



Notice of the Ordinary meeting of

Nelson City Council

Te Kaunihera o Whakatū

Date:	Thursday 12 August 2021
Time:	9.00a.m.
Location:	Council Chamber Civic House 110 Trafalgar Street, Nelson

Agenda

Rārangi take

Chairperson

Deputy Mayor

Members

Her Worship the Mayor Rachel Reese

Cr Judene Edgar

Cr Yvonne Bowater

Cr Trudie Brand

Cr Mel Courtney

Cr Kate Fulton

Cr Matt Lawrey

Cr Rohan O'Neill-Stevens

Cr Brian McGurk

Cr Gaile Noonan

Cr Pete Rainey

Cr Rachel Sanson

Cr Tim Skinner

Quorum: 7

**Pat Dougherty
Chief Executive**

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. For enquiries call (03) 5460436.

Council Values

Following are the values agreed during the 2019 – 2022 term:

- A. Whakautetanga: respect
- B. Kōrero Pono: integrity
- C. Māiatanga: courage
- D. Whakamanatanga: effectiveness
- E. Whakamōwaitanga: humility
- F. Kaitiakitanga: stewardship
- G. Manaakitanga: generosity of spirit

Karakia and Mihi Timatanga

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. Petition - Delaware Bay Boat Access Group

Representatives from the Delaware Bay Boat Access Group will present the Group's petition, signed by 1,041 signatories.

"We the undersigned, support access remaining open to all users including vehicle access for boat launching and retrieval at the Delaware Bay Ramp."

5. Public Forum

4.1 Tahunanui Business and Citizens Association Inc - Waka Kotahi Proposals for Tahunanui Drive and the Effects of those Proposals

Paul Matheson, John Gilbertson and Mrs Stevenson, from Tahunanui Business and Citizens Association Inc, will speak about the Association's meeting with Waka Kotahi (NZTA) over proposals for Tahunanui Drive and the effects of those proposals.

4.2 Neville Male - The Actions of Councillors and NCC Staff associated with the Extinction Rebellion Protest.

Neville Male, on behalf of the Nelson Citizens Alliance, will speak about the action of councillors and Nelson City Council staff associated with the extinction rebellion protest.

4.3 Save the Maitai - Update on Campaign

Representatives from Save the Maiati will provide elected members with an update on the campaign.

6. Confirmation of Minutes

6.1 24 June 2021 **12 - 45**

Document number M18738

Recommendation

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 24 June 2021, as a true and correct record.***

6.2 1 July 2021 **46 - 58**

Document number M18768

Recommendation

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 1 July 2021, as a true and correct record.***

7. Recommendations from Committees

7.1 25 May 2021 Audit, Risk and Finance Subcommittee

7.1.1 Draft Annual Internal Audit Plan for year to 30 June 2022

Recommendation to Council

That the Council

- 1. Approves the Draft Annual Internal Audit Plan for the year to 30 June 2022 (A2601457).***

7.2 Urban Development Subcommittee - 29 July 2021 **59**

7.2.1 Housing and Business Capacity Assessments for Nelson City and Nelson-Tasman's urban environment

Please refer to the additional information on agenda page 59 to support the recommendation

Recommendation to Council

That the Council

- 1. Approves the housing bottom lines be adopted for inclusion into Nelson City Council's district plan/regional policy statement as set out in this report Housing and Business Capacity Assessments for Nelson City and Nelson-Tasman's urban environment (R24829); and***
- 2. Notes that the Minister of the Environment will be notified of the insufficiency of development capacity for housing for the Nelson part of the urban environment as set out in this report (R24829); and***
- 3. Delegates to the Mayor and Chief Executive the authority to confer with the Tasman District Council regarding any minor editorial amendments to the Nelson-Tasman Housing and Business Capacity Assessment report (A2688455); and***
- 4. Notes the recommendations from the Housing and Business Capacity Assessments as set out in this report (R24829).***

8. Mayor's Report

59 - 63

Document number R26067

Recommendation

That the Council

- 1. Receives the report Mayor's Report (R26067); and***
- 2. Amends the following clauses of Nelson City Council Standing Orders, section to state:***

Minutes

26.1 "The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. When confirmed by resolution at a subsequent meeting, or in the case of a meeting with rotating membership, by the electronic signature of the Chairperson, will be prima facie evidence of the proceedings they relate to."

Petitions

15.3 "In the case of presenting a petition to Council, a committee, subcommittee, local or community board, the subject of the petition must fall within the terms of reference of that meeting."

9. Infrastructure Acceleration Fund: Developer-led Expressions of Interest

64 - 136

Document number R26027

Recommendation

That the Council

1. ***Receives the report Infrastructure Acceleration Fund: Developer-led Expressions of Interest (R26027) and its attachments (A2704700, A2714336, A3904008, A2711258, A2716113, A2720023, A2713299 and A2719661); and***
2. ***Provides a letter of support (A2719661 of Report 26027) to the following developers to be included as part of their Expressions of Interest, noting that these letters are in no way intended to fetter any future Council decision making in relation to the proposals, including in its regulatory capacity:***
 - a. ***Wakatū Incorporation (Horoirangi, A2711258); and***
 - b. ***Maitai Development Co "Mahitahi" (Kaka Valley, A2716113); and***
 - c. ***Stoke Valley Holdings Limited/Solitaire Investments Limited/Marsden Park Limited (Ngawhatu Valley/Marsden Valley, A2720023); and***
3. ***Notes that the following proposal has been assessed as not meeting the Infrastructure Acceleration Fund eligibility criteria and is not recommended for a letter of support from Council:***
 - a. ***Gibbons (Bishopdale, A2713299); and***
4. ***Notes that a further report will be brought to Council once Kāinga Ora has decided which, if any, of these***

Expressions of Interest will be invited to respond to a Request for Proposals process detailing:

- ***The required level of Council investment in infrastructure to support each qualifying development; and***
- ***Whether or not this funding is included in the Long-Term Plan 2021-31 and which year(s); and***
- ***The impact of prioritising any capital projects that support qualifying development on the phasing of other capital projects within the Long-Term Plan 2021-31 work programme; and***
- ***The capacity of Council to deliver multiple additional infrastructure projects within the required timeframe.***

10. Representation Review Initial Proposal

137 - 196

Document number R25896

Recommendation

That the Council

- 1. Receives the report Representation Review Initial Proposal (R25896) and its attachments (A2712103, A2719650, A2715296, A2712591 and A2720247; and***
- 2. Adopts the following initial representation proposal (Option 4a):***
 - a. That the Nelson City Council consist of a mayor and 12 councillors; and***
 - b. That two General Wards be established as follows:***

Name	Boundaries
Central Ward	As outlined in attachment A2715296
Stoke-Tahuna Ward	As outlined in attachment A2715296

- i. Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, a decision which cannot be appealed to the Local Government Commission; and*
- c. That a mixed system of voting be established, as follows:*

	Members	Popn. per Ward councillor
At large (all voters)	Mayor	N/A
	Three councillors	N/A
Central Ward (General roll)	Four councillors	6,458
Stoke-Tahuna Ward (General roll)	Four councillors	6,370
Whakatū Māori Ward (Māori roll)	One councillor	3,320

and

- d. That no community boards be established; and*
- 3. Agrees that public notification of the initial proposal and opportunity to submit on the proposal will be undertaken in line with the statutory requirements of section 19M of the Local Electoral Act 2001.**

CONFIDENTIAL BUSINESS

11. Exclusion of the Public

Recommendation

That the Council

- 1. Excludes the public from the following parts of the proceedings of this meeting.**
- 2. *The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the***

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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Confidential Minutes - 24 June 2021	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied. • Section 7(2)(g) To maintain legal professional privilege.
2	Council Meeting - Confidential Minutes - 1 July 2021	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i)

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
3	Recommendations from Committees (Confidential) 3 August 2021 Strategic Development and Property Subcommittee Tahuna Beach Camp – Community Engagement on the Proposed Lease of the Campground	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	Nelmac Limited Director Appointment	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person
5	Nelmac Limited Director Reappointment	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person
6	Nelmac Limited final Statement of Intent 2021/22	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which	The withholding of the information is necessary: <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		good reason exists under section 7	disadvantage, negotiations (including commercial and industrial negotiations)
7	Infrastructure Acceleration Fund: Council-led Expression of Interest	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

Karakia Whakamutanga



Minutes of a meeting of the

Nelson City Council

Te Kaunihera o Whakatū

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson on Thursday 24 June 2021, commencing at 9.08a.m.

- Present: Her Worship the Mayor R Reese (Chairperson), Councillors Y Bowater, T Brand, M Courtney, J Edgar (Deputy Mayor), K Fulton, M Lawrey, R O'Neill-Stevens, B McGurk, G Noonan, P Rainey, R Sanson and T Skinner
- In Attendance: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), Group Manager Community Services (A White), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne) and Governance Adviser (E Stephenson)
- Apologies : Nil

Karakia and Mihi Timatanga

Attendance: Councillor Brand entered the meeting at 9.09am.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Her Worship the Mayor Reese explained the order of business would change as the Audit opinion had not yet been received and that the meeting would be adjourned and reconvened on Tuesday 29 June to adopt the Long Term Plan 2021 – 31 (LTP).

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 11 May 2021

Document number M17623, agenda pages 15 - 36 refer.

Resolved CL/2021/100

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 11 May 2021, as a true and correct record.***

Her Worship the Mayor/Edgar

Carried

5.2 18 May 2021

Document number M17643, agenda pages 37 - 92 refer.

Resolved CL/2021/101

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 18 May 2021, as a true and correct record.***

Skinner/Courtney

Carried

6. Mayor's Report

Document number R25966

Her Worship the Mayor noted that her Mayor's Report would be provided in closing of the adoption of the LTP.

John Mackey, Audit Director, Audit New Zealand, joined the meeting via Zoom to explain that the Office of the Auditor General was unable to issue the Audit opinion for today's meeting. He advised that Audit proposed an unmodified opinion on the LTP, in that it was considered a reasonable basis for long term decision making but that it would have one modification that applied to all territorial authorities. He noted the key LTP issues.

Her Worship the Mayor thanked Audit and Council staff working on the opinion, acknowledging the work that took place behind the scenes and acknowledged Group Manager Infrastructure, Alec Louverdis and his team for their work on the capital programme. It was confirmed that the Audit opinion would be received in time for the meeting to be reconvened on Tuesday 29 June, for the adoption of the LTP.

Mr Mackey answered questions, confirming that Council's growth assumptions had been considered at the Consultation Document stage, noting that Council met the growth assumption criteria, which were combined for the region. He clarified what other factors were assessed and that the proposed unbalanced budget was not considered a significant concern.

7. Development Contributions Policy 2021 Adoption (Agenda Item 8)

Document number R25923, agenda pages 612 - 686 refer.

Strategy and Environment Senior Analyst, Chris Pawson, answered questions regarding the public's understanding of the levels of contributions, noting that a contributions tool was available on Council's website. Group Manager Environmental Management, Clare Barton noted that recent internal conversations had taken place between the building and consents teams regarding providing clarity on contributions.

Mr Pawson answered questions regarding reduction in costs for brownfield development and greenfield expansion, and it was noted that development contributions were required to be reasonable but adequate to maintain levels of service.

Resolved CL/2021/102

That the Council

- 1. Receives the report Development Contributions Policy 2021 Adoption (R25923) and its attachment (A2502141); and***
- 2. Adopts the Nelson City Council Policy on Development Contributions 2021 (Attachment one to report R25923, A2502141)***

McGurk/Courtney

Carried

8. Recommendations from Committees (Agenda Item 9)

8.1 Audit, Risk and Finance Subcommittee - 25 May 2021

8.1.1 Draft Treasury Management Policy including Liability Management and Investment Policies

The Subcommittee's recommendation was moved by Her Worship the Mayor, seconded by Councillor Courtney.

Recommendation to Council

That the Council

- 1. Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting.*

Her Worship the Mayor/Courtney

Group Manager, Corporate Services, Nikki Harrison, spoke to the Subcommittee's recommendation, explaining the process to date, noting that the Treasury Management Policy was separate to the LTP. Ms Harrison answered questions regarding the review schedule for the policy.

