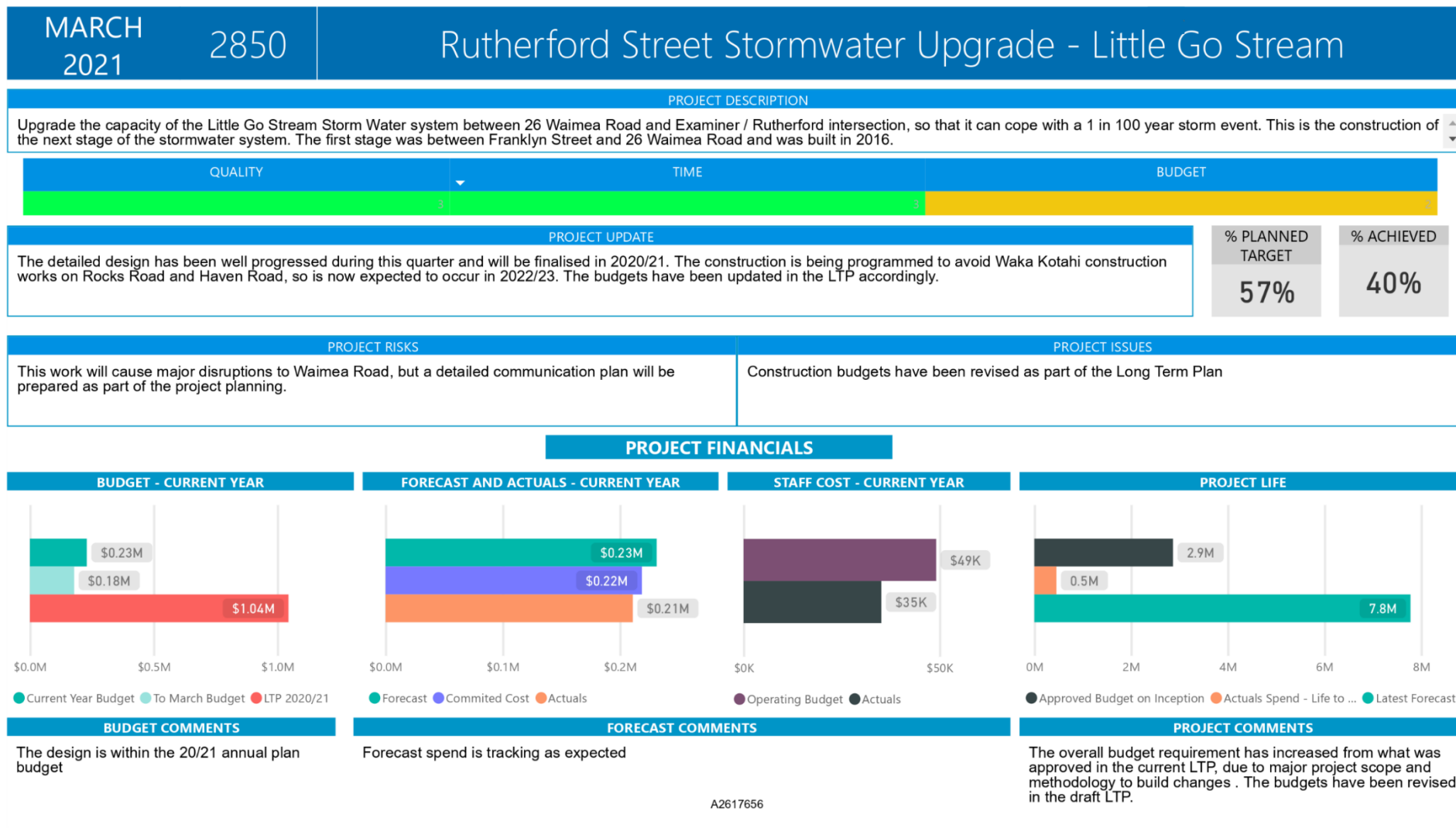
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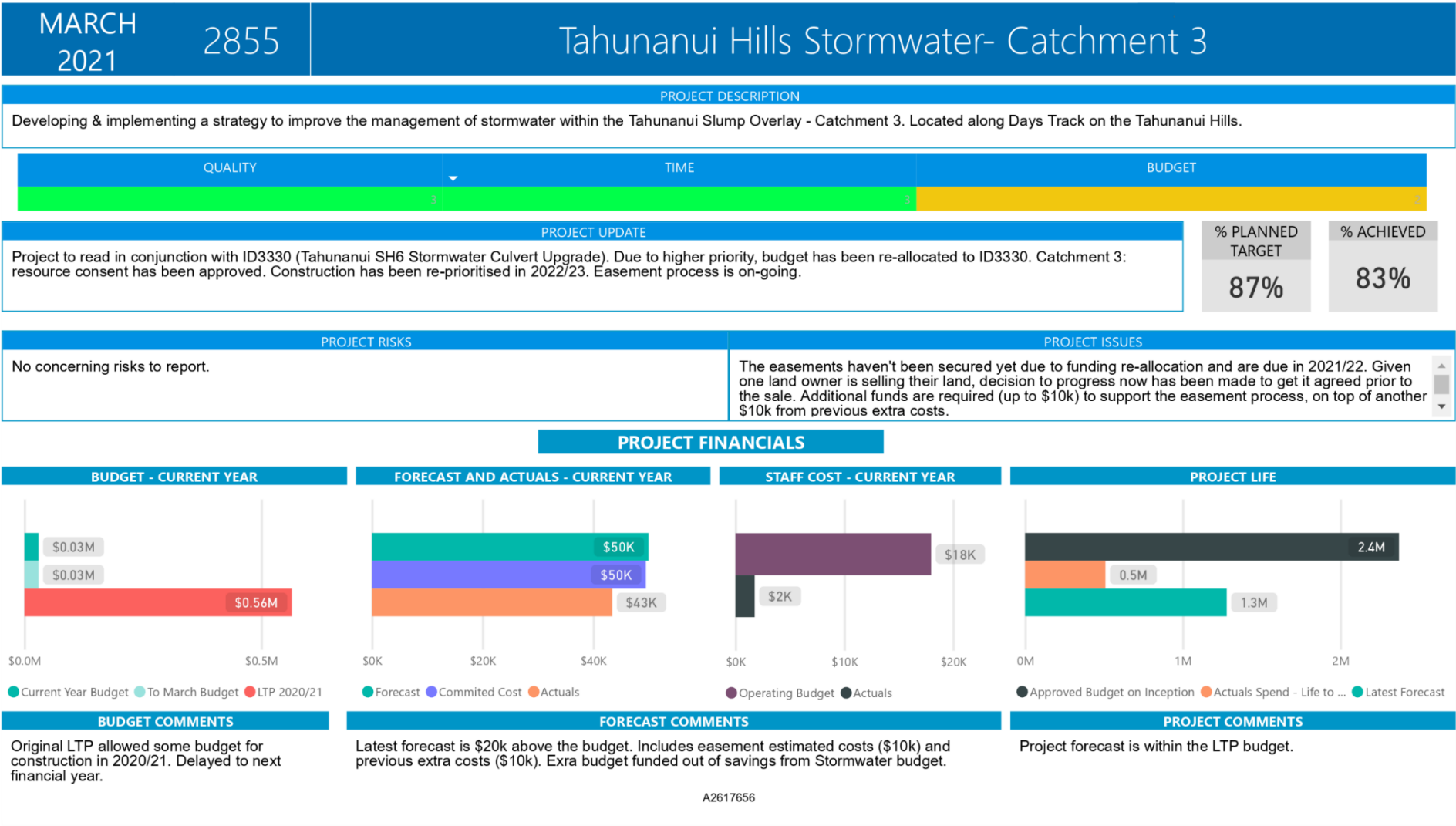
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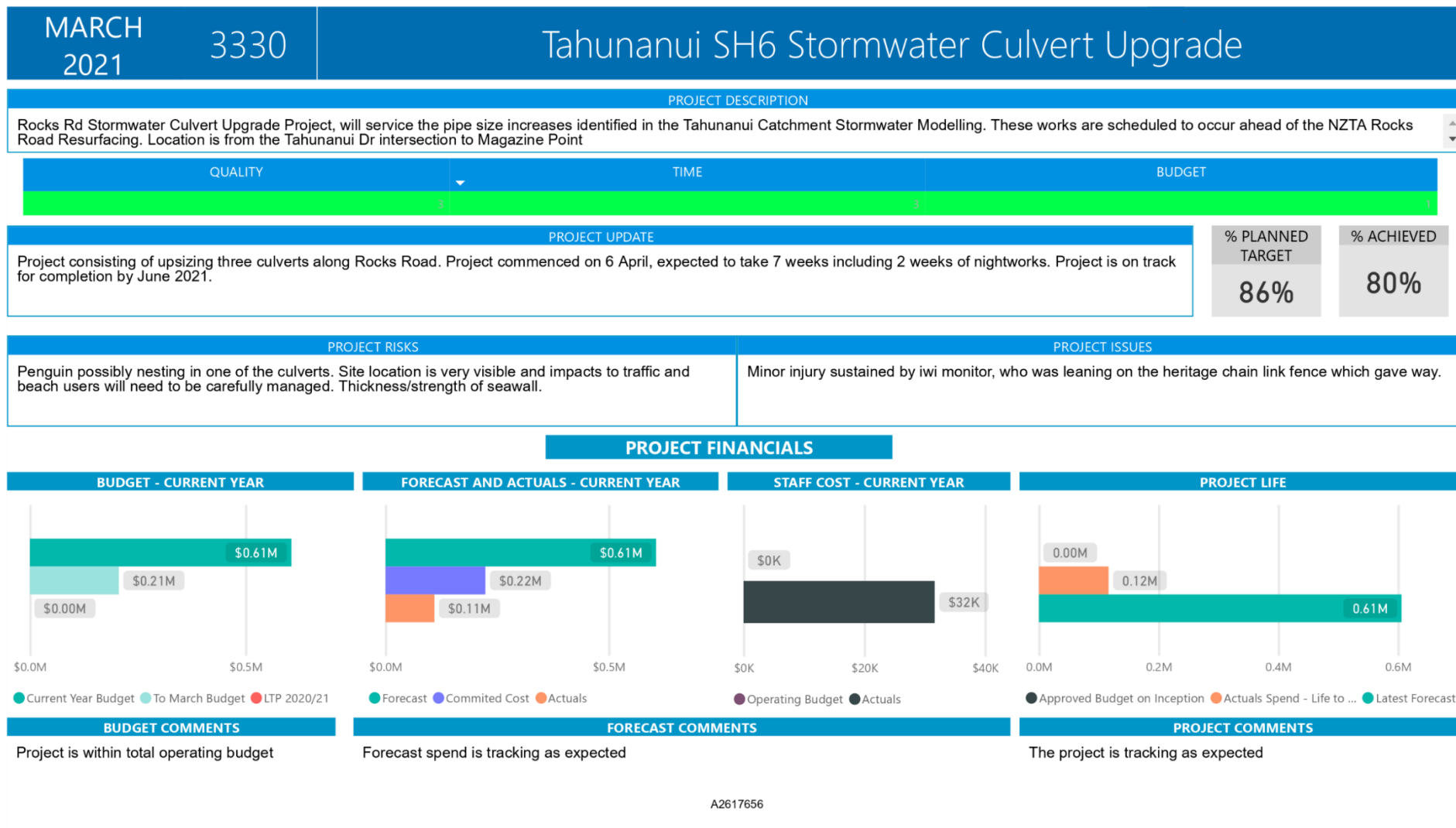