Councillor Sanson foreshadowed a proposed amendment to the Subcommittee's recommendation, Councillor Lawrey to second.

That the Council

- 1. Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting; and*
- 2. Undertakes an independent review of Council's approach to forestry in 21/22 financial year, developing a science-led regenerative forestry plan prioritising permanent-canopy indigenous forest opportunities, climate leadership and innovation; and*
- 3. Directs staff to review the Treasury Management Plan (TMP) and Investment Policy for Forestry in alignment with the proposed regenerative forestry plan.*

Chief Executive, Pat Dougherty, clarified his advice at the Audit, Risk and Finance Subcommittee meeting where the policy was considered, was that the request constituted a large piece of work and that his recommendation would be to request a report to provide the scope and costs involved in a review.

Discussion took place on the proposed amendment and it was noted that clause 3 appeared to predetermine the outcome of the review and that it

would be preferable to request a report on potential costs and scope, and that clause 3 should be considered after any review had taken place.

During discussion regarding use of the forestry budget for a review, Councillor Skinner raised a Point of Order against Councillor Sanson for disrespectful remarks and potential misrepresentation regarding the naming of Forestry Subcommittee advisors and contractors, which was upheld. Councillor Sanson apologised.

During discussion on the review process, Councillor Sanson raised a Point of Order against the Chief Executive for misrepresentation around the potential costs of a review and the costs of transition, which were not known. The Point of Order was not upheld as the figures had been supplied to Elected Members in related documents.

Following further questions as to whether the forestry funding of \$100,000 could be used to look at all the options for forestry transition, it was reiterated that the forestry budget was to consider alternative commercial species, which still had to adhere to the principles of the Forestry Activity Management Plan (AMP) and the Treasury Management Plan, one of which was provision of a commercial return.

Further concerns were raised regarding clause 3 of the amendment predetermining the outcome of a review without allowing for the financial implications.

It was noted that the amendment should state 'Treasury Management Policy' not 'Plan' and it was clarified that iwi feedback had been factored into the AMP.

Discussion took place regarding replanting and cessation of commercial forestry.

The meeting was adjourned from 10.29am. until 10.46am.

At the request of the mover and seconder, the foreshadowed amendment was replaced with the below amendment.

Amendment

That the Council

- 1. Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting; and***
- 2. Requests a report on the costs and scope of undertaking an independent review of Council's approach to forestry in 21/22 financial year, developing a science-led regenerative forestry plan prioritising indigenous forest opportunities, climate leadership and innovation; and***

3. *Directs staff to review the Treasury Management and Investment Policies to enable regenerative forestry policy and report back.*

The amendment was put and a division was called:

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

The amendment was declared equal 6 - 6.

Sanson/Lawrey

The meeting was adjourned from 11.17am until 11.24am, at which time Councillors Fulton, Lawrey and McGurk were not present.

In order to progress the matter under discussion (SO 20.5), Her Worship the Mayor, seconded by Councillor Edgar, moved the following motion.

That the Council

1. *Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting; and*
2. *Requests a report on the potential costs, scope, and high level implications (including financial) of undertaking an independent review of Council's approach to forestry in the 21/22 financial year, including considering developing a regenerative forestry plan prioritising indigenous forest opportunities, climate leadership and innovation to inform the Forestry Activity Management Plan and Treasury Management Policy.*

Attendance: Councillors Fulton, Lawrey and McGurk returned to the meeting at 11.26am.

During debate, Councillor Sanson raised a Point of Order against the Mayor for misrepresentation that she was against forestry in general, Councillor Sanson's Point of Order was not upheld as Councillor Sanson had described forestry as 'strip mining' in her debate.

Councillor Skinner raised a Point of Order against Councillor Sanson for disrespect, regarding comments relating to dirty politics and campaign

donations. Councillor Skinner's Point of Order was upheld. Councillor Sanson apologised and withdrew her comments.

The motion was put in parts.

Resolved CL/2021/103

That the Council

- 2. Requests a report on the potential costs, scope, and high level implications (including financial) of undertaking an independent review of Council's approach to forestry in the 21/22 financial year, including considering developing a regenerative forestry plan prioritising indigenous forest opportunities, climate leadership and innovation to inform the Forestry Activity Management Plan and Treasury Management Policy.***

The motion was put and a division was called:

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

The motion was carried 11 - 2.

CL/2021/104

That the Council

- 1. Adopts the Treasury Management Policy (A2611223) as amended at the 25 May 2021 Audit, Risk and Finance Subcommittee meeting.***

Her Worship the Mayor/Edgar

Carried

The meeting was adjourned from 11.57am until 12.00pm.

8.2 Regional Transport Committee - 21 April 2021

8.2.1 2021-31 Regional Land Transport Plan – Deliberations Report

Recommendation to Council CL/2021/105

That the Council

- 1. Approves the Nelson Regional Land Transport Plan 2021-2031 (A2570814 of Report R22719) for submission to Waka Kotahi prior to 30 June subject to any changes made as part of the Long Term Plan 2021 - 2031 process, and minor changes made by Marlborough District Council or Tasman District Council Regional Transport Committees, and notes the delegation to the Chair and Deputy Chair of the Regional Transport Committee.***

McGurk/Edgar

Carried

8.2.2 Nelson Tasman Regional Public Transport Plan 2021-31 - Deliberations Report

Recommendation to Council CL/2021/106

That the Council

- 1. Notes that a Regional Public Transport Plan will be brought to Council on 1 July 2021 seeking approval to lodge with Waka Kotahi and that this timing of the approval of the Regional Public Transport Plan will ensure consistency across the Regional Land Transport Plan, Regional Public Transport Plan and Long Term Plan.***

McGurk/Edgar

Carried

9. Adoption of Long Term Plan 2021 – 2031 (Agenda Item 7)

Document number R25879, agenda pages 93 - 611 refer.

Group Manager Corporate Services, Nikki Harrison and Group Manager Strategy and Communications, Nicky McDonald, spoke to the report. Two documents were tabled (A2689716) containing officer amendments and LTP 2021-31 Accounting Policies (A2558353), containing changes requested by the Auditors.

Ms Harrison and Ms McDonald clarified the changes and an additional change was provided to Page 134 of the agenda (Page 27 of the LTP):

Approved an additional \$38,000 per annum to provide the Living Wage for bus drivers in our public transport service dependent on the successful completion of discussions with the contracted public transport operator.

Ms Harrison and Ms McDonald answered questions regarding the LTP. It was noted that the Community Investment Funding Panel membership on agenda page 602 needed to be updated.

During questions, Her Worship the Mayor raised and upheld a Point of Order against Councillor Sanson for being misleading, in suggesting that Council staff were not being honest regarding forestry income. Councillor Sanson withdrew the comments and apologised.

There were further questions regarding the Forestry Reserve balance, financial prudence and wastewater sludge charges.

Discussion took place regarding the Good Food Cities wording on agenda pages 211 and P212 (LTP pages 103 and 104)

Councillor Fulton raised a Point of Order against Councillor Skinner for misrepresentation in the use of the word 'veganism', the Point of Order was upheld.

Councillor Brand raised a Point of Order against Councillor Fulton for disruption (talking across the room), the Point of Order was upheld.

Councillor Fulton moved a motion, seconded by Councillor Sanson, to formalise the Good Food Cities wording on pages 211 and 212 of the agenda, with the amended wording on document A2689716.

Good Food City LTP wording

Resolved CL/2021/107

That the Council

- 1. Confirms the Good Food City wording provided on the Council Agenda 24 June 2021, pages 211 to 212 remain in the Long Term Plan 2021 – 31, including the amended wording "Council's food purchasing continues to support the Planetary Health Diet principles" provided on Attachment A2689716.***

The motion was put and a division was called:

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

Cr Rainey

Cr Sanson

The motion was carried 7 - 6.

Fulton/Sanson

Carried

Following the vote, it was noted that Council had not agreed to sign up to the Good Food City initiative, and suggested that the Good Food City wording decision had gone against Council's LTP deliberations. It was agreed to revisit this topic when the meeting reconvened on Tuesday 29 June 2021.

The meeting was adjourned at 12.42pm, to be reconvened on Tuesday 29 June 2021 at 9.00am.



Minutes of a meeting of the

Nelson City Council

Te Kaunihera o Whakatū

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson reconvened on Tuesday 29 June 2021, commencing at 9.08a.m.

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

In Attendance: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), Group Manager Community Services (A White), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne) and Governance Adviser (E Stephenson)

Apologies : Nil

10. Late Confidential Item - 5 City Heights

Her Worship the Mayor advised that there was a late confidential item to be considered and therefore a resolution was required to be passed.

The meeting was adjourned from 9.10am until 9.19am.

Group Manager Environmental Management, Clare Barton, advised that the matter needed to be considered at this meeting as the decision was timebound.

It was noted that Audit and Risk Subcommittee Chair, John Peters, would also be remaining for consideration of the late item.

Resolved CL/2021/108

That the Council

Considers the Confidential item regarding 5 City Heights at this meeting as an item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, to enable a timely decision to be made.

Edgar/McGurk

Carried

11. Exclusion of the Public

Sarah Macky, of Heaney and Partners, and John Peters, Chair of the Audit, Risk and Finance Subcommittee, were in attendance for Item 2 of the Confidential agenda – 5 City Heights, to answer questions and, accordingly, the following resolution was required to be passed:

Resolved CL/2021/109

That the Council

- 1. Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Sarah Macky of Heaney and Partners and John Peters, Chair of the Audit, Risk and Finance Subcommittee, remain after the public has been excluded, for Item 2 of the Confidential agenda (5 City Heights), as they have knowledge that will assist the meeting.***

Edgar/Courtney

Carried

Resolved CL/2021/110

That the Council

- 1. Excludes the public from the following parts of the proceedings of this meeting.***
- 2. The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official***

Information and Meetings Act 1987 for the passing of this resolution are as follows:

Her Worship the Mayor/Edgar

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Council Meeting - Confidential Minutes - 11 May 2021	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	Council Meeting - Confidential Minutes - 18 May 2021	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			negotiations (including commercial and industrial negotiations)
3.	5 City Heights	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(c)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied. • Section 7(2)(g) To maintain legal professional privilege.

The meeting went into confidential session at 9.23am and resumed in public session at 10.57am.

The meeting was adjourned from 10.57am until 11.30am.

Item 9 - The adoption of the Long Term Plan 2021 – 2031 was revisited.

9. Adoption of the Long Term Plan 2021 – 2031 (Good Food City Wording) (revisited)

Discussion took place on the previous Good Food City wording decision (CL/2021/107). Concerns were raised that the decision did not reflect the LTP deliberations discussion, which had not been finalised at the deliberations meeting. It was explained that the

proposed replacement wording gave no indication that Council was signing up to the C40 declaration and did not commit Council to spending or resource, but would show Council's commitments to projects that support the Good Food Cities initiative.

1. *Revokes Decision CL/2021/107, resolved on 24 June 2021*

That the Council

1. *Confirms the Good Food City wording provided on the Council Agenda 24 June 2021, pages 211 to 212 remain in the Long Term Plan 2021 – 31, including the amended wording "Council's food purchasing continues to support the Planetary Health Diet principles" provided on Attachment A2689716; and*
2. *Replaces the Good Food City wording in the Long Term Plan 2021 – 31, on Pages 211 – 212 of Council Agenda 24 June 2021, with the following words:*

Good Food City

Council supports Nelson Marlborough Health (NMH) leading work on Nelson becoming a Good Food City – a city that supports sustainable and healthy food, champions its local producers and works to reduce food waste. Council has many projects that contribute to the Good Food City objectives, particularly through reducing food waste and supporting a food resilient community. Examples of projects in the Long Term Plan that support the aims of this work include a proposed kitchenwaste collection scheme (dependent on the results of a trial and government funding), edibles in our reserves, encouraging home composting and initiatives that focus on better use of food.

The meeting was adjourned from 11.51am until 11.59am.

Discussion took place on the proposed motion, which was moved by Councillor Edgar, seconded by Councillor Fulton.

The motion was taken in parts.

Resolved CL/2021/111

That the Council

1. ***Revokes Decision CL/2021/107, resolved on 24 June 2021***

That the Council

1. *Confirms the Good Food City wording provided on the Council Agenda 24 June 2021, pages 211 to*

212 remain in the Long Term Plan 2021 – 31, including the amended wording "Council's food purchasing continues to support the Planetary Health Diet principles" provided on Attachment A2689716.

Edgar/Fulton

Carried

Debate took place on the second clause of the motion and it was noted that Nelson City Council did not have a definition of what a good food city was and had not considered the financial implications.

Resolved CL/2021/112

That the Council

- 2. Replaces the Good Food City wording in the Long Term Plan 2021 – 31, on Pages 211 – 212 of Council Agenda 24 June 2021, with the following words:***

Good Food City

Council supports Nelson Marlborough Health (NMH) leading work on Nelson becoming a Good Food City – a city that supports sustainable and healthy food, champions its local producers and works to reduce food waste. Council has many projects that contribute to the Good Food City objectives, particularly through reducing food waste and supporting a food resilient community. Examples of projects in the Long Term Plan that support the aims of this work include a proposed kitchenwaste collection scheme (dependent on the results of a trial and government funding), edibles in our reserves, encouraging home composting and initiatives that focus on better use of food.

Edgar/Fulton

Carried

10 Adoption of the Long Term Plan 2021 – 2031 - Receipt of the Auditor General Auditor's Opinion

The Auditor's opinion was tabled (A2703016)

Resolved CL/2021/113

That the Council

1. Receives the Office of the Auditor General Auditor's Opinion on the Long Term Plan 2021 – 2031 (A2703016).

Her Worship the Mayor/Edgar

Carried

Discussion took place on minor amendments and it was noted that better communication and improvements to the website relating to building and resource consents should be included in the final LTP.

The motion, moved by Her Worship the Mayor, seconded by Councillor Edgar, was taken in parts.

That the Council

1. *Receives the report Adoption of Long Term Plan 2021 - 2031 (R25879) and its attachment (A2681479).*

Carried

That the Council

2. *Adopts the Revenue and Financing Policy (pages 191-225) of A2681479, the Rates Remission Policy (pages 226-237) of A2681479.*

Carried

That the Council

3. *Confirms that setting an unbalanced budget in 2021/22, 2022/23 and 2023/24 of the Long Term Plan 2021 – 2031 is prudent in terms of section 100 of the Local Government Act 2002, given the ongoing effects of the COVID-19 pandemic on the local economy and ratepayers, and having had regard to the matters in section 100(2) of the Local Government Act 2002.*

Carried

Debate took place on the adoption of the LTP motion, with a range of views expressed for and against. Councillor Skinner requested that the minutes note his view that the Library Project \$26million budget would blow out and went too far beyond Council's core responsibilities.

Councillor Fulton raised a Point of Order against Councillor Sanson for misrepresentation regarding a statement that Council's current forestry approach and response was indicative of systemic issues, noting that scenarios were based on worst case and that the work was based on reducing emissions.

The meeting was adjourned from 1.20pm until 1.50pm to allow consideration of the Point of Order.

Following advice given by Mr Dougherty on flood levels, the Point of Order was upheld as misleading.

Councillor Lawrey raised a Point of Order against Councillor Edgar for misrepresentation regarding comments he felt that were directed at him, the Point of Order was not upheld as it was felt they were not a direct criticism.

The meeting was adjourned from 2.26pm until 2.32pm.

In closing, Her Worship the Mayor, acknowledged the work undertaken on the LTP, the critical timeframes and the role of Audit New Zealand. She recognised that a change in local government was needed, as ratepayers were finding it difficult, especially with COVID-19 repercussions and the property revaluation process. She noted Council's environmental responsibilities, particularly relating to freshwater work, the science and technology precinct, Council's spatial plan and the marina and encouraged Elected Members to support the adoption of the LTP.

That the Council

3. *Adopts the Long Term Plan 2021 - 2031 (A2681479) pursuant to Section 93 of the Local Government Act 2002.*

The motion was put and a division was called:

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

The motion was carried 8 - 5.

That the Council

4. *Delegates the Mayor (or in her absence the Deputy Mayor) and Chief Executive to make any necessary minor editorial amendments prior to the release of the final Long Term Plan 2021 - 2031 to the public.*

Carried

That the Council

6. *Sets and assesses the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2021 and ending on 30 June 2022.*

The revenue approved below will be raised by the rates and charges that follow:

Revenue approved:

<i>General Rate</i>	<i>\$44,415,955</i>
<i>Uniform Annual General Charge</i>	<i>\$9,111,973</i>
<i>Stormwater and Flood Protection Charge</i>	<i>\$7,202,771</i>
<i>Waste Water Charge</i>	<i>\$9,361,397</i>
<i>Water Annual Charge</i>	<i>\$3,799,826</i>
<i>Water Volumetric Charge</i>	<i>\$8,866,261</i>
<i>Clean Heat Warm Homes and Solar Saver</i>	<i>\$70,228</i>
	<hr/>
<i>Rates and Charges (excluding GST)</i>	<i>\$82,828,411</i>
<i>Goods and Services Tax (at the current rate)</i>	<i>\$12,424,261</i>
	<hr/>
<i>Total Rates and Charges</i>	<i>\$95,252,672</i>
	<hr/>

The rates and charges below are GST inclusive

(1) General Rate

A general rate set under section 13 of the Local Government (Rating) Act 2002, assessed on a differential land value basis as described below:

- a rate of 0.56582 cents in the dollar of land value on every rating unit in the "residential – single unit" category.*
- a rate of 0.56582 cents in the dollar of land value on every rating unit in the "residential empty section" category.*

- *a rate of 0.62240 cents in the dollar of land value on every rating unit in the "single residential unit forming part of a parent valuation, the remainder of which is non-rateable" category. This represents a plus 10% differential on land value.*
- *a rate of 0.62240 cents in the dollar of land value on every rating unit in the "multi residential" category. This represents a plus 10% differential on land value.*
- *a rate of 1.54924 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 100% commercial and industrial (occupied and empty) category. This represents a plus 173.805% differential on land value.*
- *a rate of 1.30365 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 25% residential and 75% commercial" category. This represents a plus 130.4% differential on land value.*
- *a rate of 1.05752 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 50% residential and 50% commercial" category. This represents a plus 86.9% differential on land value.*
- *a rate of 0.81195 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 75% residential and 25% commercial" category. This represents a plus 43.5% differential on land value.*
- *a rate of 1.65992 cents in the dollar of land value on every rating unit in the "commercial inner city" subject to 100% commercial and industrial (occupied and empty) category. This represents a plus 193.365% differential on land value.*
- *a rate of 1.38626 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 25% residential and 75% commercial" category. This represents a plus 145% differential on land value.*
- *a rate of 1.11297 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 50% residential and 50% commercial" category. This represents a plus 96.7% differential on land value.*
- *a rate of 0.83911 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 75%*

residential and 25% commercial” category. This represents a plus 48.3% differential on land value.

- *a rate of 1.59703 cents in the dollar of land value on every rating unit in the “Stoke commercial subject to 100% commercial and industrial (occupied and empty)” category. This represents a plus 182.25% differential on land value.*
- *a rate of 1.33930 cents in the dollar of land value on every rating unit in the “Stoke commercial subject to 25% residential and 75% commercial” category. This represents a plus 136.7% differential on land value.*
- *a rate of 1.08128 cents in the dollar of land value on every rating unit in the “Stoke commercial subject to 50% residential and 50% commercial” category. This represents a plus 91.1% differential on land value.*
- *a rate of 0.82383 cents in the dollar of land value on every rating unit in the “Stoke commercial subject to 75% residential and 25% commercial” category. This represents a plus 45.6% differential on land value.*
- *a rate of 0.36778 cents in the dollar of land value on every rating unit in the “rural” category. This represents a minus 35% differential on land value.*
- *a rate of 0.50924 cents in the dollar of land value on every rating unit in the “small holding” category. This represents a minus 10% differential on land value.*

(2) Uniform Annual General Charge

A uniform annual general charge under section 15 of the Local Government (Rating) Act 2002 of \$429.14 per separately used or inhabited part of a rating unit.

(3) Stormwater and Flood Protection Charge

A targeted rate under section 16 of the Local Government (Rating) Act 2002 of \$384.62 per rating unit, this rate is payable by all ratepayers excluding rural rating units, rating units east of the Gentle Annie saddle, Saxton’s Island and Council’s stormwater network.

(4) Waste Water Charge

A targeted rate for waste water disposal under section 16 of the Local Government (Rating) Act 2002 of:

- *\$502.29 per separately used or inhabited part of a residential, multi residential, rural and small holding rating*

units that is connected either directly or through a private drain to a public waste water drain.

- *For commercial rating units, a waste water charge of \$125.57 per separately used or inhabited part of a rating unit that is connected either directly or through a private drain to a public waste water drain. Note: a "trade" waste charge will also be levied.*

(5) Water Annual Charge

A targeted rate for water supply under Section 16 of the Local Government (Rating) Act 2002, of:

<i>Water charge (per connection)</i>	<i>\$203.29</i>
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(6) Water Volumetric Rate

A targeted rate for water provided under Section 19 of the Local Government (Rating) Act 2002, of:

Price of water:

<i>Usage up to 10,000 cu.m/yr</i>	<i>\$2.038 per m³</i>
<i>Usage from 10,001 – 100,000 cu.m/year</i>	<i>1.708 per m³</i>
<i>Usage over 100,000 cu.m/year</i>	<i>1.348 per m³</i>
<i>Summer irrigation usage over 10,000 cu.m/year</i>	<i>\$1.873 per m³</i>

(7) Clean Heat Warm Homes

A targeted rate per separately used or inhabited part of a rating unit that has been provided with home insulation and/or a heater to replace a non-complying solid fuel burner under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of:

- *For properties levied the Clean Heat Warm Homes rate as a result of agreements entered into on or after 1 July 2011, the targeted rate for each year for 10 years will be the total cost of the installed works excluding GST, divided by 10, plus GST.*
- *For properties assessed the Clean Heat Warm Homes rate as a result of agreements entered into prior to 1 July 2011 the targeted rate of:*

<i>Loan Assistance Range</i>	<i>Installation after 30 Sept 2010</i>	<i>Completed prior to 30 Sept 2010</i>
<i>\$1,400 to \$1,599</i>	<i>\$140.00</i>	<i>\$143.11</i>
<i>\$1,600 to \$1,799</i>	<i>\$160.00</i>	<i>\$163.56</i>
<i>\$1,800 to \$1,999</i>	<i>\$180.00</i>	<i>\$184.00</i>
<i>\$2,000 to \$2,199</i>	<i>\$200.00</i>	<i>\$204.44</i>
<i>\$2,200 to \$2,399</i>	<i>\$220.00</i>	<i>\$224.89</i>
<i>\$2,400 to \$2,599</i>	<i>\$240.00</i>	<i>\$245.34</i>
<i>\$2,600 to \$2,799</i>	<i>\$260.00</i>	<i>\$265.78</i>
<i>\$2,800 to \$2,999</i>	<i>\$280.00</i>	<i>\$286.22</i>
<i>\$3,000 to \$3,199</i>	<i>\$300.00</i>	<i>\$306.67</i>
<i>\$3,200 to \$3,399</i>	<i>\$320.00</i>	<i>\$327.11</i>
<i>\$3,400 to \$3,599</i>	<i>\$340.00</i>	<i>\$347.56</i>
<i>\$3,600 to \$3,799</i>	<i>\$360.00</i>	<i>\$368.00</i>
<i>\$3,800 to \$3,999</i>	<i>\$380.00</i>	<i>\$388.44</i>
<i>\$4,000 to \$4,199</i>	<i>\$400.00</i>	<i>\$408.89</i>
<i>\$4,200 to \$4,399</i>	<i>\$420.00</i>	<i>\$429.34</i>
<i>\$4,400 to \$4,599</i>	<i>\$440.00</i>	<i>\$449.78</i>
<i>\$4,600 to \$4,799</i>	<i>\$460.00</i>	<i>\$470.22</i>
<i>\$4,800 to \$4,999</i>	<i>\$480.00</i>	<i>\$490.67</i>

(8) Solar Hot Water Systems

A targeted rate for any separately used or inhabited parts of a rating unit that has been provided with financial assistance to install a solar hot water system under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of the following factors on the extent of provision of service (net cost of the work including GST after deducting EECA grant, plus funding cost):

- 0.14964 (including GST) for agreements entered into prior to 1 July 2011, multiplied by the Net Cost of the Work adjusted for any increased GST.
- 0.13847 (including GST) for agreements entered into after 1 July 2011 multiplied by the Net Cost of the Work.