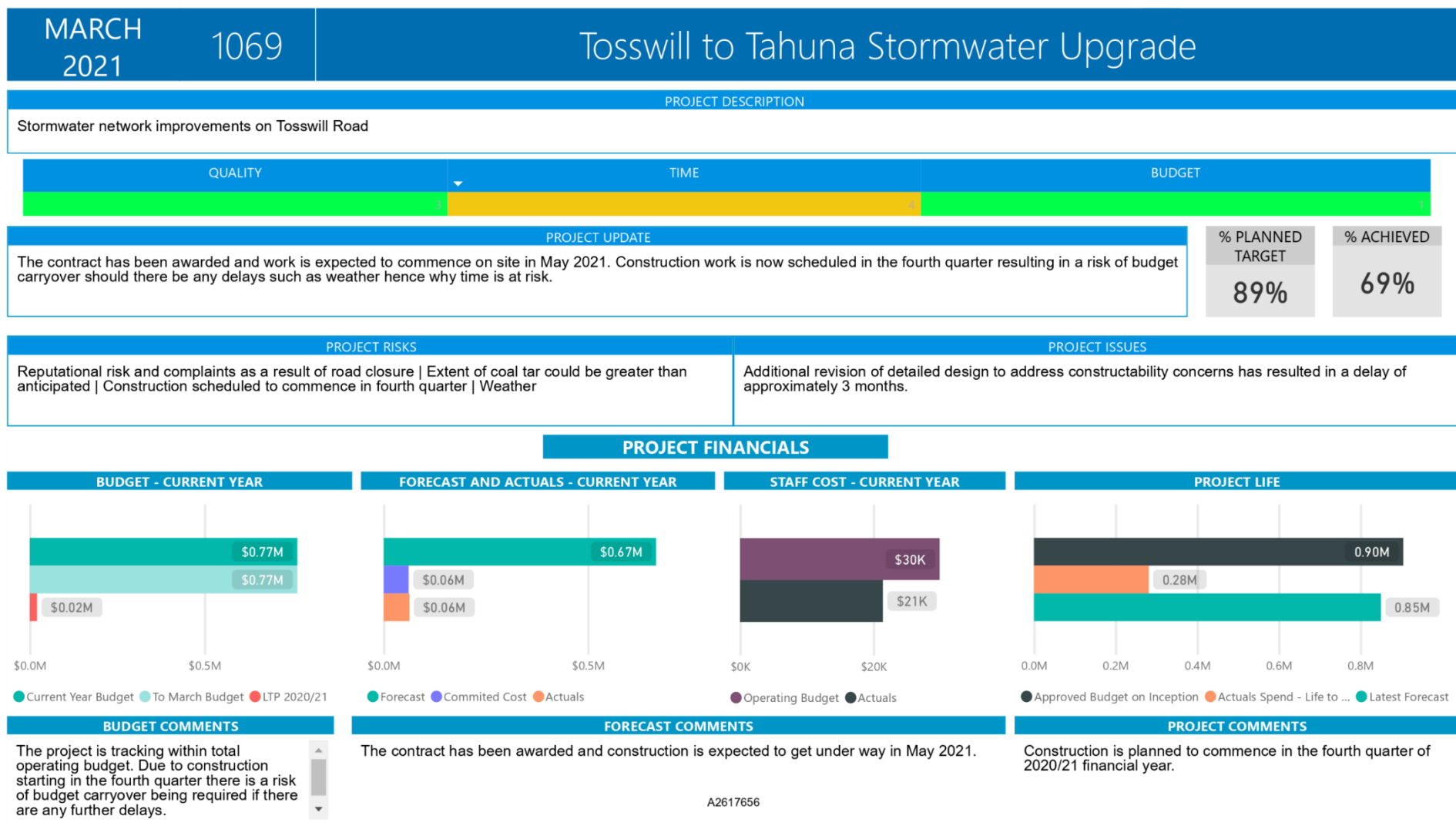


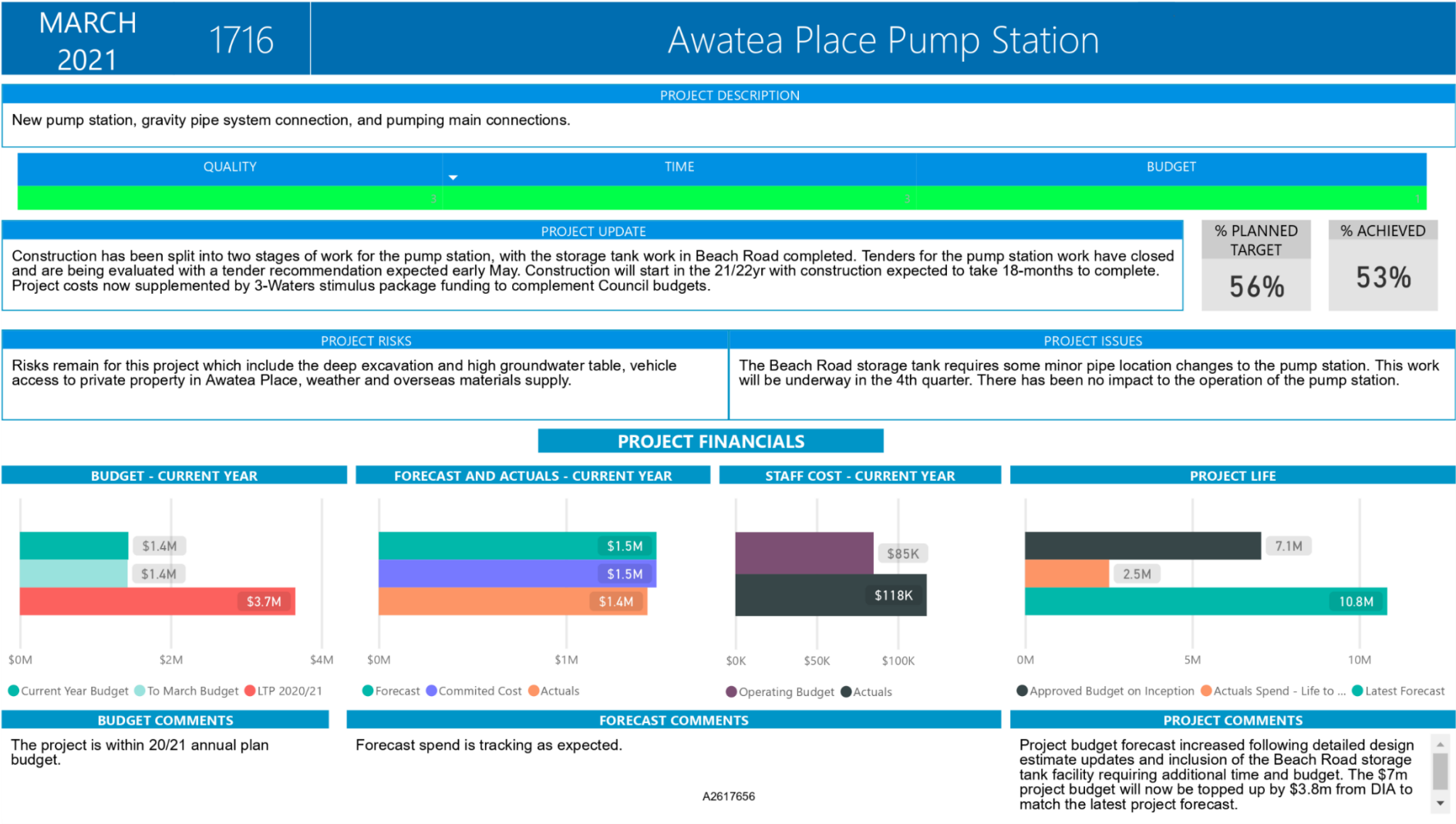


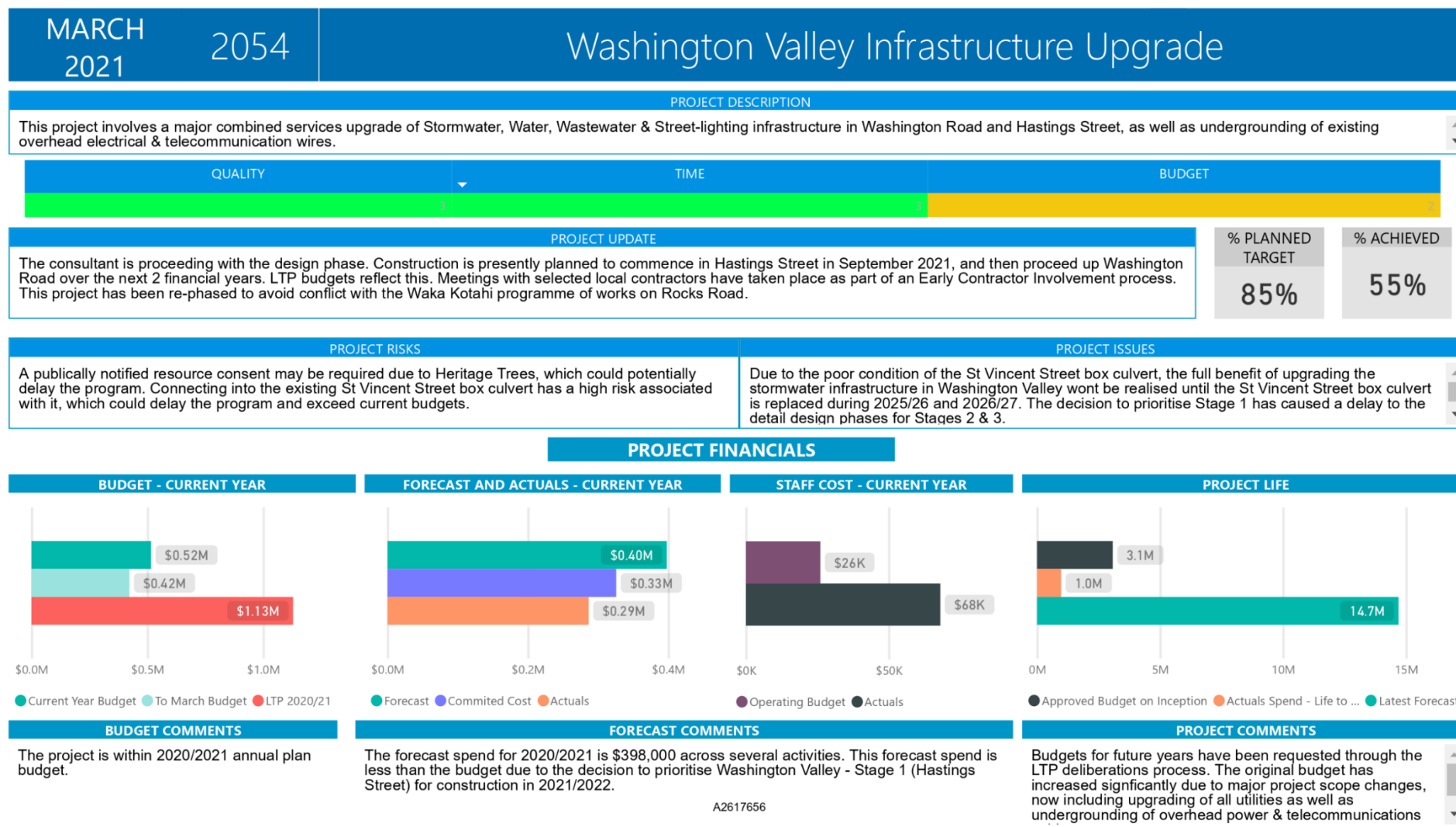
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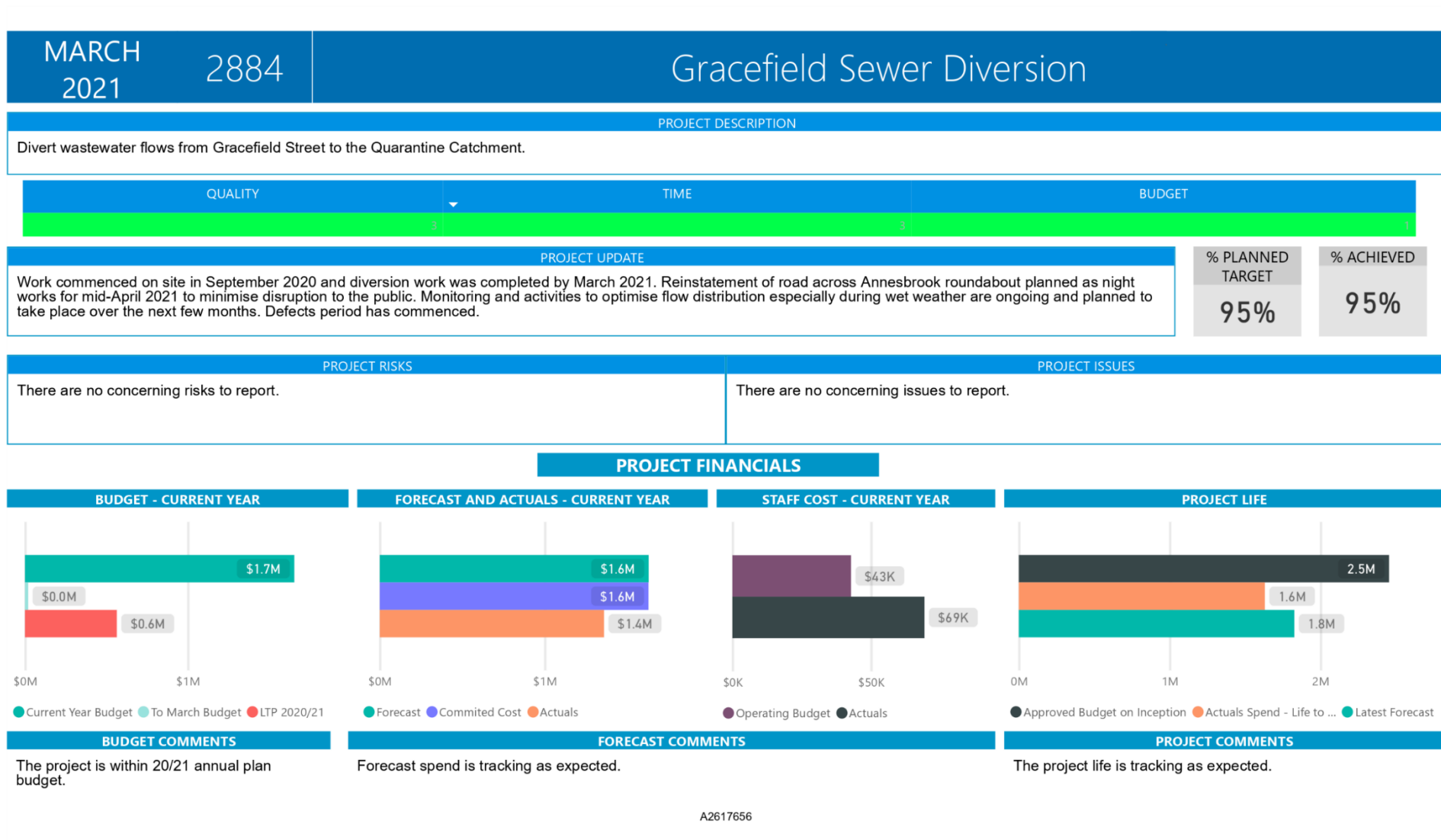