(9) Low Valued Properties Remission Value

In accordance with Section 85 of the Local Government (Rating) Act 2002 and Council's Rates Remission Policy, Council sets the land value for the Low Valued Properties Rates Remission at \$6,000.

Other Rating Information:

Due Dates for Payment of Rates

The above rates (excluding water volumetric rates) shall be payable in four instalments on the following dates:

<i>Instalment Number</i>	<i>Instalment Due Date</i>	<i>Last Date for Payment</i>	<i>Penalty Date</i>
<i>Instalment 1</i>	<i>26 July 2021</i>	<i>20 August 2021</i>	<i>26 August 2021</i>
<i>Instalment 2</i>	<i>25 October 2021</i>	<i>22 November 2021</i>	<i>26 November 2021</i>
<i>Instalment 3</i>	<i>25 January 2022</i>	<i>21 February 2022</i>	<i>25 February 2022</i>
<i>Instalment 4</i>	<i>25 April 2022</i>	<i>20 May 2022</i>	<i>26 May 2022</i>

Rates instalments not paid on or by the Last Date for payment above will incur penalties as detailed in the section "Penalty on Rates".

Due Dates for Payment of Water Volumetric Rates

Water volumetric rates shall be payable on the following dates:

<i>Billing Month</i>	<i>Last Date for Payment</i>
<i>July 2021</i>	<i>20 August 2021</i>
<i>August 2021</i>	<i>20 September 2021</i>
<i>September 2021</i>	<i>20 October 2021</i>
<i>October 2021</i>	<i>22 November 2021</i>
<i>November 2021</i>	<i>20 December 2021</i>
<i>December 2021</i>	<i>20 January 2022</i>
<i>January 2022</i>	<i>21 February 2022</i>
<i>February 2022</i>	<i>21 March 2022</i>
<i>March 2022</i>	<i>20 April 2022</i>
<i>April 2022</i>	<i>20 May 2022</i>
<i>May 2022</i>	<i>20 June 2022</i>
<i>June 2022</i>	<i>20 July 2022</i>

Penalty on Rates

Pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002, Council authorises the following penalties on unpaid rates (excluding volumetric water rate accounts) and delegates authority to the Group Manager Corporate Services to apply them:

- a charge of 5% of the amount of each rate instalment remaining unpaid after the due date stated above, to be added on the penalty date as shown in the above table and also shown on each rate instalment notice.*
- a charge of 5% will be added on 8 July 2021 to any balance from a previous rating year (including penalties previously charged) remaining outstanding on 1 July 2021.*
- a further additional charge of 5% will be added on 10 January 2022 to any balance from a previous rating year (including penalties previously charged) to which a penalty has been added according to the bullet point above, remaining outstanding on 7 January 2022.*

Penalty Remission

In accordance with Section 85 of the Local Government (Rating) Act 2002 and Council's Rates Remission Policy, the Council will approve the remission of a penalty where the criteria of the policy has been met.

Payment of Rates

Rates shall be payable at the Council offices, Civic House, 110 Trafalgar Street, Nelson between the hours of 8.30am to 5.00pm Monday, Tuesday, Thursday and Friday and 9.00am to 5.00pm Wednesday.

Where any payment is made by a ratepayer that is less than the amount now payable, the Council will apply the payment firstly to any rates outstanding from previous rating years and then to current year rates due.

For clarity, the full Adoption of the Long Term Plan 2021 – 2031 resolution is below:

Resolved CL/2021/114

That the Council

- 1. Receives the report Adoption of Long Term Plan 2021 - 2031 (R25879) and its attachment (A2681479); and***

2. **Adopts the Revenue and Financing Policy (pages 191-225) of A2681479, the Rates Remission Policy (pages 226-237) of A2681479; and**
3. **Confirms that setting an unbalanced budget in 2021/22, 2022/23 and 2023/24 of the Long Term Plan 2021 – 2031 is prudent in terms of section 100 of the Local Government Act 2002, given the ongoing effects of the COVID-19 pandemic on the local economy and ratepayers, and having had regard to the matters in section 100(2) of the Local Government Act 2002; and**
4. **Adopts the Long Term Plan 2021 - 2031 (A2681479) pursuant to Section 93 of the Local Government Act 2002; and**
5. **Delegates the Mayor (or in her absence the Deputy Mayor) and Chief Executive to make any necessary minor editorial amendments prior to the release of the final Long Term Plan 2021 - 2031 to the public; and**
6. **Sets and assesses the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing on 1 July 2021 and ending on 30 June 2022.**

The revenue approved below will be raised by the rates and charges that follow:

Revenue approved:

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Water Annual Charge	\$3,799,826
Water Volumetric Charge	\$8,866,261
Clean Heat Warm Homes and Solar Saver	\$70,228
	<hr/>
Rates and Charges (excluding GST)	\$82,828,411

Goods and Services Tax (at the current rate)	\$12,424,261
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Total Rates and Charges	\$95,252,672
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The rates and charges below are GST inclusive

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- **a rate of 0.62240 cents in the dollar of land value on every rating unit in the "single residential unit forming part of a parent valuation, the remainder of which is non-rateable" category. This represents a plus 10% differential on land value.**
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- **a rate of 1.30365 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 25% residential and 75% commercial" category. This represents a plus 130.4% differential on land value.**

- ***a rate of 1.05752 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 50% residential and 50% commercial" category. This represents a plus 86.9% differential on land value.***
- ***a rate of 0.81195 cents in the dollar of land value on every rating unit in the "commercial – excluding inner city and Stoke commercial" subject to 75% residential and 25% commercial" category. This represents a plus 43.5% differential on land value.***
- ***a rate of 1.65992 cents in the dollar of land value on every rating unit in the "commercial inner city" subject to 100% commercial and industrial (occupied and empty) category. This represents a plus 193.365% differential on land value.***
- ***a rate of 1.38626 cents in the dollar of land value on every rating unit in the "commercial inner city subject to 25% residential and 75% commercial" category. This represents a plus 145% differential on land value.***
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- ***a rate of 1.08128 cents in the dollar of land value on every rating unit in the "Stoke commercial subject to 50% residential and 50% commercial" category. This represents a plus 91.1% differential on land value.***
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(2) Uniform Annual General Charge

A uniform annual general charge under section 15 of the Local Government (Rating) Act 2002 of \$429.14 per separately used or inhabited part of a rating unit.

(3) Stormwater and Flood Protection Charge

A targeted rate under section 16 of the Local Government (Rating) Act 2002 of \$384.62 per rating unit, this rate is payable by all ratepayers excluding rural rating units, rating units east of the Gentle Annie saddle, Saxton's Island and Council's stormwater network.

(4) Waste Water Charge

A targeted rate for waste water disposal under section 16 of the Local Government (Rating) Act 2002 of:

- ***\$502.29 per separately used or inhabited part of a residential, multi residential, rural and small holding rating units that is connected either directly or through a private drain to a public waste water drain.***
- ***For commercial rating units, a waste water charge of \$125.57 per separately used or inhabited part of a rating unit that is***

connected either directly or through a private drain to a public waste water drain. Note: a "trade" waste charge will also be levied.

(5) Water Annual Charge

A targeted rate for water supply under Section 16 of the Local Government (Rating) Act 2002, of:

***Water charge (per connection)
\$203.29***

(6) Water Volumetric Rate

A targeted rate for water provided under Section 19 of the Local Government (Rating) Act 2002, of:

Price of water:

Usage up to 10,000 cu.m/yr \$2.038 per m³

***Usage from 10,001 – 100,000 cu.m/year
1.708 per m³***

Usage over 100,000 cu.m/year 1.348 per m³

***Summer irrigation usage over 10,000 cu.m/year
\$1.873 per m³***

(7) Clean Heat Warm Homes

A targeted rate per separately used or inhabited part of a rating unit that has been provided with home insulation and/or a heater to replace a non-complying solid fuel burner under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of:

- For properties levied the Clean Heat Warm Homes rate as a result of agreements entered into on or after 1 July 2011, the targeted rate for each year for 10 years will be the total cost of the installed works excluding GST, divided by 10, plus GST.***
- For properties assessed the Clean Heat Warm Homes rate as a result of agreements entered into prior to 1 July 2011 the targeted rate of:***

<i>Loan Assistance Range</i>	<i>Installation after 30 Sept 2010</i>	<i>Completed prior to 30 Sept 2010</i>
<i>\$1,400 to \$1,599</i>	<i>\$140.00</i>	<i>\$143.11</i>
<i>\$1,600 to \$1,799</i>	<i>\$160.00</i>	<i>\$163.56</i>
<i>\$1,800 to \$1,999</i>	<i>\$180.00</i>	<i>\$184.00</i>
<i>\$2,000 to \$2,199</i>	<i>\$200.00</i>	<i>\$204.44</i>
<i>\$2,200 to \$2,399</i>	<i>\$220.00</i>	<i>\$224.89</i>
<i>\$2,400 to \$2,599</i>	<i>\$240.00</i>	<i>\$245.34</i>
<i>\$2,600 to \$2,799</i>	<i>\$260.00</i>	<i>\$265.78</i>
<i>\$2,800 to \$2,999</i>	<i>\$280.00</i>	<i>\$286.22</i>
<i>\$3,000 to \$3,199</i>	<i>\$300.00</i>	<i>\$306.67</i>
<i>\$3,200 to \$3,399</i>	<i>\$320.00</i>	<i>\$327.11</i>
<i>\$3,400 to \$3,599</i>	<i>\$340.00</i>	<i>\$347.56</i>
<i>\$3,600 to \$3,799</i>	<i>\$360.00</i>	<i>\$368.00</i>
<i>\$3,800 to \$3,999</i>	<i>\$380.00</i>	<i>\$388.44</i>
<i>\$4,000 to \$4,199</i>	<i>\$400.00</i>	<i>\$408.89</i>
<i>\$4,200 to \$4,399</i>	<i>\$420.00</i>	<i>\$429.34</i>
<i>\$4,400 to \$4,599</i>	<i>\$440.00</i>	<i>\$449.78</i>
<i>\$4,600 to \$4,799</i>	<i>\$460.00</i>	<i>\$470.22</i>
<i>\$4,800 to \$4,999</i>	<i>\$480.00</i>	<i>\$490.67</i>

(8) Solar Hot Water Systems

A targeted rate for any separately used or inhabited parts of a rating unit that has been provided with financial assistance to install a solar hot water system under Section 16 of the Local Government (Rating) Act 2002 in accordance with agreement of the original ratepayer, of the following factors on the extent of provision of service (net cost of the work including GST after deducting EECA grant, plus funding cost):

- **0.14964 (including GST) for agreements entered into prior to 1 July 2011, multiplied by the Net Cost of the Work adjusted for any increased GST.**
- **0.13847 (including GST) for agreements entered into after 1 July 2011 multiplied by the Net Cost of the Work.**

(9) Low Valued Properties Remission Value

In accordance with Section 85 of the Local Government (Rating) Act 2002 and Council's Rates Remission Policy, Council sets the land value for the Low Valued Properties Rates Remission at \$6,000.

Other Rating Information:

Due Dates for Payment of Rates

The above rates (excluding water volumetric rates) shall be payable in four instalments on the following dates:

Instalment Number	Instalment Due Date	Last Date for Payment	Penalty Date
Instalment 1	26 July 2021	20 August 2021	26 August 2021
Instalment 2	25 October 2021	22 November 2021	26 November 2021
Instalment 3	25 January 2022	21 February 2022	25 February 2022
Instalment 4	25 April 2022	20 May 2022	26 May 2022

Rates instalments not paid on or by the Last Date for payment above will incur penalties as detailed in the section "Penalty on Rates".

Due Dates for Payment of Water Volumetric Rates

Water volumetric rates shall be payable on the following dates:

Billing Month	Last Date for Payment
July 2021	20 August 2021
August 2021	20 September 2021
September 2021	20 October 2021
October 2021	22 November 2021
November 2021	20 December 2021
December 2021	20 January 2022
January 2022	21 February 2022
February 2022	21 March 2022

March 2022	20 April 2022
April 2022	20 May 2022
May 2022	20 June 2022
June 2022	20 July 2022

Penalty on Rates

Pursuant to Sections 57 and 58 of the Local Government (Rating) Act 2002, Council authorises the following penalties on unpaid rates (excluding volumetric water rate accounts) and delegates authority to the Group Manager Corporate Services to apply them:

- a charge of 5% of the amount of each rate instalment remaining unpaid after the due date stated above, to be added on the penalty date as shown in the above table and also shown on each rate instalment notice.***
- a charge of 5% will be added on 8 July 2021 to any balance from a previous rating year (including penalties previously charged) remaining outstanding on 1 July 2021.***
- a further additional charge of 5% will be added on 10 January 2022 to any balance from a previous rating year (including penalties previously charged) to which a penalty has been added according to the bullet point above, remaining outstanding on 7 January 2022.***

Penalty Remission

In accordance with Section 85 of the Local Government (Rating) Act 2002 and Council's Rates Remission Policy, the Council will approve the remission of a penalty where the criteria of the policy has been met.

Payment of Rates

Rates shall be payable at the Council offices, Civic House, 110 Trafalgar Street, Nelson between the hours of 8.30am to 5.00pm Monday, Tuesday, Thursday and Friday and 9.00am to 5.00pm Wednesday.

Where any payment is made by a ratepayer that is less than the amount now payable, the Council will apply the payment firstly to any rates outstanding

from previous rating years and then to current year rates due.

Her Worship the Mayor/Edgar

Carried

Attachments

- 1 A2689716 - LTP 2021-31 changes to table
- 2 A2558353 - LTP 2021-31 - Accounting Policies
- 3 A2703016 - Auditor General Auditor's Opinion on the Long Term Plan 2021 - 2031

Karakia Whakamutunga

There being no further business the meeting ended at 2.53pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date



Minutes of a meeting of the

Nelson City Council

Te Kaunihera o Whakatū

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson on Thursday 1 July 2021, commencing at 9.07a.m.

Present: Her Worship the Mayor R Reese (Chairperson until 9.30am), Councillors Y Bowater, T Brand, M Courtney, J Edgar (Deputy Mayor, Chairperson from 9.30am), K Fulton, M Lawrey, R O'Neill-Stevens, B McGurk, G Noonan, P Rainey, R Sanson and T Skinner

In Attendance: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), Group Manager Community Services (A White), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald) and Governance Advisers (E Stephenson and K McLean)

Apologies : Nil

Karakia and Mihi Timatanga

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Her Worship the Mayor advised that an additional Public Forum request had been accepted since the agenda had been issued, and that the meeting would be adjourned and reconvened on Tuesday 6 July to consider Item 10 Nelson Regional Development Agency Statement of Intent 2021 – 2024.

3. Interests

Her Worship the Mayor and Councillor Skinner declared an interest in Item 5 – Code of Conduct Investigation Report.

4. Public Forum

0.2. Faye Wulff - The Code of Conduct

Faye Wulff spoke on the Code of Conduct Investigation and in support of Councillor Skinner.

0.1. Nelson Citizens Alliance Group - The Code of Conduct

Neville Male spoke on behalf of the Nelson Citizens Alliance Group on the Code of Conduct Investigation and in support of Councillor Skinner.

4.3 Tom Harrison – Code of Conduct Investigation

Tom Harrison spoke regarding the Extinction Rebellion protest and in support of Councillor Skinner.

Her Worship the Mayor vacated the Chair and the Deputy Mayor assumed the Chair at 9.30am.

5. Code of Conduct Independent Investigation Report

Document number R25995, agenda pages 8 - 44 refer.

Bruce Robertson, RBruce Robertson Ltd and Johnathan Salter, Simpson Grierson, (via Zoom) were present to provide advice on the matter.

It was clarified that Her Worship the Mayor and Councillor Skinner would both leave the meeting for deliberations after receiving the advice from Mr Salter and making their statements on the Code of Conduct Investigation.

Mr Salter's advice via Zoom included:

- The principles of the Code of Conduct, natural justice and fairness
- The independent report had been prepared in accordance with the Code of Conduct
- The key issue was the requirements of natural justice and what was the standard that applied
- The decision to be made today was regarding the penalty to be imposed, which needed to be proportionate to the breach to the code of conduct
- Her Worship the Mayor and Councillor Skinner both had the right to be heard on the matter of the report and should then leave the meeting for deliberations

- The need to be confident a decision could be made on the evidence in the report
- The requirement for all Elected Members to take part in deliberations with an open mind and not to be predisposed, to be open to what was in the report and to persuasion
- If Elected Members did not feel that they could deliberate in that context, they should disqualify themselves from deliberations.

Mr Salter answered questions regarding Councillor Skinner's employment status and accountability, compliance with the Code of Conduct, and as to what matters the Elected Members should take into account in their decision-making.

Her Worship the Mayor gave her statement, noting that she stood by the Code of Conduct complaint process, which she had not initiated lightly. She acknowledged the pressure on Councillor Skinner and his family, on Elected Members and on staff. The Mayor believed the independent report was very clear and that, to the best of her knowledge, both she and Councillor Skinner had cooperated with the Code of Conduct. She felt that the independent report had rightly found that there had been a breach, and she felt that an apology was warranted. She was in support of what was proposed, which would show accountability. She noted that in consideration of the matter, she had taken into account her knowledge of Councillor Skinner in his role, noting his honesty and treatment of others with respect and that he held the trust and confidence of the Chief Executive. The Mayor reiterated that the issue today was to deal with the facts of the matter to decide a proportionate penalty.

Councillor Skinner gave his statement, saying that he had been humbled by the support shown to him, especially that of his wife and family. Councillor Skinner said that he had taken ownership for his actions, and that he had continuously reflected on his actions with a long lasting effect. He noted the effects of the continual media coverage and social media judgement, with little opportunity for him to respond as there had been a requirement for him to stay silent through the Police complaint process, and then through the Code of Conduct process. Councillor Skinner said that this had been an emotionally challenging period, which had taken a huge mental toll on his family, and had been the toughest period he had ever experienced, something that he would not wish on anyone else. He noted that he had apologised to Anne Smith as soon as he had realised that she had been chained to the door, and on several more occasions. He hoped Anne Smith was well and had never wished her harm. He said that this incident had made him reassess his day to day actions. He confirmed that he had read the independent report and respected Bruce Robertson's judgement.

Attendance: Her Worship the Mayor and Councillor Skinner left the meeting at 10.12am. Deputy Mayor Edgar invited any Elected Members unable to deliberate with an open mind to leave at that point.

Mr Bruce Robertson was invited to the table to speak to his report. He noted that he had received full cooperation from both the Mayor and Councillor Skinner, and that all requested information had been provided to him. He outlined his thinking in the report, noting that Council's Code of Conduct meant that Elected Members, as a group, had defined what was acceptable behaviour, which was higher than that expected of the public and that it was Council's responsibility to decide on the matter. It had been his job to decide what the pertinent facts were and he noted his role was advisory.

He spoke about the facts that he had considered in his investigation and noted that Council's Code of Conduct, like many councils, was lacking in detail regarding social media. He provided the rationale for his recommendations. Mr Robertson answered questions regarding his understanding of the events, his focus during the investigation, his recommendations, the scale of the breach of the Code of Conduct and his understanding of Councillor Skinner's actions.

Chief Executive, Pat Dougherty, clarified who would undertake Councillor Skinner's chairing responsibilities and what Community and Recreation Committee meetings and workshops were taking place in the proposed standdown period.

The meeting was adjourned from 11.03am until 11.22am.

In response to a question from Deputy Mayor Edgar, all Elected Members confirmed that they had an open mind.

During debate, it was agreed that the following changes be made to the motion:

- The words and Council staff be included in clause 3.a.
- The period in clause 3.b. be changed from ' for the duration of one round of committee meetings' to a period of 6 weeks effective 2 July 2021 to 12 August 2021 inclusive
- That a clause 3.b.i. be added to clarify that the role of the Community and Recreation Committee Chair would be undertaken by the Deputy Chairs during the period of Councillor Skinner's stand down; and
- That a clause 3.b.ii. be added to reflect Councillor Skinner's wishes to make a donation to Habitat for Humanity Nelson of the difference in remuneration between a chair and councillor for the period of his stand down.

It was also suggested that a review of the Code of Conduct social media section was required as part of the next review.

Resolved CL/2021/001

That the Council

1. **Receives the report Code of Conduct Independent Investigation Report (R25995) and its attachments (A2504147, A2692456 and A2691195); and**
2. **Agrees with the conclusions of the independent investigation that:**
 - a. **Councillor Skinner has breached section 5.3 of the Code of Conduct and his actions have not contributed to the trust and respect of the Council by the Nelson community; and**
 - b. **Councillor Skinner's actions on social media, while not necessarily breaching section 6 of the Code of Conduct, have been unwise.**
3. **Requires the following in accordance with section 13.1 of the Code of Conduct:**
 - a. **That Councillor Skinner provide a genuine and fulsome public apology to the protestor and to his fellow elected members and Council staff; and**
 - b. **That Councillor Skinner be stood down from his role as Chair of the Community and Recreation Committee for a period of six weeks effective 2 July 2021 to 12 August 2021 inclusive;**
 - i. **Noting that the role of Community and Recreation Committee Chair will be undertaken by the Deputy Chairs to the Committee during this period; and**
 - ii. **Noting that Councillor Skinner will make a charitable donation of the difference in remuneration between a chair and councillor for the period of his stand down to Habitat for Humanity Nelson; and**
4. **Notes that, subject to Councillor Skinner complying with the penalties imposed, this will be the full and final resolution of this Code of Conduct matter.**

Brand/Noonan

Carried

Attachments

- 1 A2696320 - Councillor Skinner apology

The meeting was adjourned from 12.04pm until 12.11pm, at which time Councillor Skinner returned to the meeting.

Councillor Skinner delivered his apology, which has been attached to the meeting minutes (A2696320).

The meeting was adjourned from 12.15pm until 12.45pm.

6. Exclusion of the Public

The table below includes the titles of the matters included in the Recommendations from Committees, the Mayor's Report and the Status Report, which were inadvertently omitted from the open agenda.

Resolved CL/2021/116

That the Council

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

Brand/Courtney

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	<p>Recommendations from Committees</p> <p>Strategic Development & Property Subcommittee 01/06/21</p> <p>Kinzett Terrace Lease</p> <p>Community and Recreation Committee 17/06/21</p> <p>Approval of Community Investment Funding Panel Membership</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			negotiations)
2	Mayor's Report Update from the Strategic Development and Property Subcommittee	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
3.	Status Report - Council - Confidential Statement of Understanding – Update and legal advice Strategic Land Funding Allocation Community Housing Settlement NCC/TDC Engineering Services Agreement and NCC/TDC Waimea Community Dam Funding Agreement	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(g) To maintain legal professional privilege • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
4.	Kāinga Ora Housing	Section 48(1)(a)	<ul style="list-style-type: none"> • Section 7(2)(g) To maintain legal

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Developments	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	professional privilege <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into confidential session at 12.52pm and resumed in public session at 3.22pm, at which time Councillors Lawrey and Rainey were not present.

Attendance: Councillor Fulton left the meeting at 3.24pm.