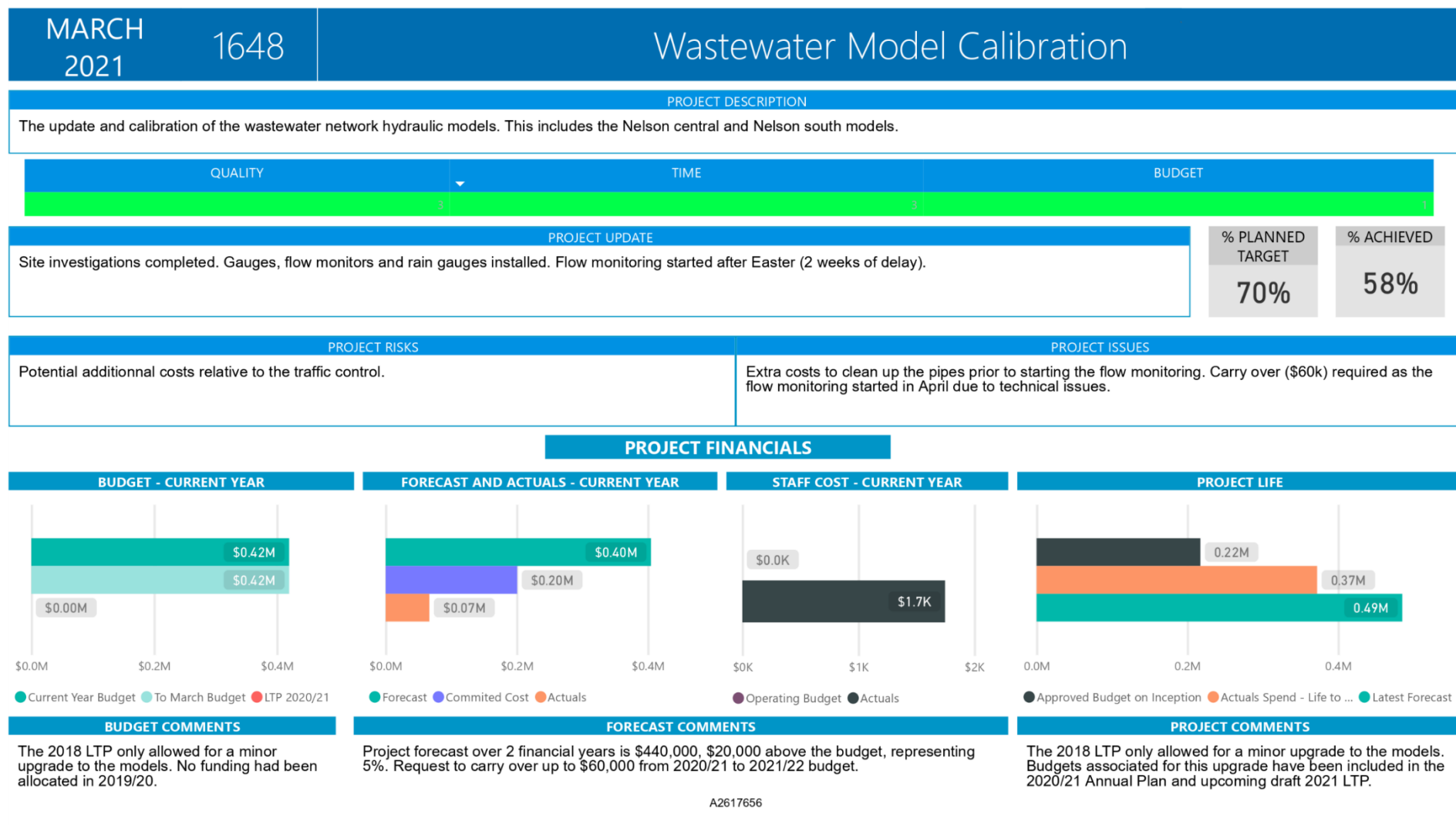


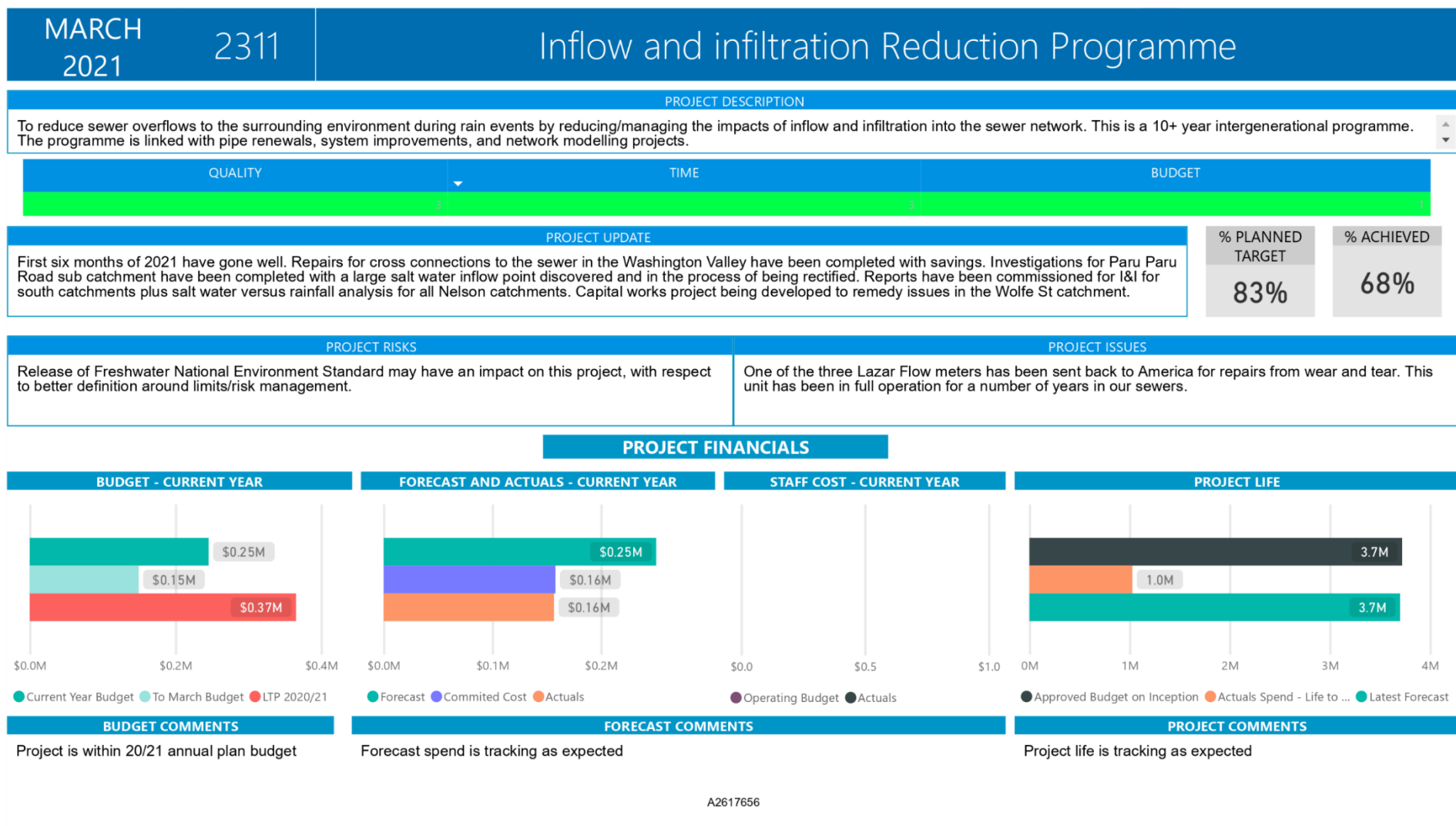


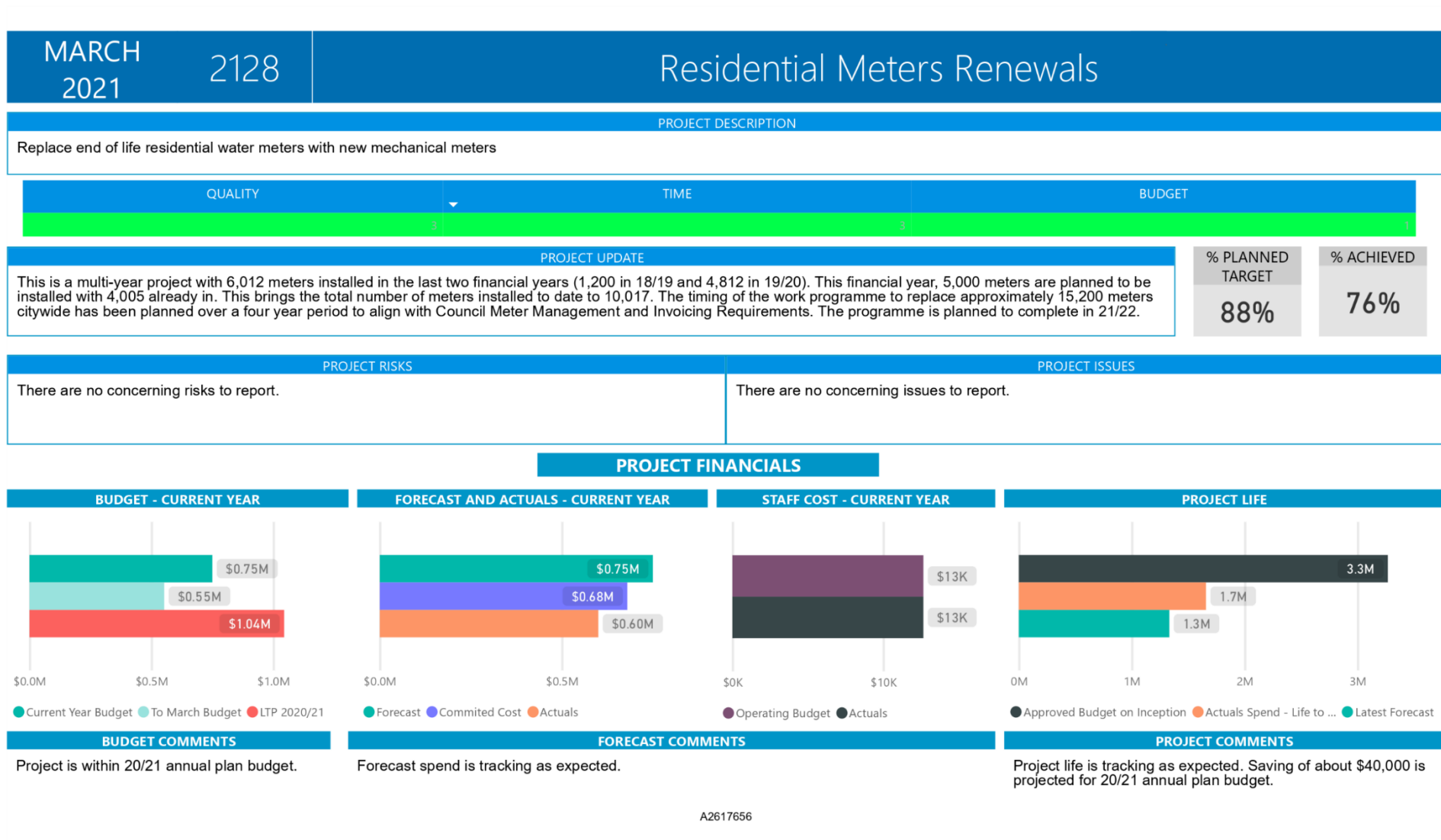


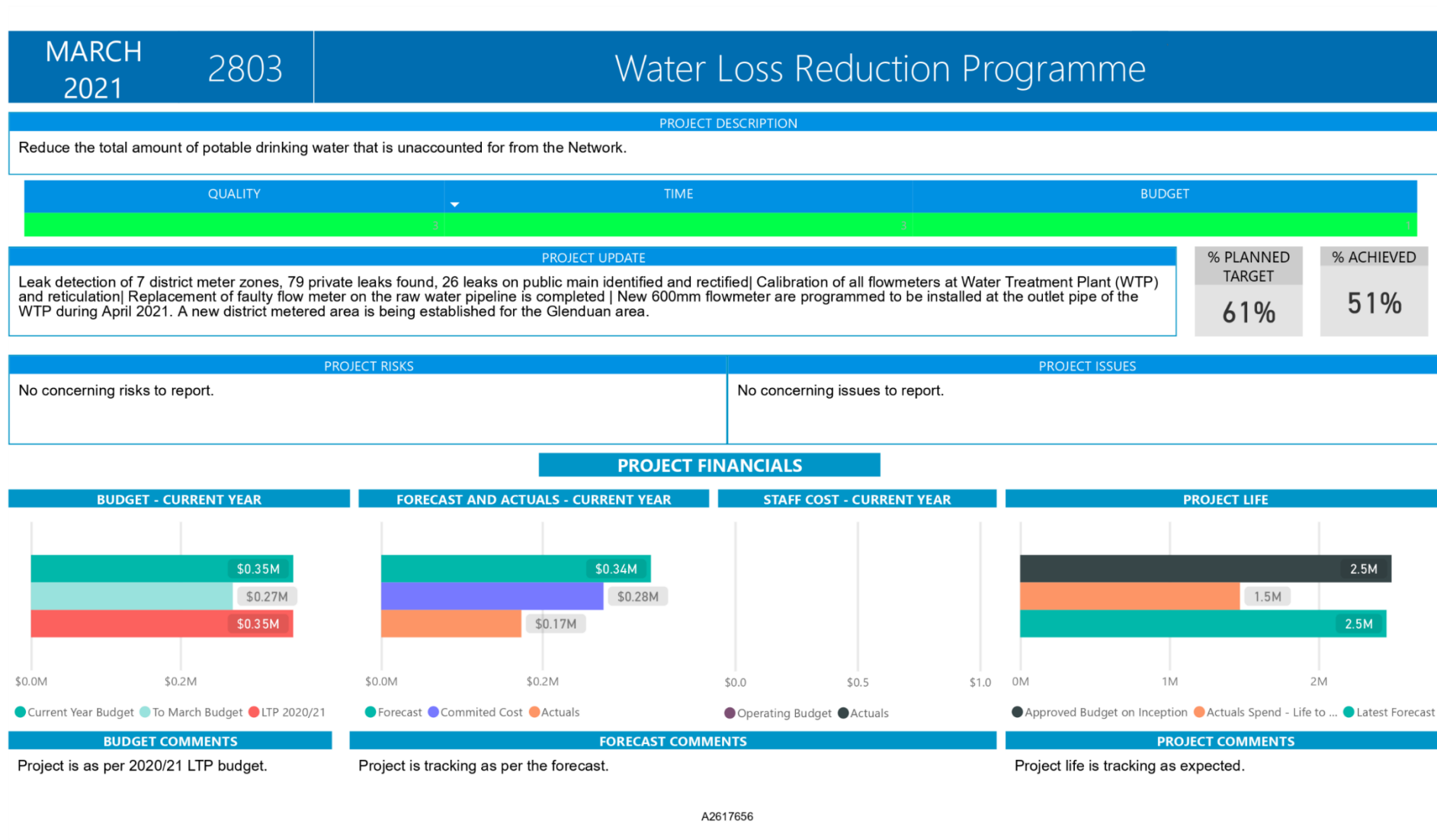
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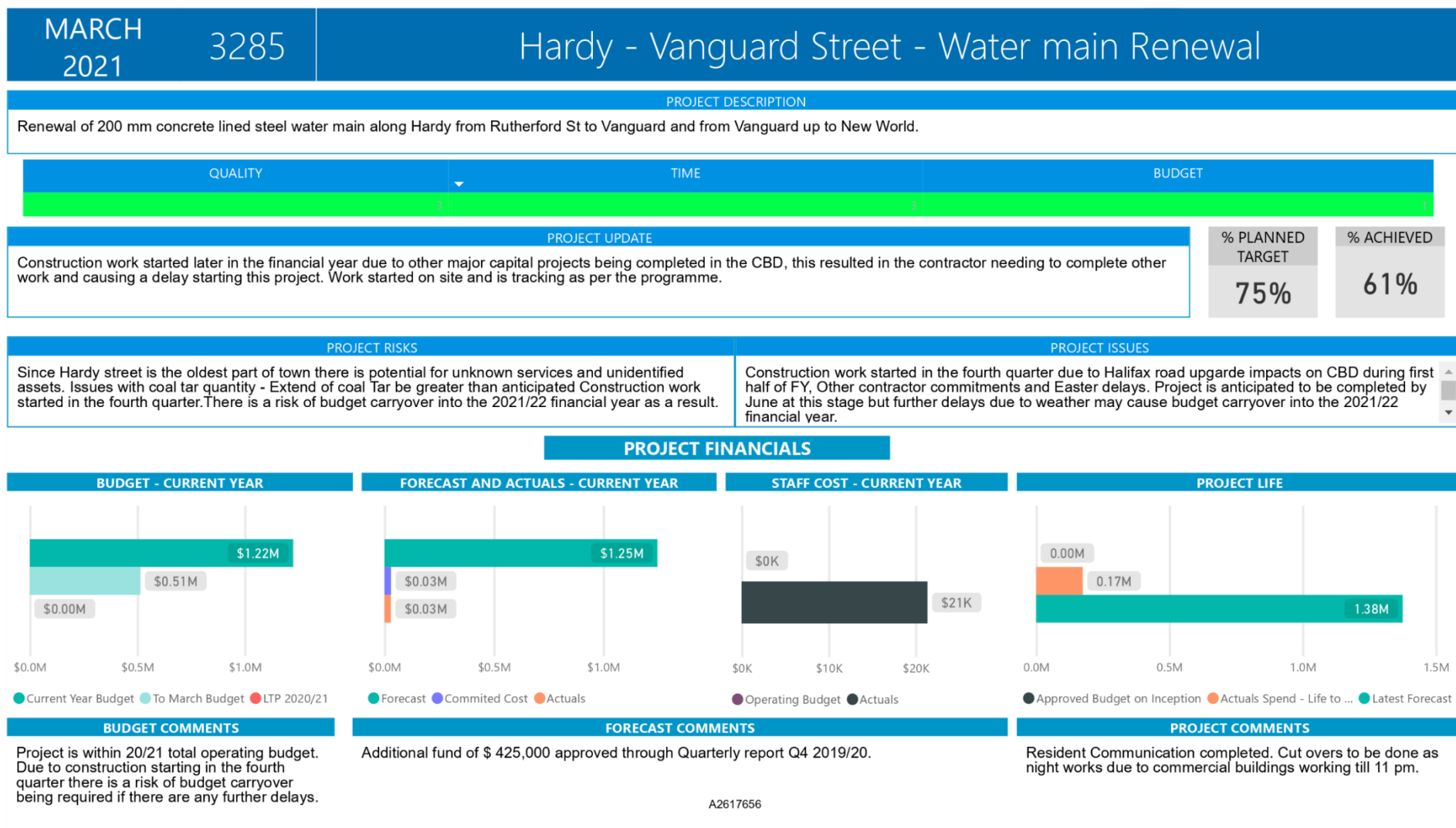




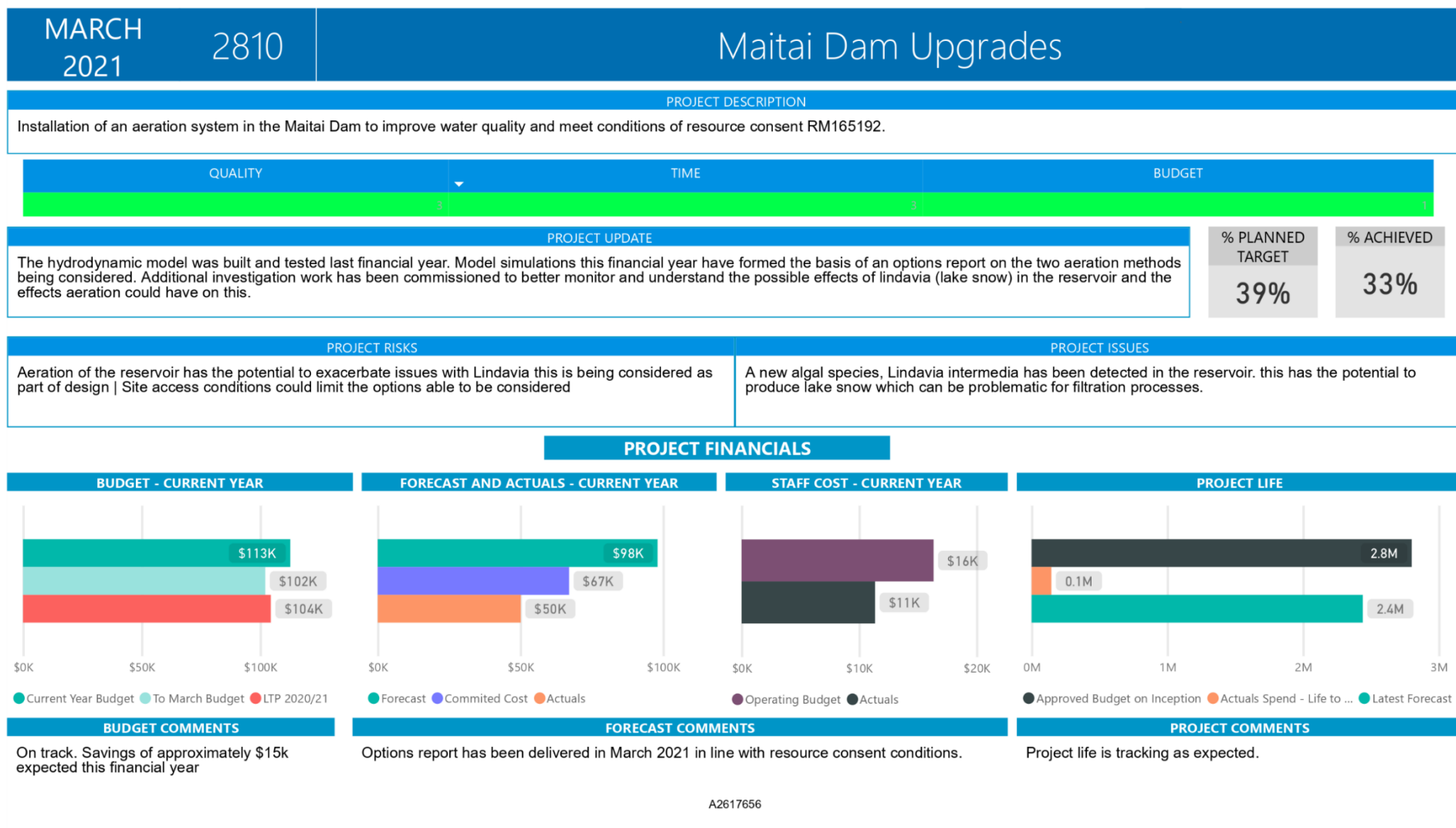


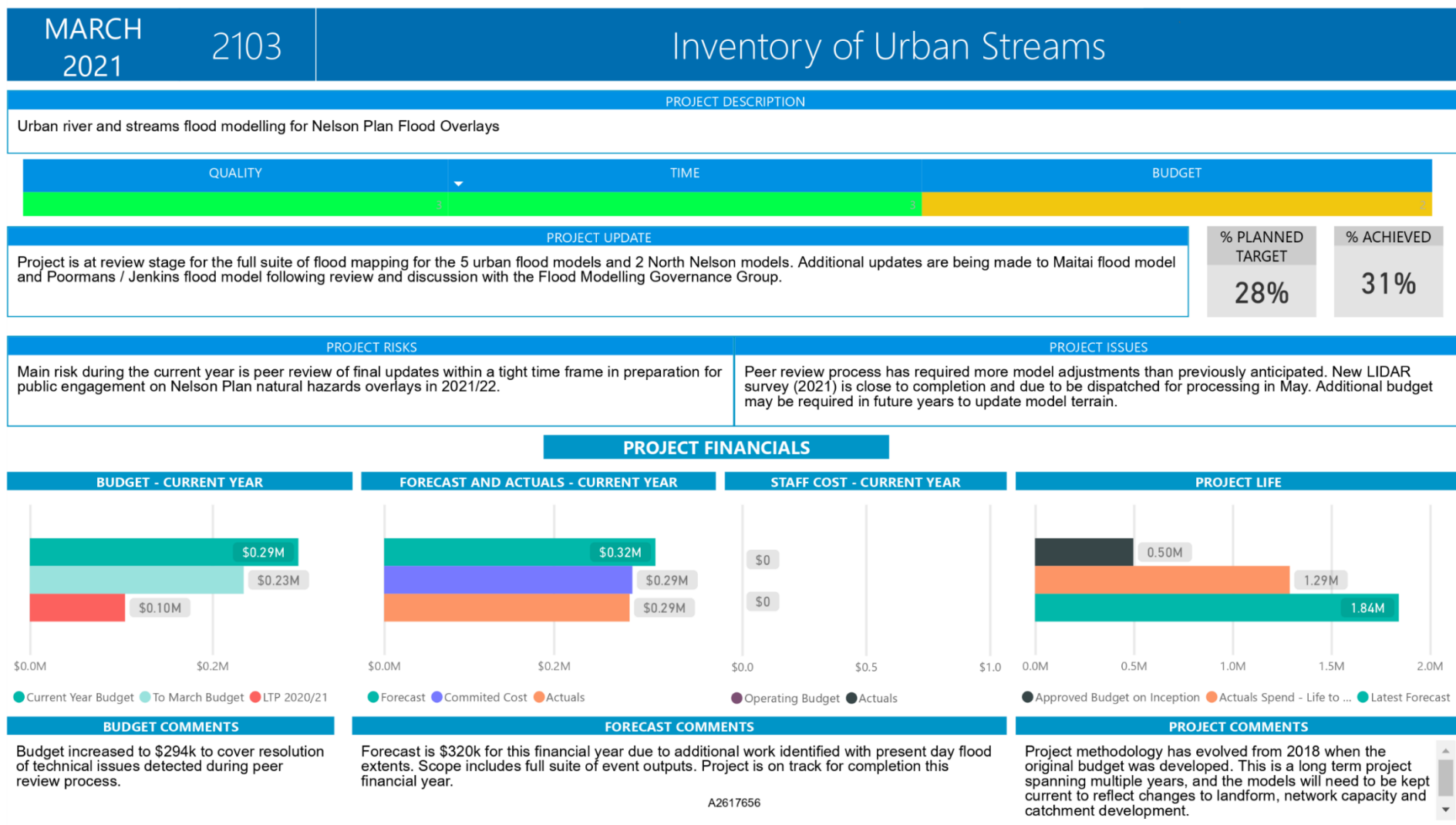




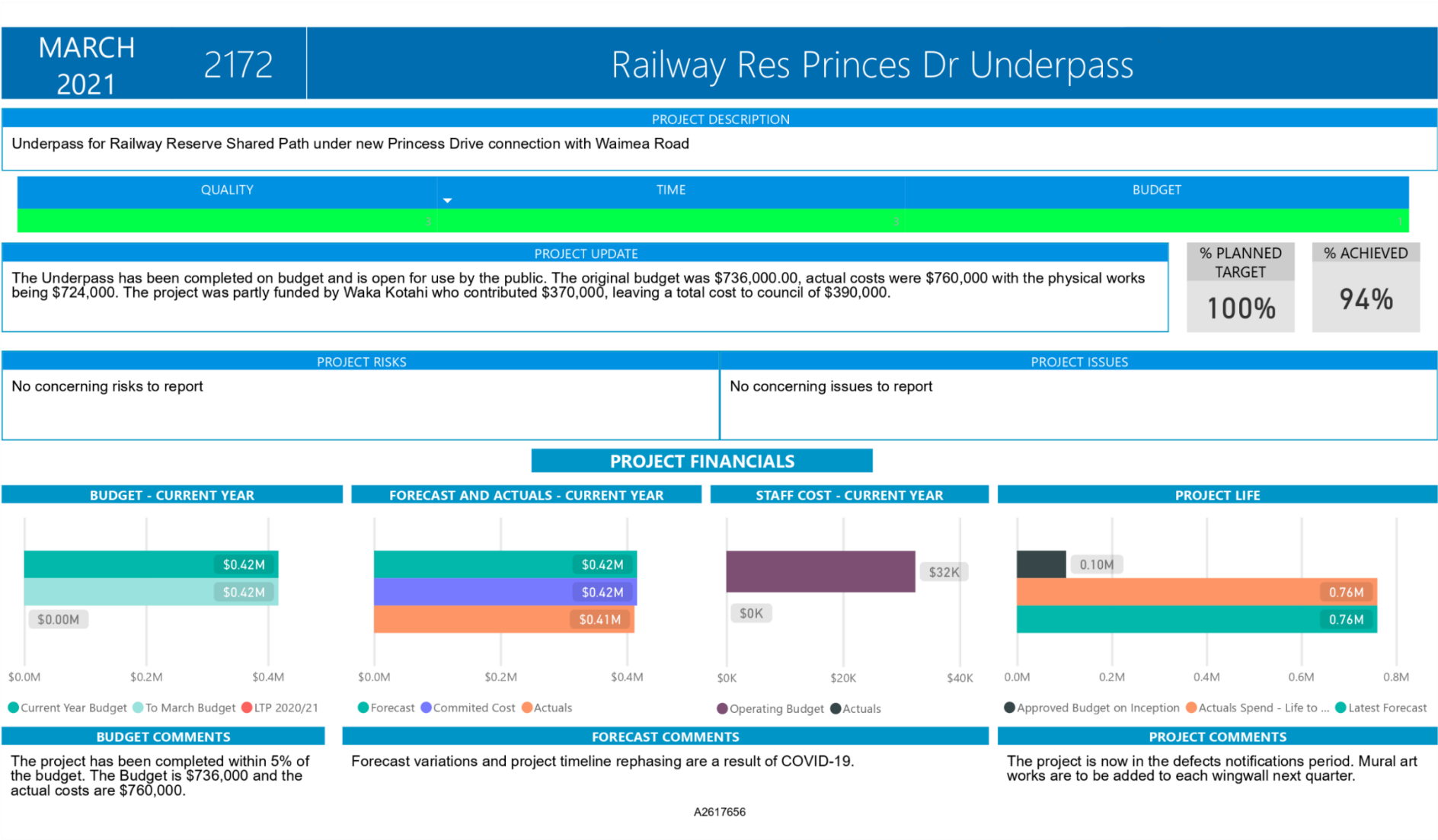


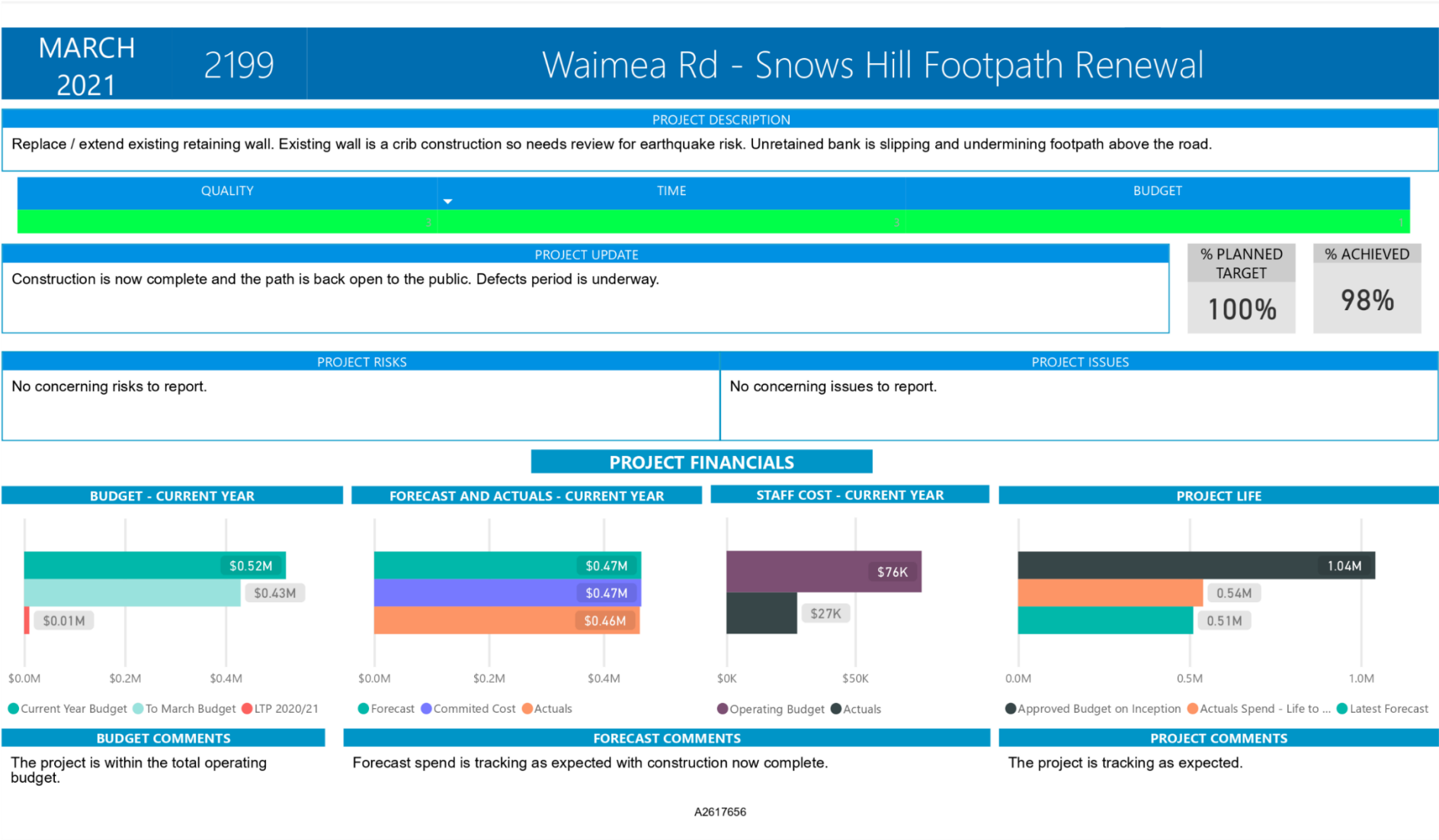
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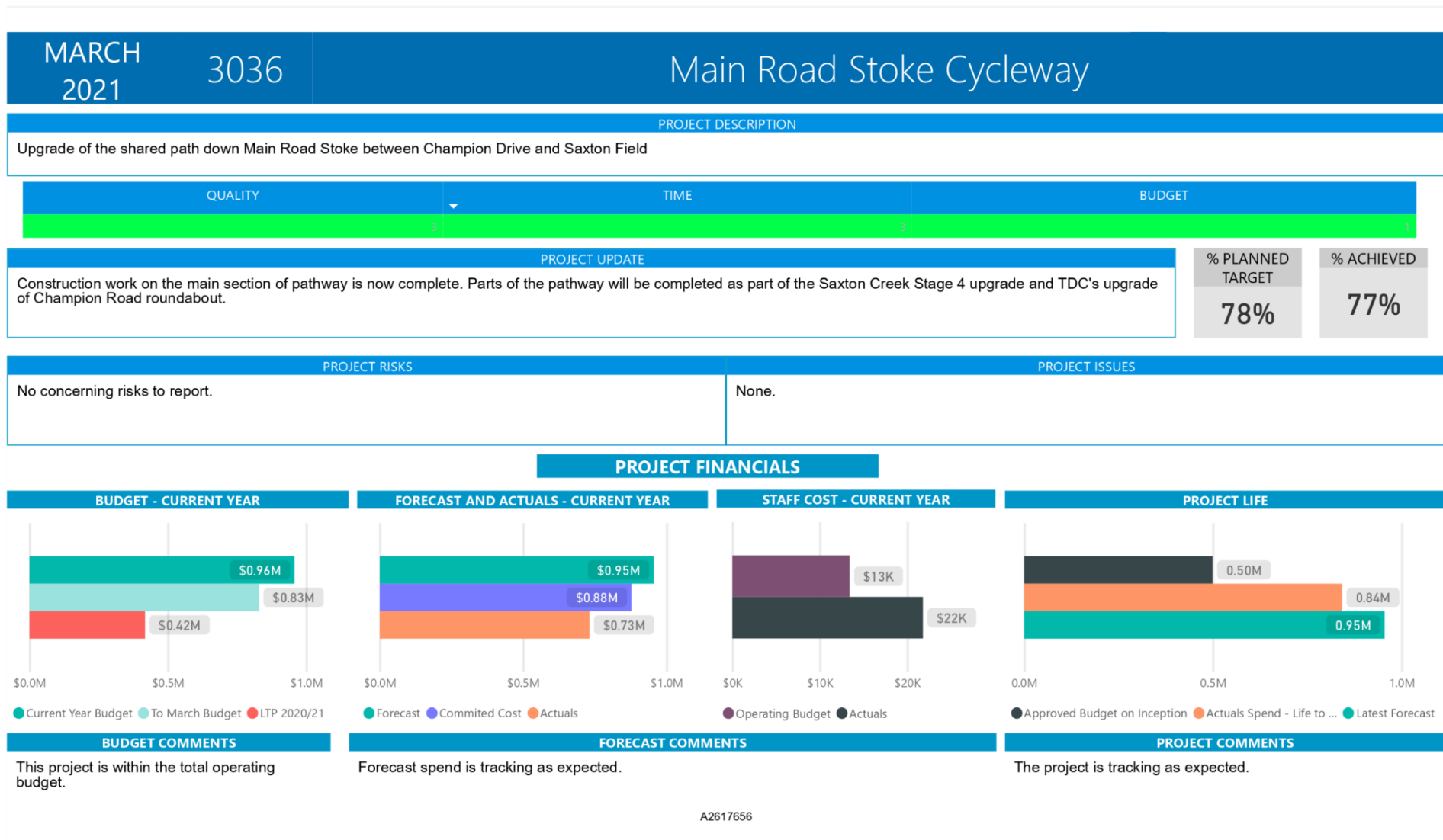