7. Recommendations from Committees

7.1 Regional Transport Committee - 29 June 2021

7.1.1 Nelson Tasman 2021-31 Regional Public Transport Plan

Recommendation to Council CL/2021/126

That the Council

- 1. Approves the Nelson Regional Public Transport Plan 2021-2031 (A2679732 of Report R25893) for submission to Waka Kotahi prior to 2 July 2021.***

McGurk/O'Neill-Stevens

Carried

8. Mayor's Report

Document number R25866, agenda pages 103 - 198 refer.

Elected Members indicated that they were comfortable with the remits to the Local Government New Zealand Annual General Meeting 2021.

The motion was put in parts.

Resolved CL/2021/127

That the Council

- 2. Supports the proposed Remits to the Local Government New Zealand Annual General Meeting 2021, as discussed.***

Sanson/O'Neill-Stevens

Carried

Resolved CL/2021/128

That the Council

- 1. Receives the report Mayor's Report (R25866) and its attachment(A2688382, A2692426 and A2692427).***

Sanson/Courtney

Carried

9. Status Report - Council

Document number R25992, agenda pages 199 - 204 refer.

Resolved CL/2021/129

That the Council

- 1. Receives the report Status Report - Council (R25992) and its attachment (A1168168).***

Skinner/Sanson

Carried

The meeting was adjourned at 3.32pm, to be reconvened on Tuesday 6 July 2021.



Minutes of a meeting of the

Nelson City Council

Te Kaunihera o Whakatū

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson on Thursday 1 July 2021, and reconvened on Tuesday 6 July commencing at 2.09p.m.

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

In Attendance: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Group Manager Environmental Management (C Barton), Group Manager Community Services (A White), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald) and Governance Advisers (E Stephenson and K McLean)

Apologies : Councillors M Courtney and P Rainey

10. Apologies

Resolved CL/2021/130

That the Council

- 1. Receives and accepts the apologies from Councillors Courtney and Rainey.***

Her Worship the Mayor/Edgar

Carried

11. Nelson Regional Development Agency Statement of Intent 2021 – 2024 (Agenda Item 10)

Document number R25848, agenda pages 45 - 102 refer.

A PowerPoint presentation (A2698906) was provided.

Nelson Regional Development Agency (NRDA) Board members present were:

- Meg Mathews
- Jeremy Banks
- David Johnston

NRDA Chief Executive, Fiona Wilson, introduced her management team:

- Toni Power – Finance and Commercial Lead
- Mark Maguire – Regional Business Advisor
- Hannah Norton – Regional Development and Attraction Manager
- Giselle Purcell – Visitor Destination Manager
- Sarah Fitchett – Mahitahi Colab Community Manager

Ms Wilson spoke to the PowerPoint presentation regarding addressing the NRDA's challenges and principles, noting that Project Kōkiri 2.0 was a significant part of the NRDA's work. She highlighted strategic priorities and activity areas and initiatives, noting that there would be amendments to terminology in Project Kōkiri 2.0 and that targets in business plans would be reported on going forward. She noted the NRDA's change of model since COVID-19, that funding was neither long-term nor guaranteed, that the Statement of Intent (SOI) was based on the assumption that the NRDA received all expected funding, and that it was waiting for the outcome of a government funding application.

Group Manager Strategy and Communications, Nicky McDonald, noted that some extra officer recommendations relating to Project Kōkiri 2.0 had been included and it was reiterated that NRDA's Project Kōkiri 2.0 document was still confidential at this stage.

Ms Wilson answered questions on the SOI and the NRDA's current challenges and focus.

Discussion took place on Councillor Fulton's suggestion for a wording change on page 12 of the SOI (agenda page 69) regarding Economic Challenges.

The meeting was adjourned from 2.36pm until 2.37pm to clarify the wording of the amendment to the SOI.

Context on the wording change was provided – to separate environmental challenge from climate change specifically, particularly relating to reflect the current challenge of environment in terms of biodiversity, not just sea level rise. The current economic challenge is around emissions reductions, and separate to that is environmental

degradation and biodiversity loss, which was a small part of environmental challenge.

It was clarified that the words 'vulnerable to sea level rise and extreme weather events' would not be removed and the importance of a high level focus was agreed. It was agreed that the words as amended be added to clause 2. of the recommendation to reflect the SOI wording change.

Resolved CL/2021/131

That the Council

- 1. Receives the report Nelson Regional Development Agency Statement of Intent 2021 - 2024 (R25848) and its attachment (A2679638); and***
- 2. Agrees that the Nelson Regional Development Agency Statement of Intent 2021-24, as amended, meets Council's expectations and is approved as the final Statement of Intent for 2021-24; and***
- 3. Approves, in principle, the Nelson Tasman Regeneration Plan/Project Kōkiri 2.0; and***
- 4. Agrees that, unless there are material changes following further engagement, this in principle approval will allow provision of \$350,000 per annum to the Nelson Regional Development Agency over the first three years of the Long Term Plan 2021/31 towards implementation of the Regeneration Plan/Project Kōkiri 2.0; and***
- 5. Notes that should changes to the Regeneration Plan/Project Kōkiri 2.0 following further engagement be material, the Plan will be brought back to Council for further consideration and approval; and***
- 6. Endorses the Mayor as Council's representative on the Project Kōkiri Leadership Group.***

Edgar/Noonan

Carried

Attachments

- 1 A2698906 NRDA SOI PowerPoint presentation

Karakia Whakamutunga

There being no further business the meeting ended at 2.54pm.

RESTATEMENTS

It was resolved while the public was excluded:

1	CONFIDENTIAL: Kāinga Ora Housing Developments
	<i>That the Council</i> <i>11. <u>Agrees</u> that Report (R25874), Attachments (A2680037, A2684427) and the decision remain confidential at this time.</i>

2	CONFIDENTIAL: Kinzett Terrace Lease
	<i>That the Council</i> <i>3. <u>Agrees</u> that the decision remain confidential at this time.</i>

2	CONFIDENTIAL: Approval of Community Investment Funding Panel Remuneration
	<i>That the Council</i> <i>2. <u>Agrees</u> that the decision remain confidential at this time.</i>

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

REPORT R26065

Recommendations from Committees – Additional Information

Urban Development Subcommittee – 29 July 2021

[Housing and Business Capacity Assessments for Nelson City and Nelson-Tasman's Urban Environment](#)

The above report (R24829) and its attachments (A2578160 and A2688455) were considered at the 29 July 2021 Urban Development Subcommittee. In response to the Urban Development Subcommittee 29 July 2021 resolution, the following amendments have been made to A2578160:

Agenda Page 53 – removal of the section “*Spotlight on Campgrounds*”.

Agenda Page 102 – wording has been amended as follows:

Area 9 sits on the hills above the southern end of Tahunanui and Bishopdale. The land has been gradually developed over the last 15 years. The terrain includes relatively gentle hill tops dropping down to steeper slopes further down. ~~Currently, all access to the site is via Princes Drive from the northern end. Any further development requires a road link through to Waimea Road and construction of a signalised intersection at the developers cost. This cost is not included in the cost to service as it is internal to the site and developer funded.~~

A large retirement village is currently under construction on the lower south facing slopes of the site. Site sizes in this type of development will be much smaller and likely to bring the average lot size of the overall development are down within the range of 500-600sqm.

The majority of undeveloped land in this development area is owned by two separate but related development entities.

Page 103 of the agenda – wording has been amended as follows:

... growth area 9 is constrained by ~~both transport and~~ wastewater services.

REPORT R26067

Mayor's Report

1. Purpose of Report

- 1.1 To update Council on current matters.

2. Recommendation

That the Council

- 1. Receives the report Mayor's Report (R26067); and**
- 2. Amends the following clauses of Nelson City Council Standing Orders, section to state:**

Minutes

- 26.1 *"The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. When confirmed by resolution at a subsequent meeting, or in the case of a meeting with rotating membership, by the electronic signature of the Chairperson, will be prima facie evidence of the proceedings they relate to."*

Petitions

- 15.3 *"In the case of presenting a petition to Council, a committee, subcommittee, local or community board, the subject of the petition must fall within the terms of reference of that meeting."*

3. Amendments to NCC Standing Orders

Confirmation of minutes

- 3.1 Over the last few years, a number of Councils have been looking at transitioning from the physical signing of minutes to electronic

Item 8: Mayor's Report

confirmation in line with the [Archives NZ 2057 Strategy](#) and government-wide focus on digitisation. The general position is that there are strong advantages to information that is digital-born remaining digital throughout its life cycle (and alongside this, to paper-based records being thoughtfully transitioned to digital).

3.2 Schedule 7 of the Local Government Act 2002 states:

LGA Schedule 7 (28)

(1) A local authority must keep minutes of its proceedings.

(2) Minutes of proceedings duly entered and authenticated as prescribed by a local authority are prima facie evidence of those proceedings.

3.3 Audit NZ has confirmed that there is no requirement to physically sign hard copies of minutes – the authentication of minutes takes place when they are confirmed by resolution and by signing the minutes the signatory will be repeating the approval process.

3.4 Officers are proposing that, from 1 July 2021, hard copy minutes are no longer signed and in future will include a record of authentication by resolution. The final version of the minutes will then be locked from further editing.

3.5 For Committees with rotating membership, like Hearings Panel - Other, the practice has been for the Chair to confirm the minutes by signature. Standing Orders should be updated to reflect this.

3.6 To make the transition, section 26.1 of NCC Standing Orders requires updating. Currently this section is unnecessarily prescriptive and after reviewing other councils' Standing Orders, the following update, which is more succinct and directly reflects schedule 7 of the LGA, is proposed (tracked changes to the original have been applied):

26.1 The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. ~~These minutes must be kept in hard copy, signed and included in the council's minute book and, When confirmed by resolution at a subsequent meeting,~~ or in the case of a meeting with rotating membership by the electronic signature of the Chairperson, and ~~signed by the Chairperson,~~ will be prima facie evidence of the proceedings they relate to.

Item 8: Mayor's Report

- 3.7 The confirmed minutes will include the following:

Confirmed by resolution on (date)

Resolved CL/2021/XXX

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on DD MMM YYYY, as a true and correct record.***

Her Worship the Mayor/Edgar

Carried

Petitions

- 3.8 The purpose of this update to Standing Orders is to align the presentation of Petitions to the Council, Committee or Subcommittee meeting that has the delegation to consider the matter. Standing Orders is currently silent on the matter and this can cause some confusion.

4. Mayoral Discretionary Fund

- 4.1 The Mayor donated \$1,500.00 from her Mayoral Discretionary Fund as a contribution towards costs associated with "TEDxNelson" event. This event is being organised jointly by Jen Webb-Bowen (Pic's -who applied for and was awarded a licence to hold a TEDx event in Nelson) with the support of the Nelson Tasman Chamber of Commerce.
- 4.2 TED has created a programme called TEDx, which is a programme of local, self-organised events that bring people together to share a TED-like experience. At the TEDxNelson event, TED Talk videos and live speakers will combine to spark deep discussion and connection in a small group. The TED Conference provides general guidance for the TEDx programme, but individual TEDx events, including the Nelson event, are self-organised. The theme for the Nelson event is Global Citizenship. The donation will be put towards costs associated with running the event.
- 4.3 The event will be held on 18 September at the Suter Theatre.

5. 30 Year Infrastructure Strategy

- 5.1 Te Waihangā, the New Zealand Infrastructure Commission is developing a 30-year Infrastructure Strategy for Aotearoa New Zealand. They recently consulted on a proposed direction for the Strategy through a consultation document: 'He Tūāpapa ki te Ora Infrastructure for a Better Future'.
- 5.2 Submissions closed on 2 July 2020 and to meet the deadline, a submission from the Mayor has already been sent. Following consultation and submissions, a draft Infrastructure Strategy will be provided to the Minister for Infrastructure in September 2021 and will include a set of recommendations for the Minister to consider and respond to. The final

Item 8: Mayor's Report

Infrastructure Strategy will then be tabled by the Minister for Infrastructure in Parliament before the end of March 2022.