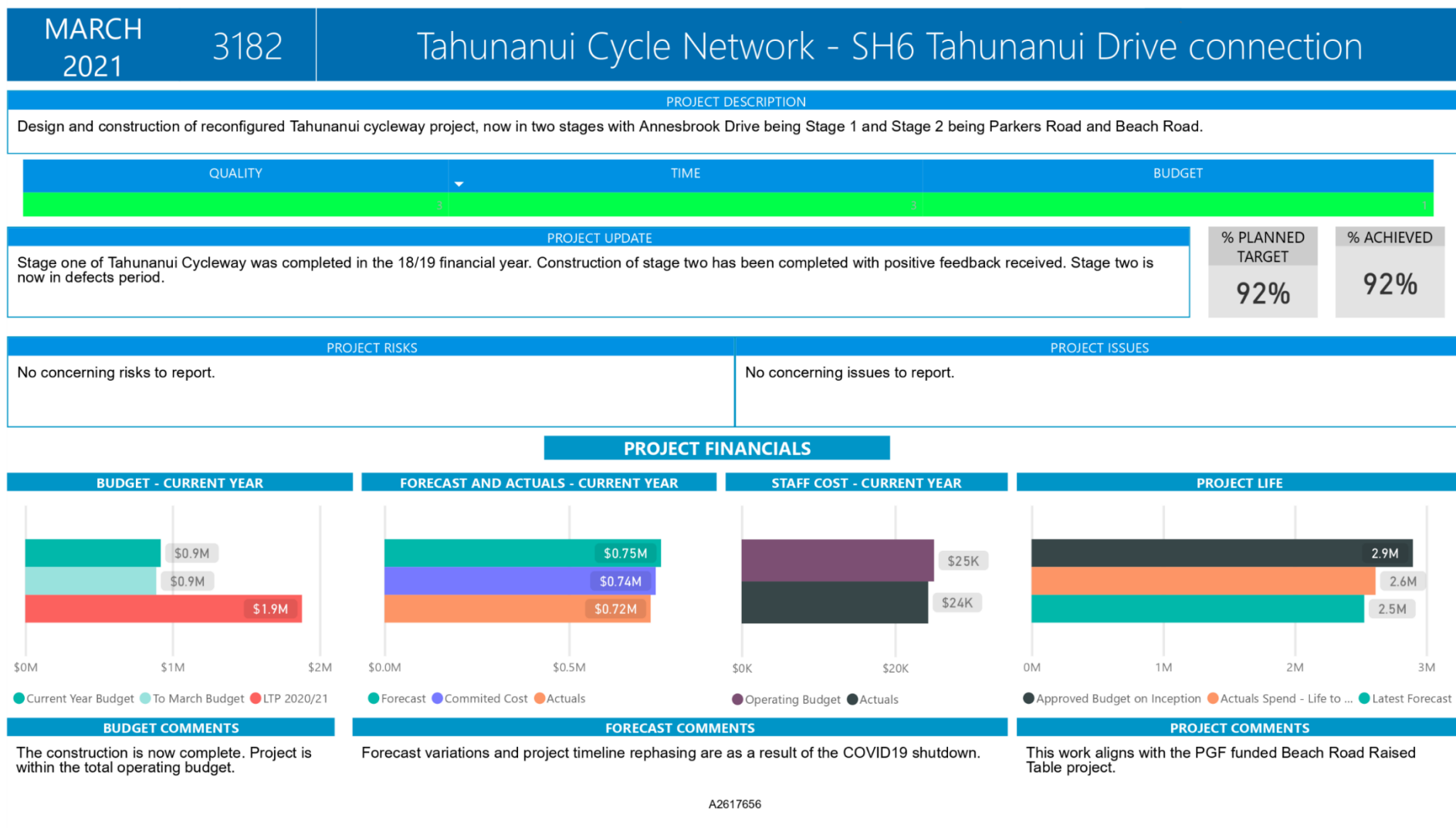


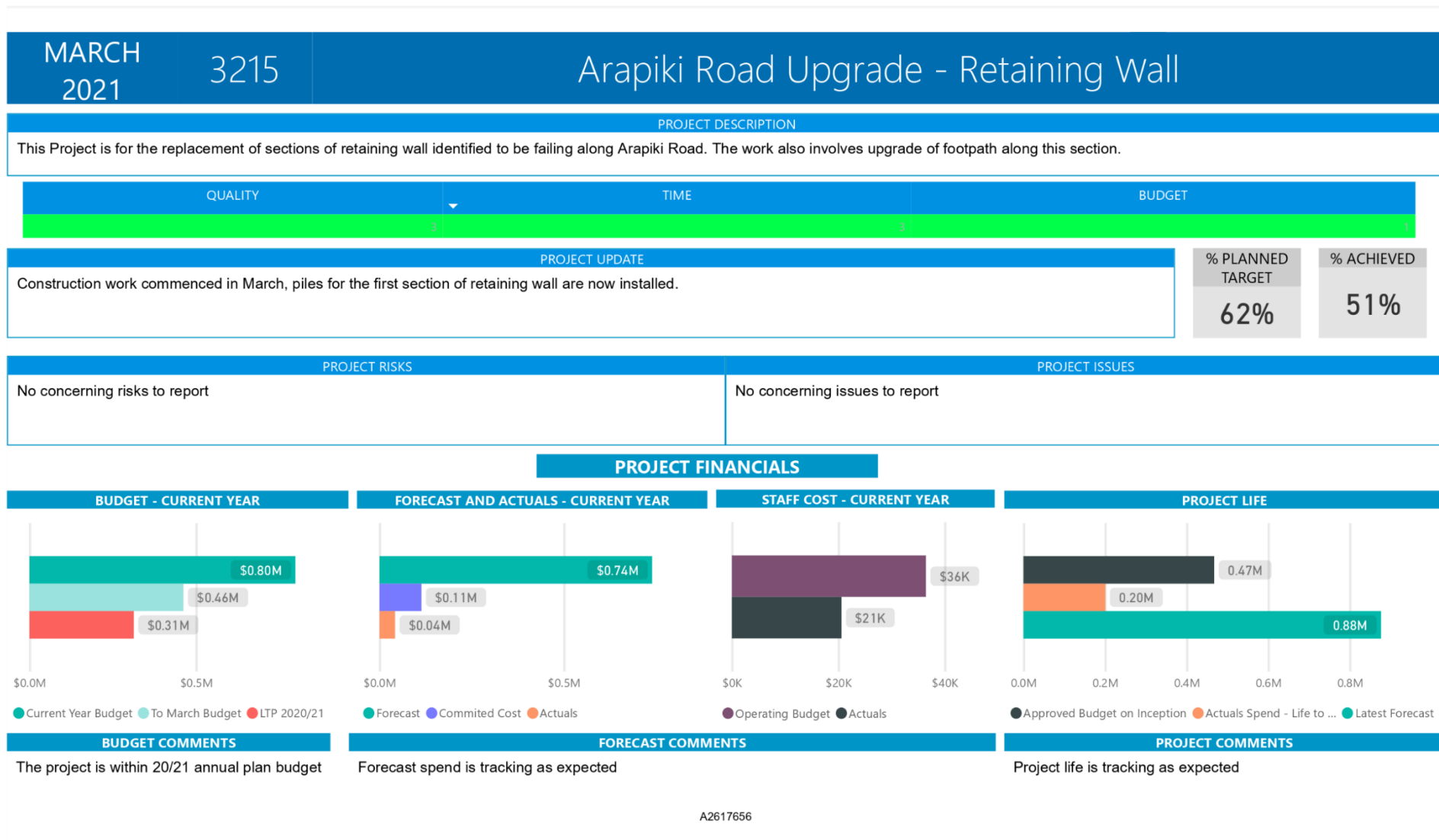
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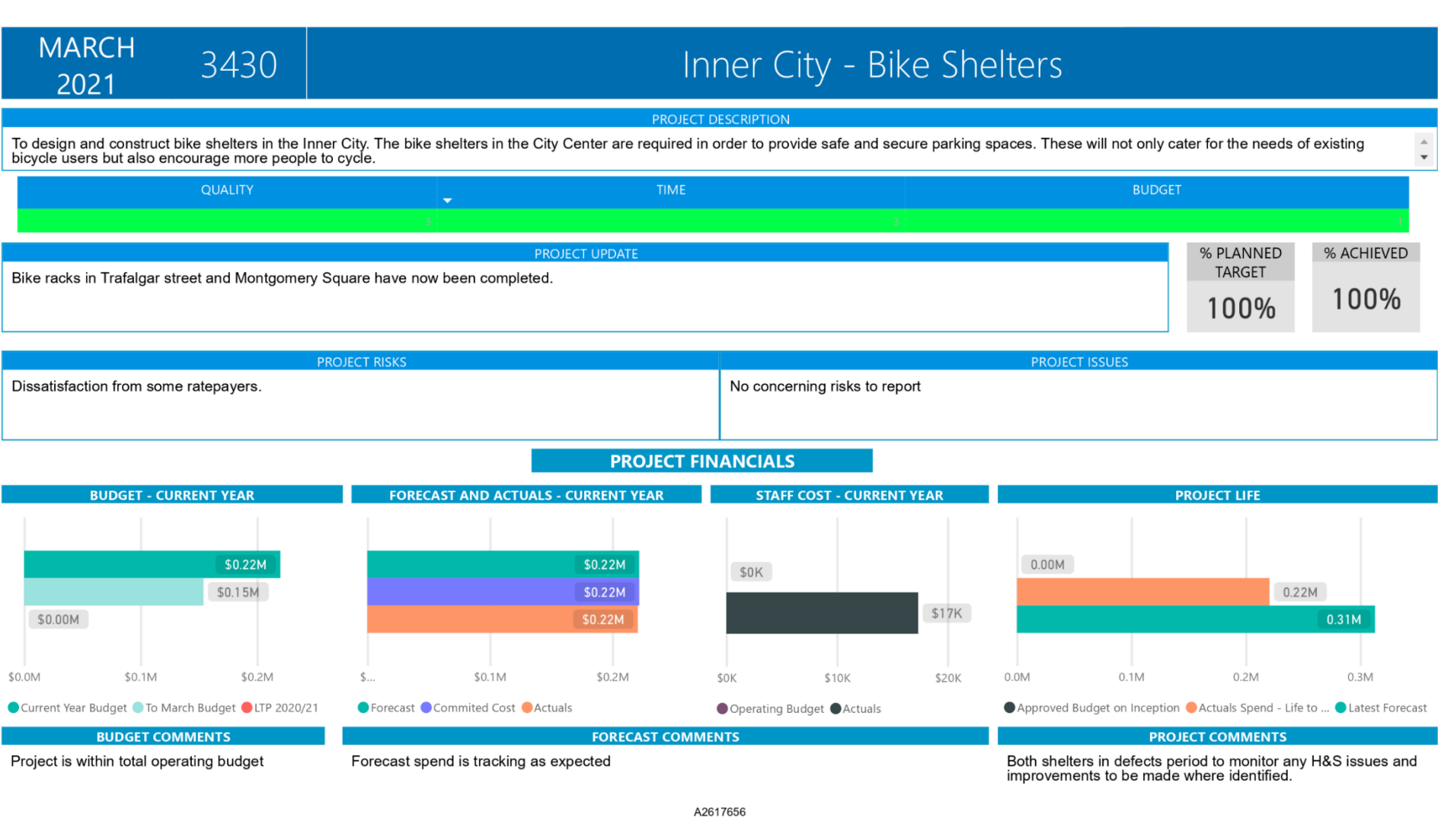


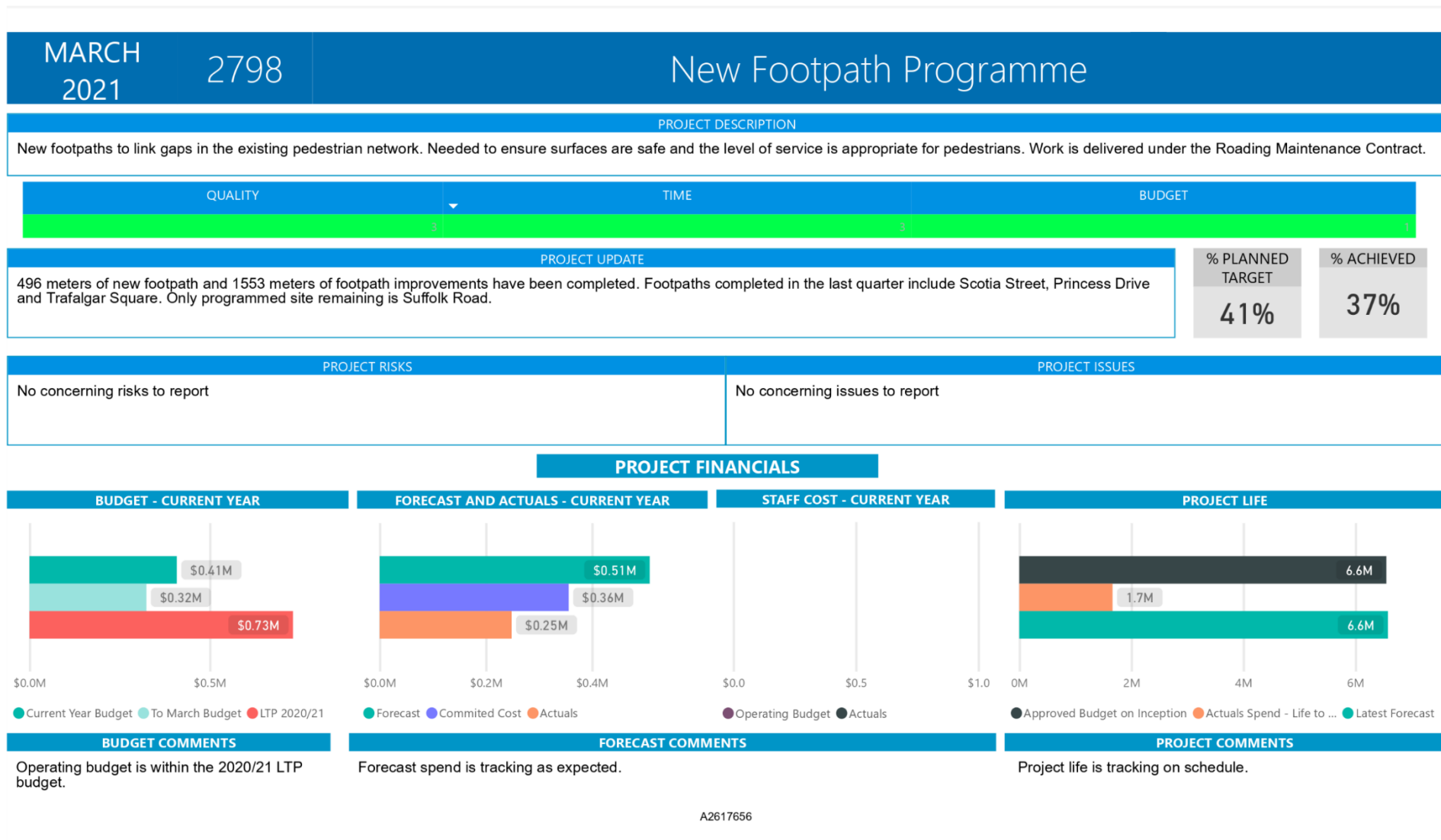


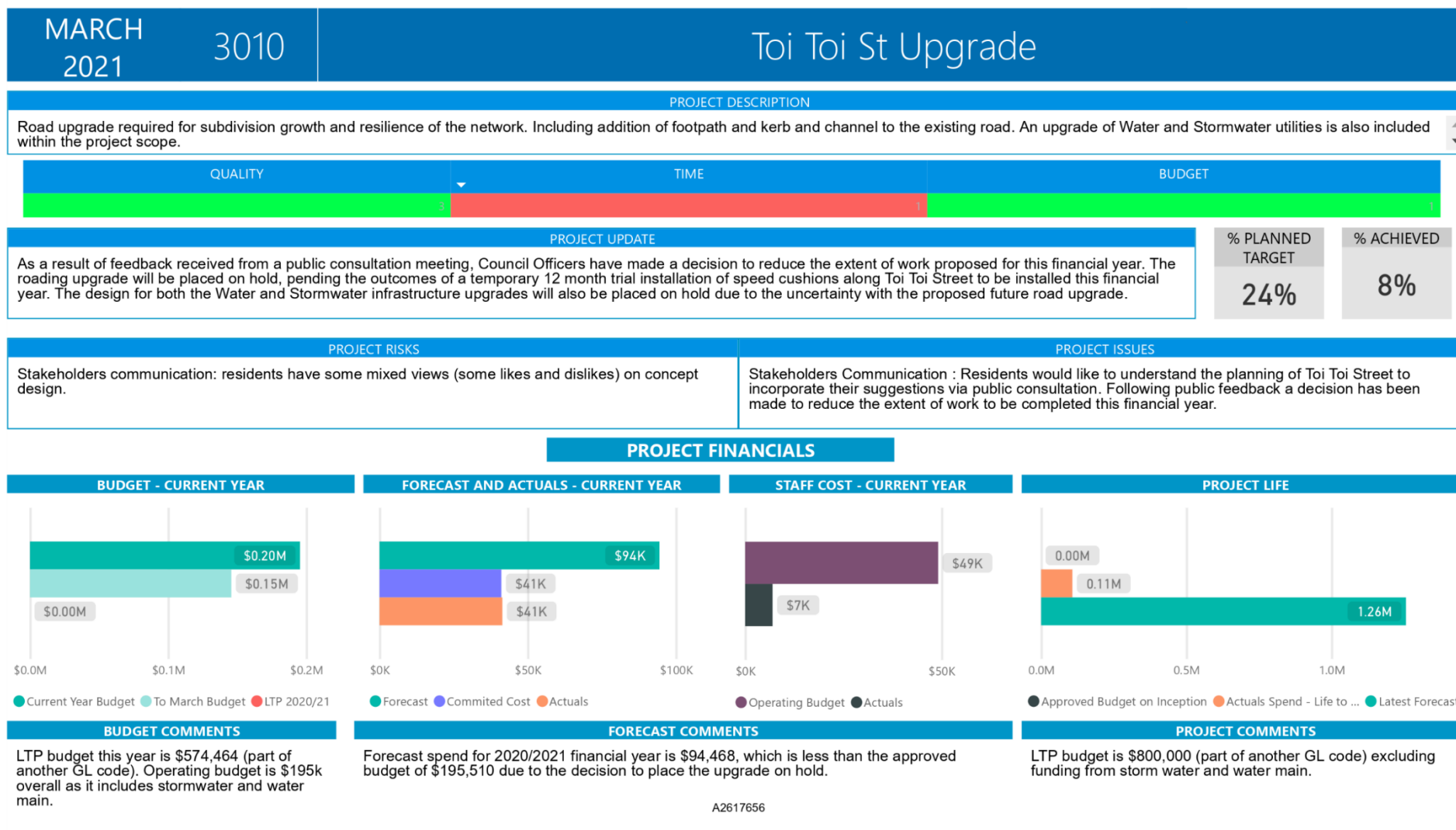


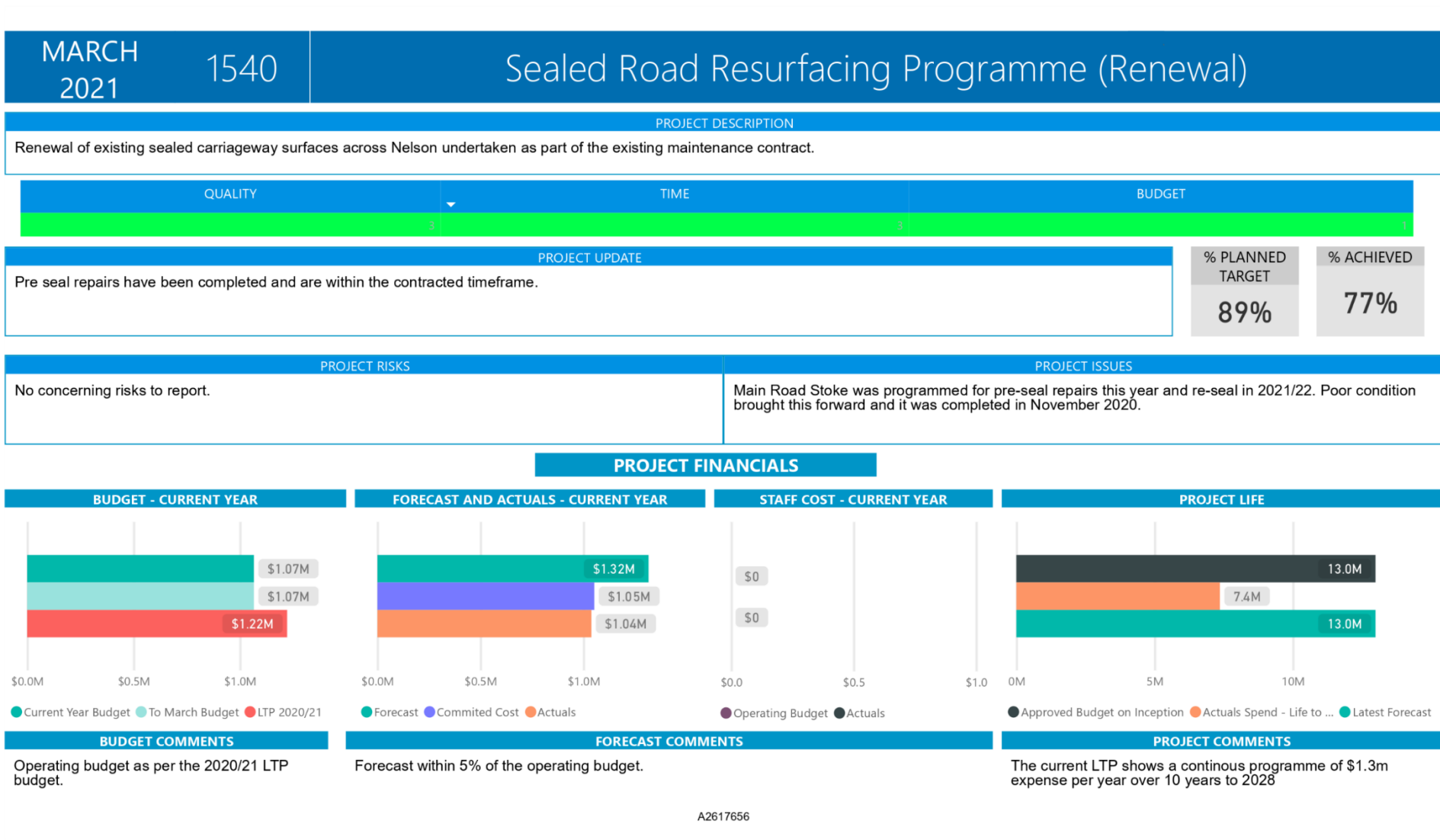




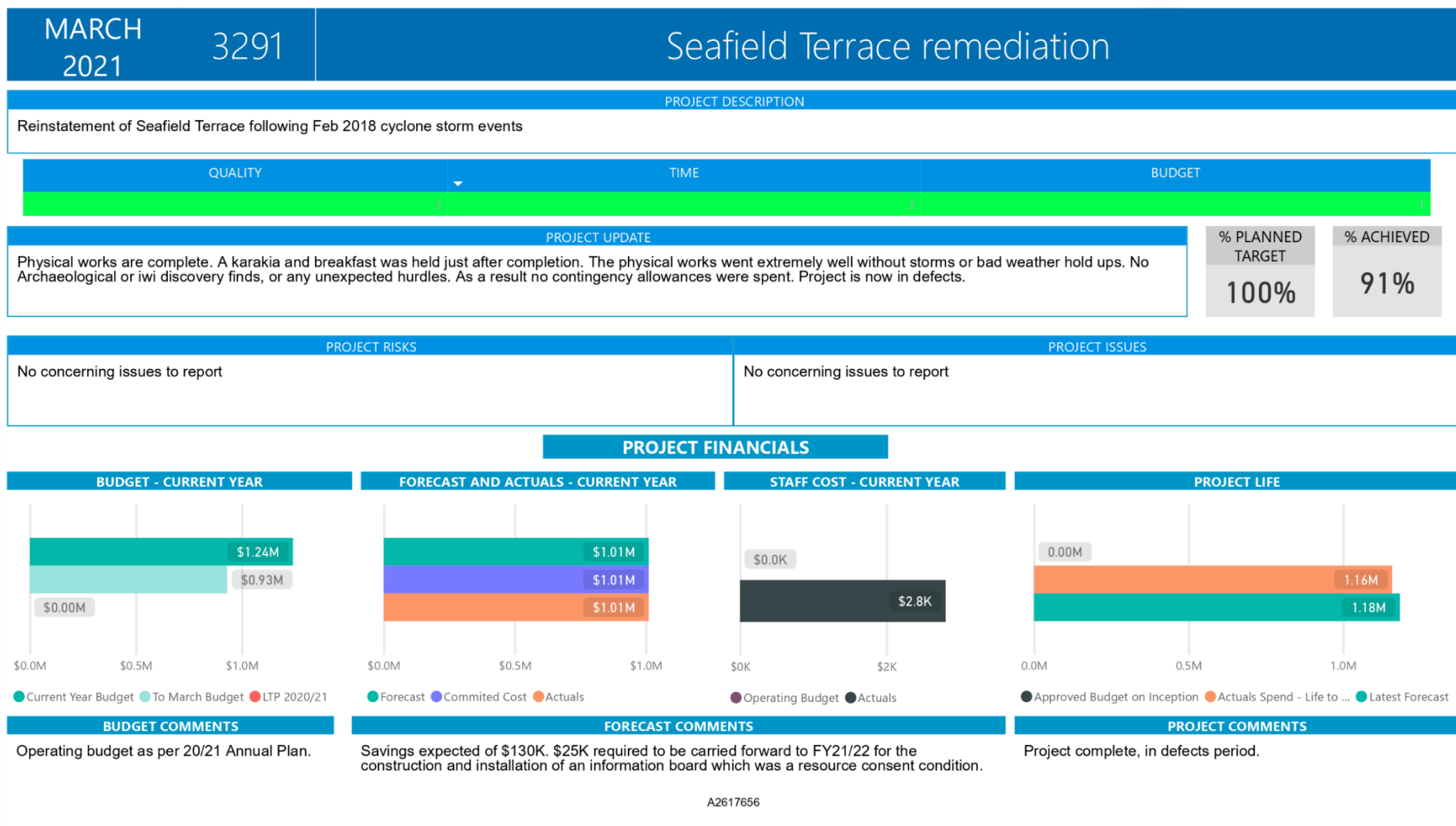




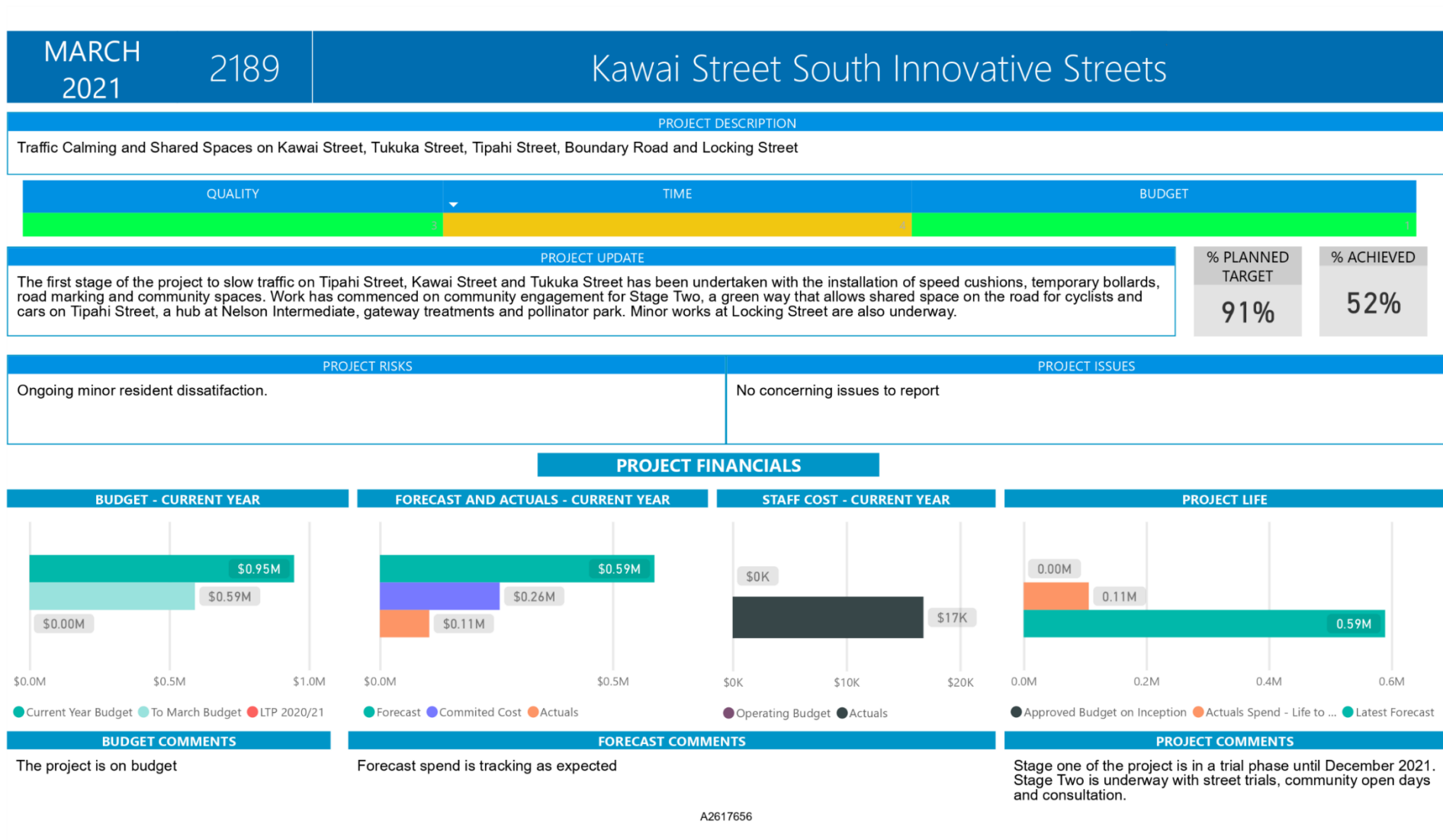




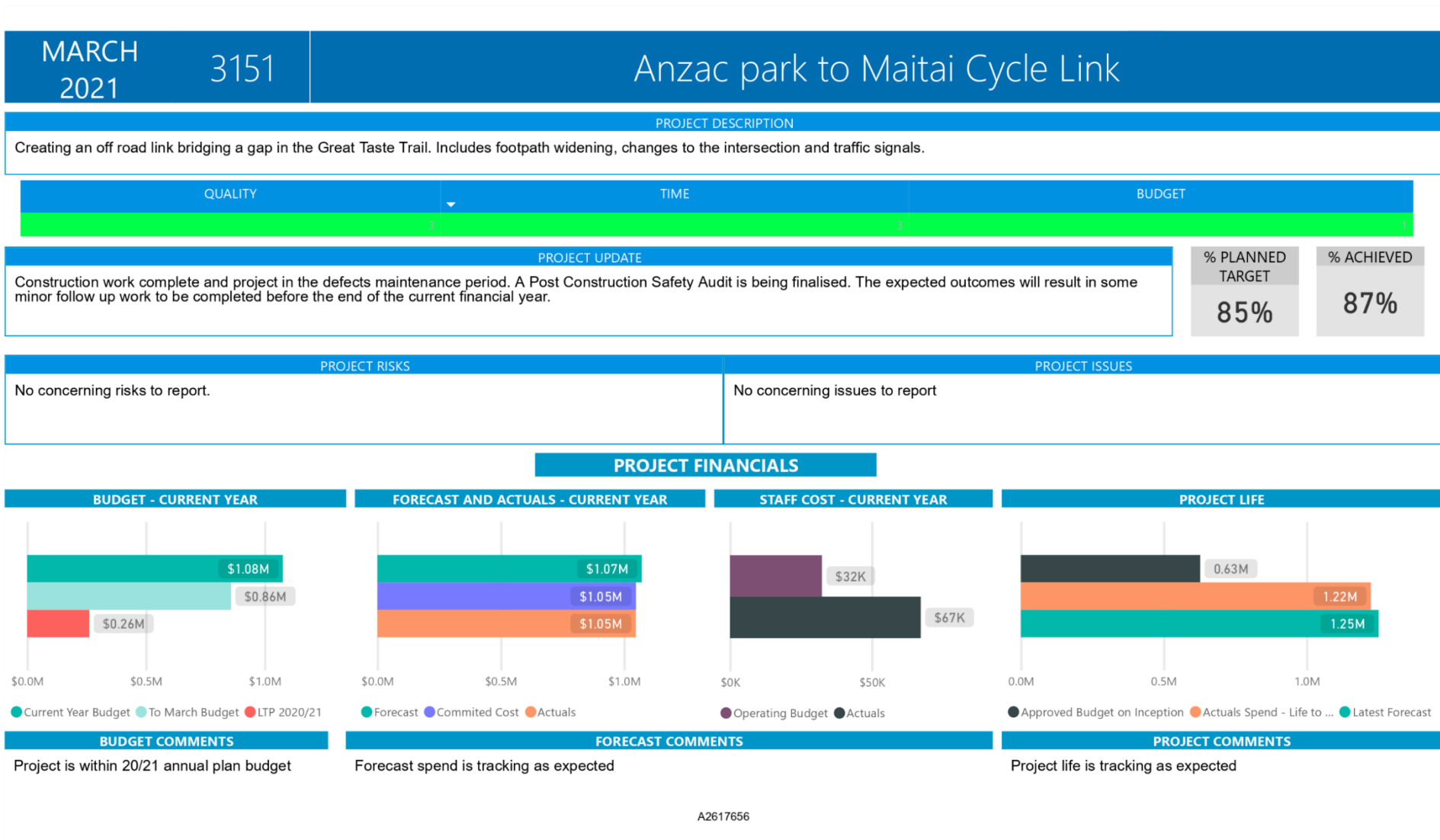