Author: **Rachel Reese, Mayor of Nelson**

Attachments

Nil

REPORT R26027

Infrastructure Acceleration Fund: Developer-led Expressions of Interest

1. Purpose of Report

- 1.1 To consider developer-led Expressions of Interest (EOIs) to the Infrastructure Acceleration Fund (IAF) with a view to Council considering providing support for those which meet the IAF criteria.

2. Summary

- 2.1 Central Government announced on 22 June 2021, that at least \$1 Billion of grant funding was being made available under the Infrastructure Acceleration Fund (IAF) for infrastructure projects that will unlock housing development in the short to medium-term. Kāinga Ora is administering the application process and invited EOIs from territorial authorities, developers, and Māori on 30 June 2021. All EOIs must be submitted by 18 August 2021.
- 2.2 Council officers have engaged with developers with several expressing an interest in submitting an EOI to the IAF for their development. Of those, a number have indicated that they intend to submit an EOI. Having assessed their initial proposals against the Kāinga Ora criteria and Council Long Term Plan (LTP) priorities, officers recommend that three of those be supported at this stage.
- 2.3 The funding application process will require any successful EOIs, through invitation, to submit a more detailed proposal through an RFP process in October-December 2021.
- 2.4 Further information will be brought to Council at that time to identify the potential impacts on Council's approved LTP work programme and officers' ability to deliver additional work for those EOIs which have been approved to go to the next stage.

3. Recommendation

That the Council

1. ***Receives the report Infrastructure Acceleration Fund: Developer-led Expressions of Interest (R26027) and its attachments (A2704700, A2714336, A3904008, A2711258, A2716113, A2720023, A2713299 and A2719661); and***
2. ***Provides a letter of support (A2719661 of Report 26027) to the following developers to be included as part of their Expressions of Interest, noting that these letters are in no way intended to fetter any future Council decision making in relation to the proposals, including in its regulatory capacity:***
 - a. ***Wakatū Incorporation (Horoirangi, A2711258); and***
 - b. ***Maitai Development Co "Mahitahi" (Kaka Valley, A2716113); and***
 - c. ***Stoke Valley Holdings Limited/Solitaire Investments Limited/Marsden Park Limited (Ngawhatu Valley/Marsden Valley, A2720023); and***
3. ***Notes that the following proposal has been assessed as not meeting the Infrastructure Acceleration Fund eligibility criteria and is not recommended for a letter of support from Council:***
 - a. ***Gibbons (Bishopdale, A2713299); and***
4. ***Notes that a further report will be brought to Council once Kāinga Ora has decided which, if any, of these Expressions of Interest will be invited to respond to a Request for Proposals process detailing:***
 - ***The required level of Council investment in infrastructure to support each qualifying development; and***
 - ***Whether or not this funding is included in the Long-Term Plan 2021-31 and which year(s); and***
 - ***The impact of prioritising any capital projects that support qualifying development on the phasing of other capital projects within the Long-Term Plan 2021-31 work programme; and***

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest

- ***The capacity of Council to deliver multiple additional infrastructure projects within the required timeframe.***

4. Background

- 4.1 The Housing Minister, the Hon. Dr Megan Woods, announced on 22 June 2021 that at least \$1 Billion of grant funding is available for territorial authorities, developers, and Māori under the IAF (part of the \$3.8 Billion Housing Acceleration Fund). The Minister also provided information about the objectives, eligibility, and evaluation criteria for the IAF.
- 4.2 It is expected that the IAF will receive a large number of EOIs and that the IAF criteria will be strictly applied, with the result that not every EOI will make it to the next round.
- 4.3 The IAF is designed to allocate funding to new or upgraded infrastructure (primarily transport, three waters and flood management infrastructure) that unlocks housing development in the short to medium-term (with construction by December 2029) and enables a meaningful contribution to housing outcomes in areas of need. Nelson is identified as a tier two urban area, and projects must, therefore, provide a minimum of 100 additional dwellings. In summary, the four eligibility criteria are:
- 4.3.1 Must be for new or upgraded infrastructure;
 - 4.3.2 Wholly or primarily for dwellings;
 - 4.3.3 Minimum 100 additional dwellings (Nelson);
 - 4.3.4 Must be an eligible cost.
- 4.4 The IAF funding is being administered by Kāinga Ora, which has provided further guidance on the process (Attachments 1 and 2). The application process consists of three steps:
- 4.4.1 An EOI to be lodged by 18 August 2021;
 - 4.4.2 Applicants with successful EOIs will receive a Request for Proposal (RFP) seeking more detailed information on their proposals by October-December 2021;
 - 4.4.3 Applicants with successful proposals at the RFP stage will then be progressed to negotiation prior to Ministers' final funding decisions expected by March-October 2022.
- 4.5 Four evaluation criteria have been developed by Kāinga Ora, summarised as follows:

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- 4.5.1 **Housing outcomes** (40%): how will proposals, if delivered, contribute to the housing outcomes that are the purpose of the IAF?
- 4.5.2 **Impact of funding** (20%): how critical is this funding to advancing the infrastructure and housing development?
- 4.5.3 **Cost and co-funding** (20%): how cost-effective is the proposal and is everyone paying their fair share?
- 4.5.4 **Capability and readiness** (20%): if funding is approved, how certain is it that the project will advance, and at what pace?
- 4.6 Kāinga Ora will also take account of the following broader considerations:
 - 4.6.1 Greenfield/brownfield developments;
 - 4.6.2 Timing of housing delivery;
 - 4.6.3 Construction sector capacity;
 - 4.6.4 Capacity of the fund; and
 - 4.6.5 Regional spread of funding allocation.
- 4.7 Kāinga Ora also provided an addendum on 26 July 2021 noting:
 - 4.7.1 No extension to the deadline;
 - 4.7.2 That all “internal development infrastructure” is not considered enabling infrastructure and is therefore not eligible for funding under the IAF; and
 - 4.7.3 That affordable housing is preferred over social housing.
- 4.8 Applicants must submit a separate EOI for each specific housing development.
- 4.9 Council officers have engaged more widely with developers to understand what developer-led projects may meet the qualifying criteria. Whilst the IAF indicates councils should take the lead role, EOIs will be prepared by individual developers due to the very limited timeframe and resources for Council to undertake this. Their proposals will be strengthened if Council, having assessed them against the criteria for the IAF and having considered the implications on its own Council LTP priorities, has provided support for the EOI. If Council approves their support for the EOIs, Council officers will on behalf of those developers submit the EOIs to the IAF with a covering support letter.
- 4.10 If any EOIs are successful in making the shortlist for the Request for Proposal (RFP) process, this provides an opportunity for developers to work with councils and include evidence of support with the RFP.

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- 4.11 Should any of the EOIs and RFIs be successful in ultimately securing funding from the IAF, the beneficiaries will be the developers, Council, and importantly first home buyers. However, how this funding is allocated and prior to the signing of any funding contract with central government, detail will need to be worked through and agreed as to the private/public split.
- 4.12 Council will also consider submitting its own EOI to the IAF. Details of that potential development are still the subject of negotiations and further consideration by Council. That report has been placed on the Confidential Council agenda of 26 August 2021.
- 4.13 Council resolved on 1 July 2021 as follows:
- "Notes that officers will bring back to the 12 August 2021 Council meeting draft expressions of interest to the Infrastructure Acceleration Fund to confirm Council support".*

5. Discussion

- 5.1 The timeline for responding to the invitation for EOI is very short. To facilitate and publicise the opportunity and process, Council officers contacted 19 local developers directly and posted information on the Council's website (Shape Nelson) to identify potential applicants. Developers were asked to signal their interest to Council (through Council's Registration of Interest – ROI) by 16 July 2021 by providing a summary of their development project.
- 5.2 Fourteen developers acknowledged the letter and nine of those signalled initial interest. These developers were invited to discuss their proposals with Council officers in a face-to-face meeting with the Council project team. Four of the nine have sought to progress with their EOI, one as a combined group of three developers, and have submitted information to Council to seek its support for their proposals:
- 5.2.1 Wakatū Incorporation – 200-250 dwellings Stage 1: Horoirangi (307 Main Road, Wakapuaka);
- 5.2.2 Gibbons – Bishopdale – 60 Waimea Road and 46 Vista Heights;
- 5.2.3 Marsden Park Limited/Stoke Valley Holdings Limited/Solitaire Investments Limited – 2,250 dwellings (Ngawhatu/Marsden Valleys); and
- 5.2.4 Maitahi Development Co "Mahitahi" (Kaka Valley) – 750 dwellings; and
- 5.3 A map (Attachment 3) showing the location of each of these developments is appended and summaries of each EOI from the developers who have indicated that they intend to submit an EOI to the IAF (Attachments 4-7) are attached.

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- 5.4 Officers have met to assess these against the eligibility criteria (see 4.2) and the evaluation criteria set out in the invitation document (see 4.4). Consideration was also given to the contribution each development would make to Council priorities as set out in the Long-Term Plan (LTP) (in addition to housing affordability).
- 5.5 The Gibbons proposal was assessed as not meeting some of the key eligibility criteria and also did not score highly against some or all of the evaluation criteria and officers therefore recommend that Council does not support these EOIs. The development included lots that are already consented and did not require Council to contribute to additional infrastructure upgrades to enable build to commence.
- 5.6 The remaining three EOIs (Wakatū Incorporation, Mahitahi and the joint Marsden Park Limited/Stoke Valley Holdings Limited/Solitaire Investments Limited) were assessed as meeting the eligibility criteria and to have a strong fit with the evaluation criteria. In total they would result in a potential additional 3,250 residential units being built in Nelson by 2029.

6. LTP, Council Priorities and Resourcing

- 6.1 Council should be clear that, whilst it is not committing to funding or agreeing to change the phasing of infrastructure projects to support any development at this stage, its support will be seen as a strong signal that it is willing to further investigate providing the supporting infrastructure to enable development to proceed. That decision will be considered at a later date, once the EOIs are approved by Kāinga Ora and officers will bring back a report to Council on those matters once projects have been made to the next stage of the process.
- 6.2 Council support at the RFP stage is likely to require a re-phasing of the capital programme in order to allow construction to meet the timelines of the IAF. As a result of the IAF requiring urgent EOI submissions, re-prioritisation of the work programme is not an unusual practice. Officers note that some, but not all, of the required works are already budgeted for some infrastructure within the ten years of the LTP 2021-31.
- 6.3 If new, unbudgeted infrastructure is required, or if there are significant changes to the phasing of budgeted projects, Council may have to consult on amendments to its LTP. Officers will provide further advice on the timing of this consultation in the subsequent report.
- 6.4 That report will also consider the requirements of any successful Council-led EOI, will identify other risks and impacts of any rephasing of the capital programme and the ability of Council to assist in delivering these works.

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Developer-led Expressions of Interest

7. Options

- 7.1 Council has to decide which, if any, of the developer-led EOIs that have been received to date it wishes to support. Council can decide to support some, none or all of the EOIs.
- 7.2 Officers, after evaluation of the developer submissions, have recommended that Council supports the applications that are a strong fit with the IAF eligibility criteria. Three options are presented below - officers support option 1.