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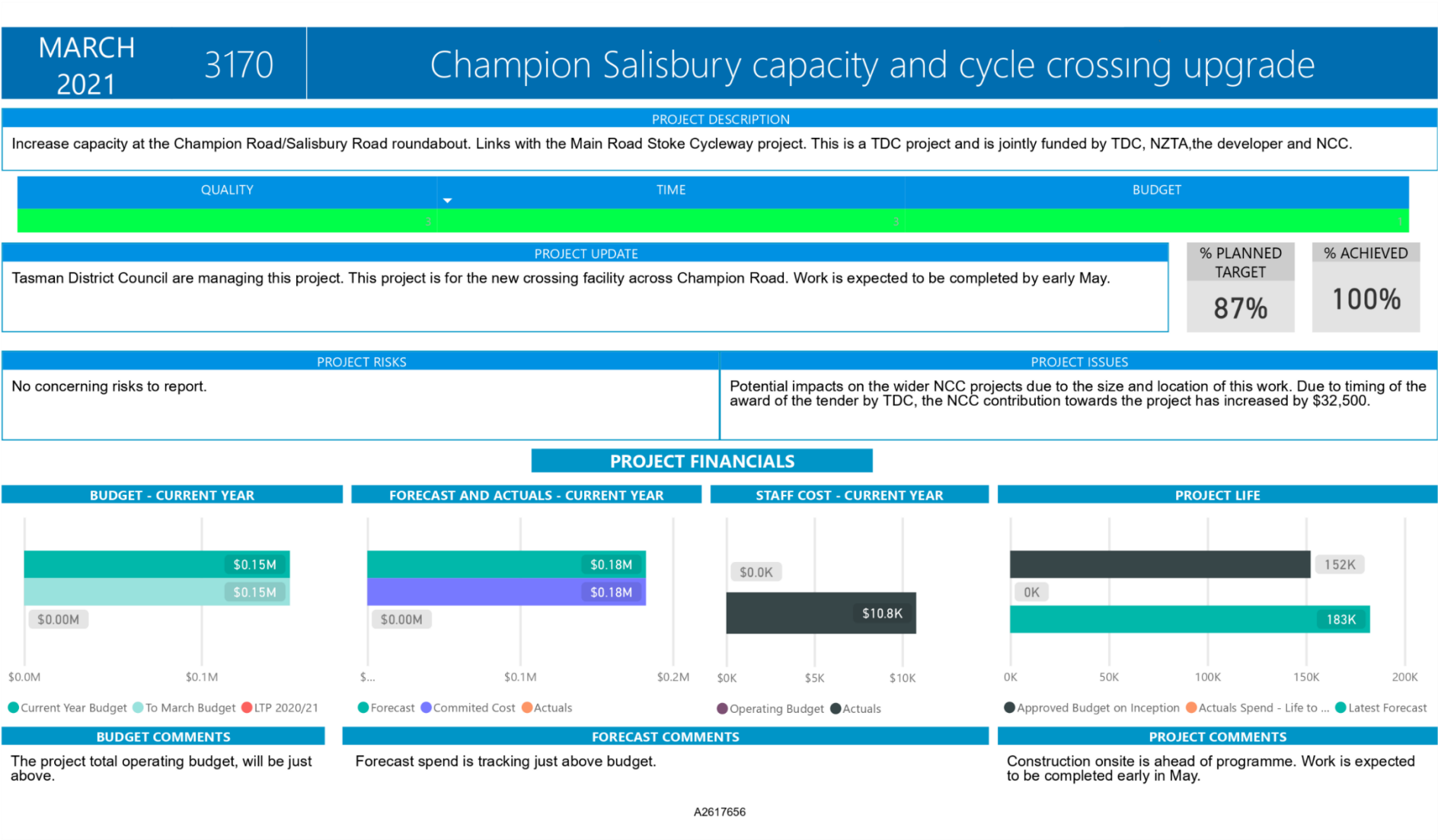


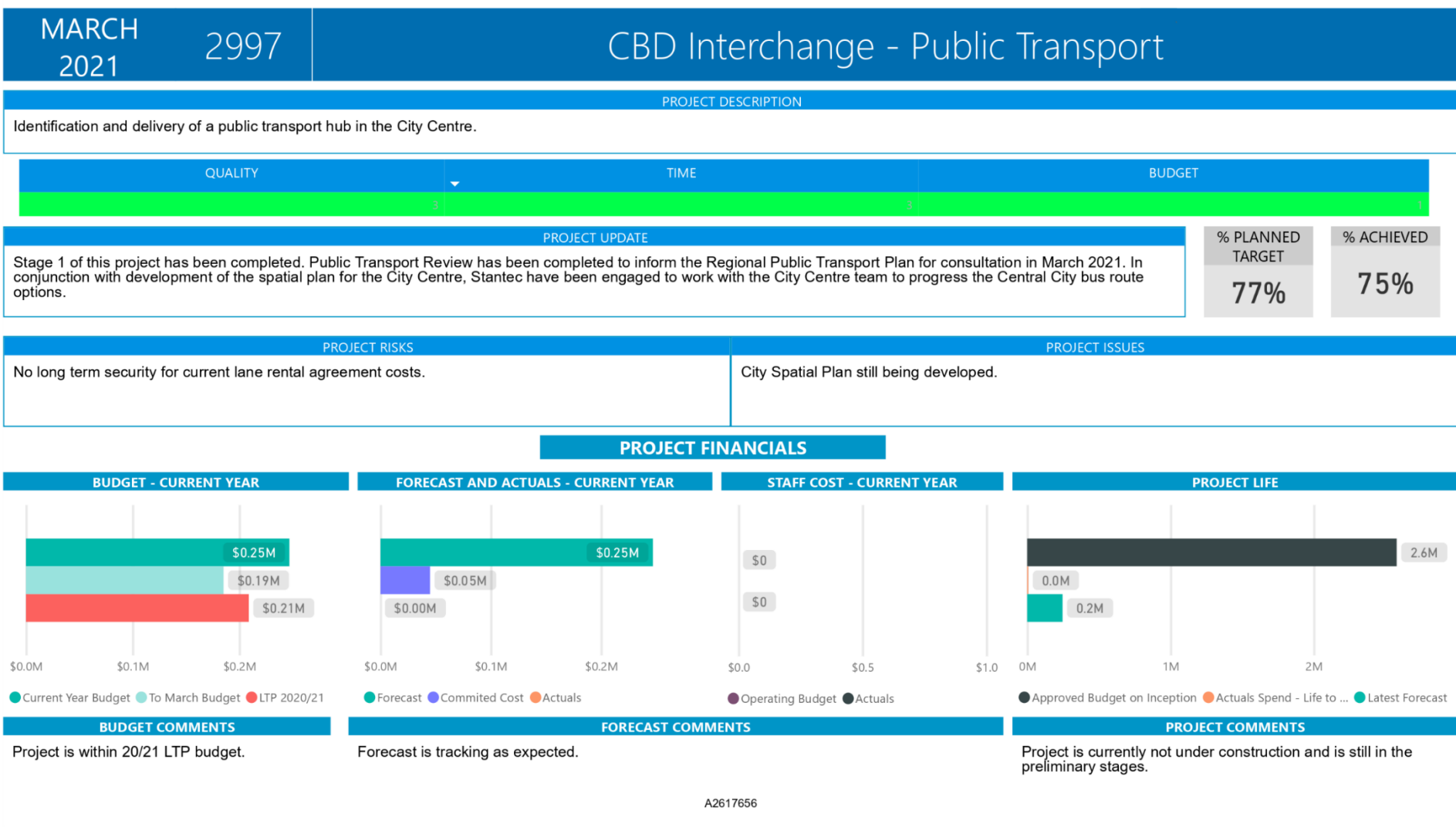
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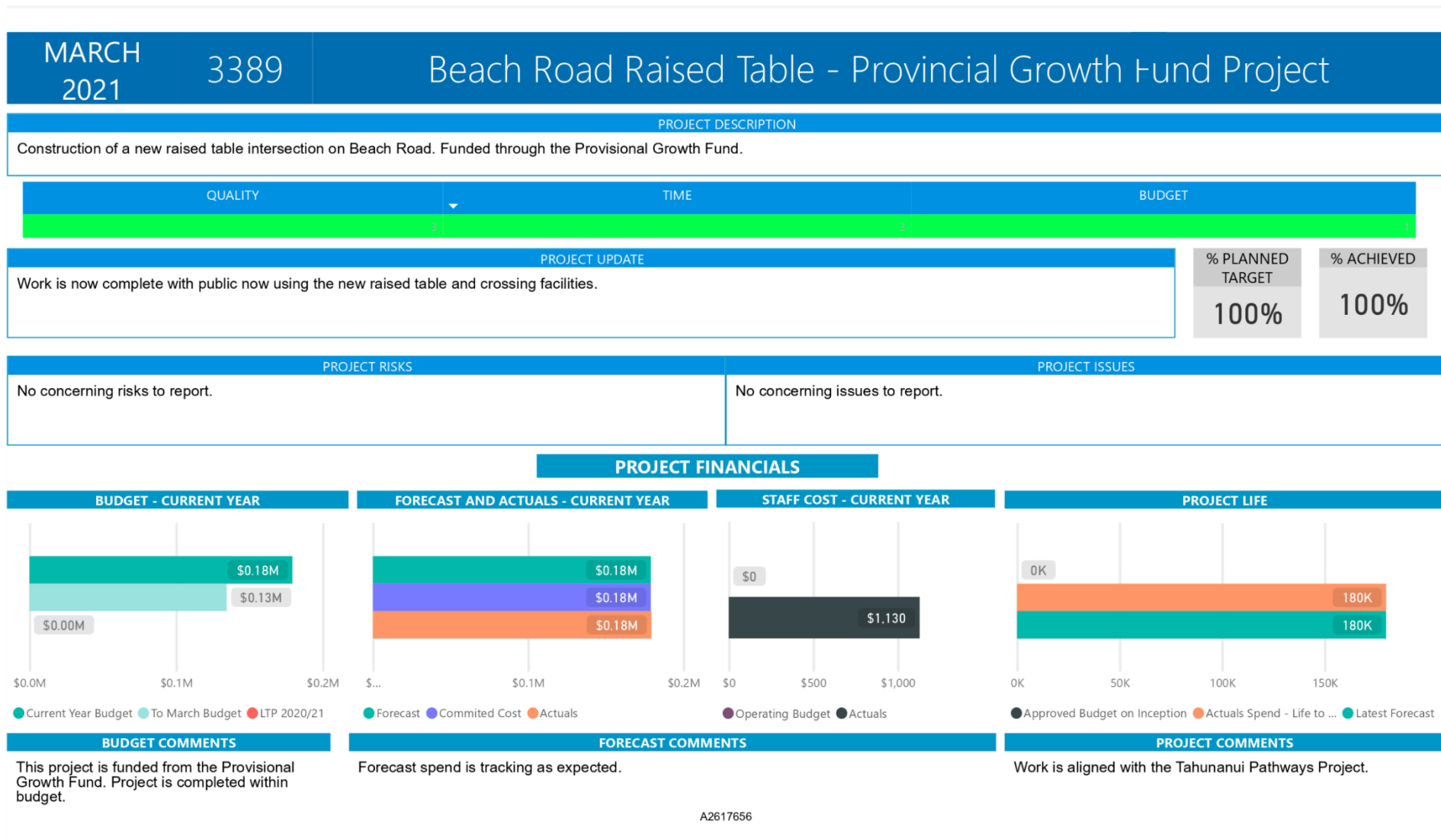
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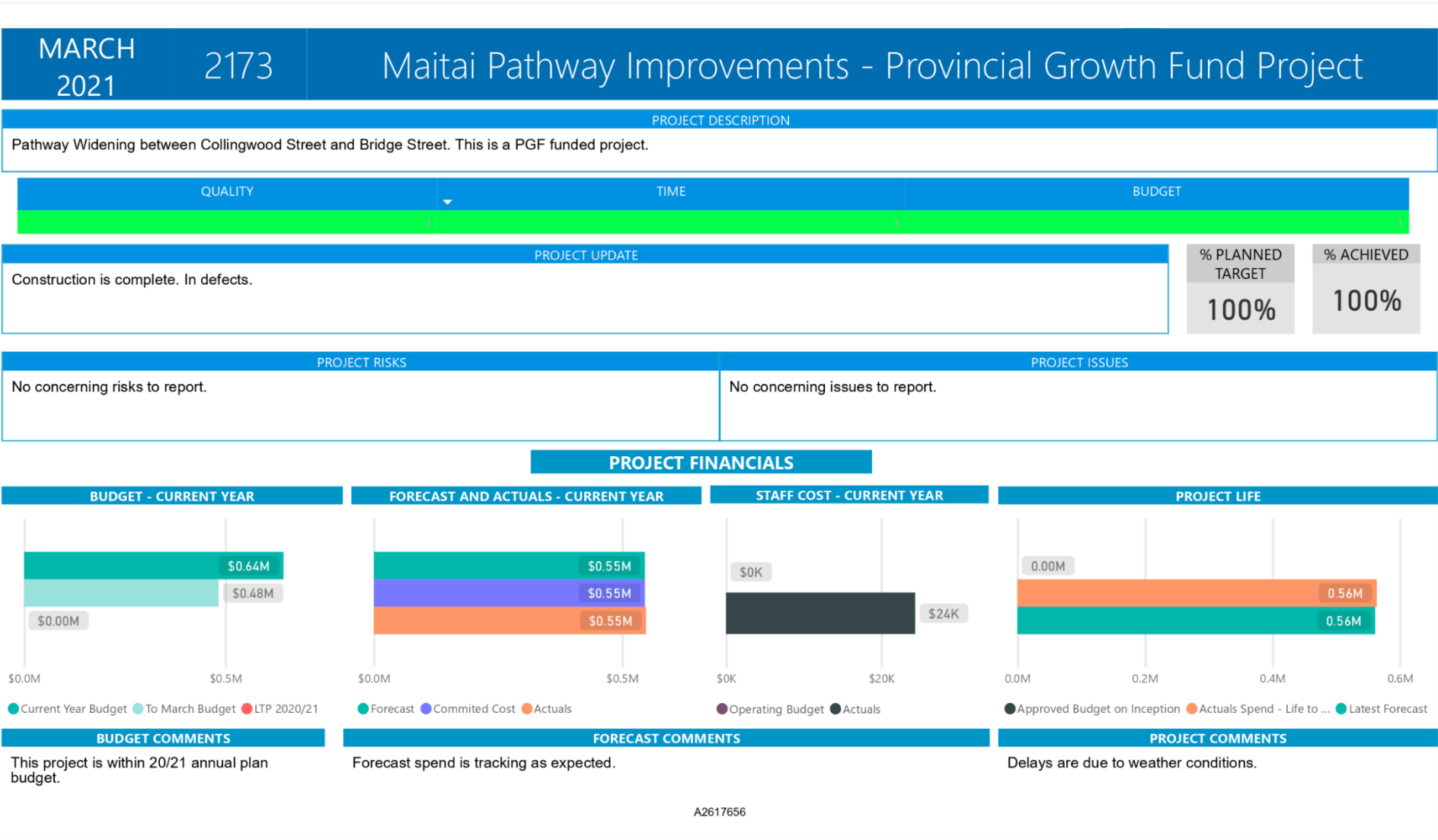






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Item 9: Infrastructure Quarter Three Report: Attachment 2

Infrastructure - Quarter Three Reporting on Performance Measures 2020/21

Activity	What Council will provide	Performance measures	Year 3 (2020/21) target	Quarter 3 2020/21 comment	Quarter 3 2020/21 result	Evidence that supports the Quarter 3 Result (A number)
Transport	A safe road network	Change from the previous financial year in the number of fatalities and serious injury crashes on the local road network	Fewer fatality and serious injury crashes on the local road network compared to previous year	There have been 14 crashes to the end of March 2021. This is one more than the full year in 2018/19 and four more than the full year in 2019/20 (affected by COVID-19 shutdowns).	Not on track	A820297 Crash data for Transport Annual Report Performance Measures
Transport	Smooth sealed road network	Average quality of ride on a sealed local road network, measured by smooth travel exposure by One Network Road Classification	The following Smooth Travel Exposure targets are maintained or exceeded in each year: One Network Smooth Travel Exposure Target by road classification: Regional: 90% Arterial: 85% Primary Collector: 80% Secondary Collector: 80% Access: 75% Low Volume: 75%	Measured later in the year.	Not measured yet	
Transport	Maintenance of sealed local road network	Percentage of the sealed local road network resurfaced	Not less than 3% and not more than 8.5% (in length) is resurfaced, in each year	A programme of 8.7km of resurfacing is planned for 2020/21. This is 3% of the sealed local road network. The low percentage of the network covered is a result of the inclusion of three high value asphalt sites in the 2020/21 programme.	On track	A2239167 for 2020/21 reseal programme. PRMT for total network length and sealed percentage
Transport	Good quality smooth footpath surface	Percentage of footpaths that fall within the level of service standard for condition of footpath, as in Asset Management Plan (i.e. has a condition rating of no greater than 3)	95% or more of the footpath network by length has a condition rating between 1 and 3 (1-excellent/3-good/5-very poor)	Contracts are in place to record this data for 2020/21 and an assessment will take place in Q4.	Not measured yet	
Transport	Accessibility - Providing transport choices via public transport and, Efficiency – Maximise movement of people via public transport	NBus patronage	An increase to at least match a 4% increasing trend over time, from a baseline of 2017/18	NBus patronage to the end of March is 13% below the same time in 2019/20	Not on track	A2558154
Transport	Efficiency – Maximise movement of people via walk and cycle modes	Percentage of the community that travel to work by walking or cycling as measured in the residents survey	Year 3 - 21% combined of all journeys to work by walking or cycling	The Residents' Survey is done in four parts throughout the year. Parts one and two have been completed and show a combined total of 19% journey to work by walking, running or cycling.	Not on track	Quarter Three Residents' Survey (Topline report A2561084 page 6)
Transport	Responsiveness to service requests	Percentage of customer service requests relating to roads and footpaths to which Council responds within five working days	80 % of service requests responded to within five working days	77% of service requests to 31 March were completed within 5 working days.	On track	A2073153

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Activity	What Council will provide	Performance measures	Year 3 (2020/21) target	Quarter 3 2020/21 comment	Quarter 3 2020/21 result	Evidence that supports the Quarter 3 Result (A number)
Water supply	Quality – good quality water	The extent to which drinking water supply complies with: a) part 4 of the drinking water standards [#] (bacterial compliance criteria), and b) part 5 of the drinking water standards [#] (protozoal compliance criteria)	100% compliance with parts 4 and 5 of the drinking water standards	No issues reported	On track	
Water supply		c) part 8 of the drinking water standards (chemical compliance criteria)	100% compliance with part 8 of the drinking water standards	No issues reported	On track	
Water supply		Total number of complaints per 1000 connections about any of the following: - drinking water clarity - drinking water taste - drinking water odour - drinking water pressure or flow - continuity of supply - Council's response to any of these issues	No more than 50 valid complaints per 1000 connections	There have been 12 valid complaints per 1000 connections YTD.	On track	A2625145
Water supply	Reliability – a reliable supply	Average drinking water standard consumption per day per resident	Normal demand less than 500 litres per person per day. This includes both domestic and commercial-industrial	Measured at the end of the Financial Year.	On track	
Water supply		% real water loss from the system	Real water loss less than 25%	Measured at the end of the Financial Year.	On track	
Water supply	Customer service – prompt response When attending a call-out in response to a fault or unplanned interruption to the system, the following median response times will be measured:	a) attendance for urgent call-outs: from the time notification is received to the time service personnel reach the site	a) Contractor to attend urgent call-outs in a median time of 30 minutes or less	Median attendance to urgent call-outs is 22 minutes YTD.	On track	A2625145
Water supply		b) resolution of urgent call-outs: from the time notification is received to the time service personnel confirm resolution of the fault or interruption	b) Contractor to resolve urgent call-outs in a median time of 480 minutes or less	Median resolution to urgent call-outs is 118 minutes YTD.	On track	A2625145
Water supply		c) attendance for non-urgent call-outs: from the time notification is received to the time service personnel reach the site	c) Contractor to attend non-urgent callouts in a median time of 120 minutes or less	Median attendance to non-urgent call-outs is 103 minutes YTD.	On track	A2625145
Water supply		d) resolution of non-urgent call-outs: from the time notification is received to the time service personnel confirm resolution of the fault or interruption	d) Contractor to resolve non-urgent call outs in a median time of 1440 minutes (24 hours) or less	Median resolution to non-urgent call-outs is 1298 minutes YTD.	On track	A2625145
Wastewater	Reliability – a fully operational wastewater treatment system	Level of compliance of treatment plant with resource consent conditions	100% compliance	With the return of more normal pond conditions and a slight change to the management of the wetlands, the total suspended solids (TSS) median has improved considerably YTD and is currently sitting at 89.5g/m3, which is under the required rolling monthly median of 100g/m3.	On track	

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Activity	What Council will provide	Performance measures	Year 3 (2020/21) target	Quarter 3 2020/21 comment	Quarter 3 2020/21 result	Evidence that supports the Quarter 3 Result (A number)
Wastewater		Number of dry weather overflows from sewerage system, per 1000 connections	Fewer than 15 dry weather overflows per 1000 connections	There have been two overflows per 1000 connections YTD.	On track	A2625145
Wastewater	Response – appropriate to reported network issues	a) attendance time: from when notification is received to the time service staff reach the site,	Contractor to attend in median time of 60 minutes or less	Median attendance to overflows is 25 minutes YTD.	On track	A2625145
Wastewater	These median response times are measured for overflows resulting from a blockage or other fault in the sewerage system	b) resolution time: from the time notification is received to the time service staff confirm resolution of the blockage or fault	Contractor to resolve issue in median time of 480 minutes or less	Median resolution to overflows is 195 minutes YTD.	On track	A2625145
Wastewater	Quality -environmental protection	Compliance with territorial authority's resource consents for discharge from the sewerage system measured by number of: a) abatement notices b) infringement notices c) enforcement orders d) convictions in relation to those resource consents	100% compliance	Fully compliant YTD.	On track	
Wastewater		The total number of complaints received about any of the following: a) sewage odour b) sewerage system faults c) sewerage system blockages, and d) Council's response to issues with the sewerage system	No more than 20 valid complaints a year per 1000 connections	12 valid complaints per 1000 connections received YTD.	On track	A2625145
Stormwater	Environmental protection	Compliance with resource consents for discharge from the stormwater system, measured by number of: a) abatement notices b) infringement notices c) enforcement orders, and d) successful prosecutions received in relation to those resource consents	100% compliance with resource consents for discharge	Fully compliant YTD.	On track	
Stormwater	Protection from damage to property	a) The number of flooding events that occur b) For each flooding event, the number of habitable floors affected per 1000 properties connected to the stormwater network	No damage from flood events of a level that have a 50% probability of occurring in any one year No more than 10 per 1000 properties with habitable floor damage from events that have a 5% probability of occurring in any one year	No reported flood damage from events of a level that has a 50% probability of occurring in any one year (less than a 1 in 2 year event). Flooding of habitable floors reported at less than 1 per 1000 in year to date from events that have a 5% probability of occurring in any one year (less than 1 in 20 year event). Total number of habitable floors flooded to 31 March 2021 is four. Note that the Department of Internal Affairs has updated the definition of habitable floors during this reporting year.	On track	

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Activity	What Council will provide	Performance measures	Year 3 (2020/21) target	Quarter 3 2020/21 comment	Quarter 3 2020/21 result	Evidence that supports the Quarter 3 Result (A number)
Stormwater	Response to stormwater system issues	Median response time to attend a flooding event, measured from the time that notification is received to the time service personnel reach the site	Median response time less than 60 minutes	The median attendance time to stormwater related service requests YTD is 13 minutes.	on track	A2625145
Stormwater	Customer satisfaction – minimise valid complaints	Number of complaints received about the performance of the stormwater system, per 1000 properties connected to the stormwater network	No more than 20 complaints per 1000 connections per year	There have been seven complaints per 1000 connections YTD.	On track	A2625145
Flood protection	Environmental protection, damage to people and property minimised, and a reliable flood protection network	The major flood protection and control works that are maintained, repaired and renewed to the key standards defined in the Flood Protection Asset Management Plan	Network maintained to current service potential	The Brook Stream energy dissipator has been cleaned out. Maintenance of Brook Stream near Willow Walk is underway. Weed spraying on river embankments is underway. No river bed survey is required for the Maitai River this year.	On track	A2530694 A2555920 A2504923
Flood protection			Flood event damage identified, prioritised and repair programme agreed with community	No flood events within rivers/streams have occurred YTD.	On track	A2627727
Flood protection			High priority work completed as soon as practicable	No flood events within rivers/streams have occurred YTD.	On track	A2627727
Flood protection			Network components renewed to continue provision of original design service potential	Maintenance of the Brook Stream embankment near Willow Walk is underway in Q3 and Q4. This is a major renewal project to address the undermining of a concrete retaining wall on the Brook Stream. The design of a gabion basket retaining wall is in progress for Jenkins Creek at the Ridgeway. Implementation is scheduled for Q4.	On track	A2627732
Flood protection		Develop risk based Maitai flood response options	Community engagement on response options	Engagement with the community on the Maitai flood response is planned to be undertaken after the Nelson Plan consultation on Flood Hazards. However, due to the delay with the Nelson Plan, this work is now anticipated to take place in Q1 and Q2 of the 2021/22 financial year.	Not on track	
Flood protection		Develop city wide flood protection strategies	Identify top priority response options	Investigations for Poorman Stream and Jenkins Creek flood protection options are in progress - due to be completed in Q4.	On track	

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Activity	What Council will provide	Performance measures	Year 3 (2020/21) target	Quarter 3 2020/21 comment	Quarter 3 2020/21 result	Evidence that supports the Quarter 3 Result (A number)
Solid Waste	Measures to encourage the community to reduce waste to landfill	Quantity (kg) per capita, annually, excluding bio-solids, material from H.A.I.L sites (contaminated land) and out of region waste e.g. Buller District <i>As of 2019/20 this also excludes material such as cover material, special fire disposal, contaminated soils, and water treatment sludge. Calculations for the amount of waste per resident have been revised to bring them in line with the Joint Waste Management and Minimisation Plan.</i>	Maintain or decrease the amount of waste (kg) per capita to landfill, per year	The results for this measure in 2019/20 were skewed by two months of low tonnage caused by minimal commercial activity during COVID-19 lockdowns. This created an end of year (EOY) artificially low waste per capita figure of 565Kg. Due to COVID-19's influence future comparisons will be more informative if made against the 2018/2019 year. This has also resulted in YTD 2020/2021 disposal being over 5,000 tonnes (of general, commercial skips, and demolition) higher than the YTD 2019/20 year, but this total is not significantly different from the YTD 2018/19 year. In the last quarter of 2020/21 there will be more waste disposed than for the same period last year, resulting in an EOY projection of 625Kg per capita.	Not on track	
Solid Waste	Measures to encourage the community to increase composting of food and garden waste	Proportion of households composting food waste and garden waste, from Survey of Residents	Maintain or increase the % of households that compost food and garden waste compared to previous survey results	Quarter Three Residents' Survey - 76% of households surveyed compost either food or garden waste. 2020/21 YTD figure is 74%. The 2019/20 result was 72%.	On track	Quarter Three Residents' Survey (Topline report A2561084 page 6)
Solid Waste	Support for the collection and recycling of e-waste	Uptake of available subsidies for recycling e-waste	Consistent or increasing uptake of available e-waste subsidies compared to the previous year (in dollars)	Uptake of the e-waste subsidy has increased compared to 2019/20.	On track	