Option 1: Provide support for three developer-led EOIs that are a strong fit with the IAF eligibility criteria and do not support EOIs that don't meet the eligibility criteria - Recommended option	
Advantages	<ul style="list-style-type: none"> • Consistent with Council priorities in relation to housing affordability, infrastructure and partnership working with central government • Brings central government funding into Nelson to assist with infrastructure development • Supports the local development community, with flow on benefits to construction industry • Declining to support those projects that do not meet the eligibility/assessment criteria thresholds allows officers to focus on those projects with a realistic chance of progressing to the next stage of the funding process
Risks and Disadvantages	<ul style="list-style-type: none"> • Any EOI which is successful will require additional staff time to provide input into the developer's detailed proposal. This resource is not currently provided for
Option 2: Do not provide support for any of the EOIs	
Advantages	<ul style="list-style-type: none"> • No immediate impact on Council's LTP programme
Risks and Disadvantages	<ul style="list-style-type: none"> • May be a lost opportunity to fund infrastructure that will provide significant benefits to the central city infrastructure and development potential • Council will not receive central government funding for infrastructure upgrades that Council may do in the future • Inconsistent with Council priorities in relation to housing affordability, infrastructure and partnership working with central government

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Option 3: Provide support for all the EOIs	
Advantages	<ul style="list-style-type: none"> • Consistent with Council priorities in relation to housing affordability, infrastructure and partnership working with central government • Brings central government funding into Nelson to assist with infrastructure development • Supports the local development community, with flow on benefits to construction industry
Risks and Disadvantages	<ul style="list-style-type: none"> • Not all the EOIs meet the IAF eligibility and evaluation criteria and those in that category would not make it past the EOI stage • Any EOI which is successful will require additional staff time to provide input into the developer's detailed proposal. This resource is not currently provided for

7.3 Having assessed each of the developer-led EOIs against the Eligibility Criteria, the Evaluation Criteria and LTP priorities, officers recommend that Council provides a covering letter of support and submit to Kāinga Ora the applications for the following EOIs, for the reasons given in each summary attached to this report (refer to Attachment 8 for letter of support):

7.3.1 Wakatū Incorporation (Horoirangi);

7.3.2 Maitai Development Co "Mahitahi" (Kaka Valley); and

7.3.3 Stoke Valley Holdings Limited/Solitaire Investments Limited/Marsden Park Limited (Ngawhatu Valley/Marsden Valley).

7.4 Officers also recommend that Council does not provide a letter of support to the Gibbons EOI, for the reasons given in the summary attached to this report.

8. Conclusion

8.1 The Government, through Kāinga Ora, has invited councils, developers and Māori to register EOI in the IAF.

8.2 Officers have put a process in place to consider developer-led projects. As a result, officers recommend that three EOIs are Provided with a letter of support with Council taking the lead in submitting these to Kāinga Ora.

9. Next Steps

9.1 Kāinga Ora will assess each EOI and invite successful applicants to respond to a detailed RFP process (October-December 2021).

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest

- 9.2 Officers will report to Council on those applications and provide Council with information on the impacts of those projects on Council's capital works programme as set out in the LTP.
- 9.3 Officers will identify what additional resource is required to develop detailed proposals, and the implication for the current year's work programme.
- 9.4 Kāinga Ora will negotiate with Council (and developers) for funding and delivery of any proposals that are approved. At that stage, Council may have to consult on changes to its LTP if significant changes are required to its capital works programme.

Author: Alec Louverdis, Group Manager Infrastructure

Attachments

- Attachment 1: A2704700 - Infrastructure Acceleration Fund - Invitation for Expressions of Interest - 30Jun2021 [↓](#)
- Attachment 2: A2714336 - Infrastructure Acceleration Fund EOI Addendum 1 - 26Jul2021 [↓](#)
- Attachment 3: A3904008 - GIS - Proposed IAF EIO Applications [↓](#)
- Attachment 4: A2711528 - Wakatu Incorporated ROI Summary for Council IAF Report [↓](#)
- Attachment 5: A2716113 - Maitahi - ROI Summary for Council IAF Report [↓](#)
- Attachment 6: A2720023 - Stoke Valley / Solitaire / Marsden Park - Marsden & Ngawhatu Valleys ROI Summary for Council IAF Report [↓](#)
- Attachment 7: A2713299 - Gibbons Summary of ROI for the Council IAF Report [↓](#)
- Attachment 8: A2719661 - Council Letter of Support for Developer IAF EOI Applications [↓](#)

Important considerations for decision making
<p>1. Fit with purpose of Local Government</p> <p>The Government has specifically asked territorial authorities to participate in this EOI process. Affordable housing development supported by good quality local infrastructure promotes social, economic, and environmental wellbeing.</p>
<p>2. Consistency with community outcomes and Council policy</p> <p>The recommendations in this report align with the following community outcomes:</p> <ul style="list-style-type: none">• Our urban and rural environments are people friendly, well planned and sustainably managed• Our infrastructure is efficient, cost effective and meets current and future needs• Our communities are healthy, safe and resilient• Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement
<p>3. Risk</p> <p>The IAF process is a two-stage process and there is no guarantee that any EOI submitted or supported by Council will be successful. There will be additional officer time required if any of the EOI applications submitted from the NCC area are invited to respond to the second stage RFP.</p> <p>This will most likely impact on Council's wider work programme for this financial year, particularly for the City Development Team and Council's Infrastructure Asset Managers and Capital Projects team.</p>
<p>4. Financial impact</p> <p>Each EOI has a requirement for infrastructure to be provided by Council to support the development objectives. In some cases, budget has been provided in the LTP. If the applications are successful, Council may have to re-prioritise and re-phase its infrastructural programme over the next 5-10 years. Further analysis of these impacts will be provided for each project that passes to the RFP phase of the IAF application process.</p> <p>There are significant positive financial impacts if Council is successful in attracting central government funding for its infrastructure programme.</p>

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5. Degree of significance and level of engagement

This matter is of low significance to the community given the stage in the process. This decision is in line with Council's LTP priorities of housing intensification and affordability, and of investing in infrastructure.

Any subsequent changes to the LTP 2021-31 capital programme may require further consultation.

6. Climate impact

Climate change impact will need to be considered during the design phase of any development that progresses. Council will work with developers to assist them in determining design options that address climate change impact in the development of their concept plans

7. Inclusion of Māori in the decision-making process

The Council website information and registration of interest process was open to developers and iwi.

8. Delegations

This matter is a cross-committee matter as it falls within the delegations of both the Infrastructure Committee, and the Urban Development Subcommittee, and is therefore a matter for Council.

Infrastructure Acceleration Fund

INVITATION for Expressions of Interest

EOI Invitation Released: 30 June 2021

Closing Date: 5:00pm 18 August 2021



A2704700

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 1

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THE OPPORTUNITY

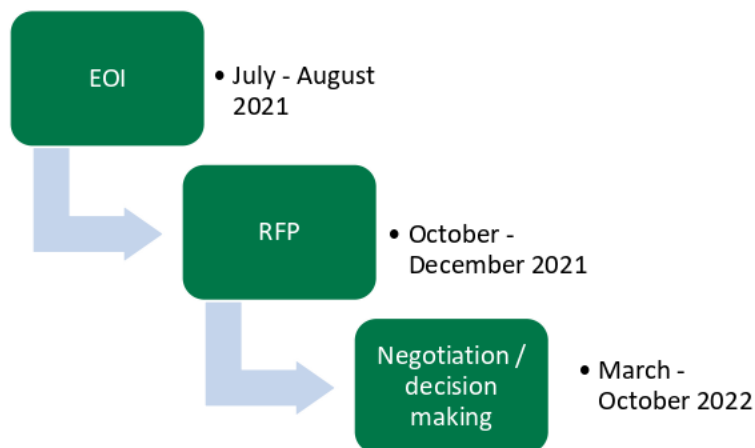
Introduction

The Housing Minister, Hon. Dr Megan Woods announced on 22 June 2021 that at least \$1 billion of grant funding is available under the Infrastructure Acceleration Fund (IAF). The Minister also provided information about the objectives, eligibility and evaluation criteria for the IAF.

The IAF is designed to allocate funding to new or upgraded infrastructure (such as transport, three waters and flood management infrastructure) that unlocks housing development in the short- to medium- term and enables a meaningful contribution to housing outcomes in areas of need.

Funding will typically be in the form of grant funding to the relevant Territorial Authority (or other vehicle), which will own and operate the infrastructure. As is ordinarily the case, developers and landowners are expected to contribute their fair share to the costs of the Eligible Infrastructure Projects, and Territorial Authority contributions are not to be displaced.

Kāinga Ora has been directed to administer the IAF and conduct a process designed to allocate funding to suitable Eligible Infrastructure Projects. This EOI Invitation has been issued by Kāinga Ora as the first Stage in that process: the EOI Stage. Applicants with successful EOIs will receive a Request for Proposals (RFP) seeking more detailed information on their Proposals. Applicants with successful Proposals at the RFP Stage will then be progressed to Negotiation prior to Ministers' final funding decisions.



Item 9: Infrastructure Acceleration Fund: Developer-led Expressions of Interest: Attachment 1

Evaluation Criteria

Kāinga Ora is seeking Proposals that will contribute to housing outcomes, are highly likely to advance at pace, where IAF funding is critically required, and where other parties are prepared to contribute their fair share.

All Proposals will be assessed against the Evaluation Criteria. They are summarised as follows:

- (a) **Housing outcomes (40%):** *how will the Proposal, if delivered, contribute to the housing outcomes that are the purpose of the Infrastructure Acceleration Fund?*
- (b) **Impact of funding (20%):** *how critical is this funding to advancing the infrastructure and housing development?*
- (c) **Cost and co-funding (20%):** *how cost effective is the Proposal and is everyone paying their fair share?*
- (d) **Capability and readiness (20%):** *if funding is approved, how certain is it that the project will advance, and at what pace?*

The EOI Stage

All Territorial Authorities are eligible to apply for funding from the IAF by responding to this EOI Invitation.

Each Territorial Authority is invited to provide a separate EOI in relation to each specific housing development you wish to submit with high level information about the housing development, its associated infrastructure requirements, and responses to the Eligibility and Evaluation Criteria.

Territorial Authorities can choose to do this independently, however those in the main urban areas (which are covered by current or emerging Urban Growth Partnerships¹) are encouraged to work collectively with others in the region in preparing their EOIs given the collective approach that will be applied under the Programme Path at the RFP Stage.

Developers and Māori are also eligible to submit EOIs.² We expect developers and Māori would approach relevant Territorial Authorities to act as the lead Applicant in respect of their housing development, and at the very least enquire about whether their particular housing development is being submitted by their Territorial Authority prior to submitting an independent EOI.

¹ Urban growth partnerships | Te Tūāpapa Kura Kāinga - Ministry of Housing and Urban Development (hud.govt.nz).

² Māori Applicants should note the further guidance provided in section 2.1 in regards to preparing Proposals.



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Applicants are expected to engage with relevant partners (e.g., developers, Waka Kotahi NZTA, Department of Internal Affairs) as necessary prior to submitting their EOI.

To apply, Applicants must submit their EOI using the EOI Response Form provided, and submit their completed Applicant Declaration by **5pm on 18 August 2021**.

Kāinga Ora will review the information provided in each EOI against the Eligibility Criteria (regarding Eligible Applicants, Eligible Infrastructure Projects and Eligible Costs) and conduct an evaluation of Proposals against the Evaluation Criteria.

Following the evaluation of Proposals, a Kāinga Ora Board Committee will determine which Proposals should proceed to the RFP Stage.

The RFP Stage

At the RFP Stage, Applicants will be required to submit more fulsome information about the Proposal to enable Kāinga Ora to conduct further evaluation and due diligence.

Proceeding to the RFP Stage should not be taken as an indication that IAF funding will be approved.

In recognition of the different complexities in delivering housing around the country, the RFP Stage will involve a two-path approach:

- (a) a Programme Path for Territorial Authorities within main urban areas (which are covered by current or emerging Urban Growth Partnerships); and
- (b) a Project Path for all other parts of New Zealand, and for all Proposals from developers and Māori (including those in current or emerging Urban Growth Partnership areas).

At the RFP Stage, Territorial Authorities in the Programme Path areas will be strongly encouraged to develop their Proposals collectively with other Territorial Authorities in their partnership region.

Proposals (under both Paths) will be evaluated by Kāinga Ora against the Evaluation Criteria set out in the RFP and due diligence will be undertaken.

A Kāinga Ora Board Committee will provide advice to the Minister of Finance and the Minister of Housing as to whether a Proposal should proceed to Negotiation. This advice is expected to be provided when the evaluation of Proposals during the RFP Stage is completed in early 2022.



Item 9: Infrastructure Acceleration Fund: Developer-led Expressions of Interest: Attachment 1

Negotiation

Kāinga Ora will engage with Applicants whose Proposals proceed to Negotiation to seek to agree the terms of the:

- (a) Funding Agreement: regarding the terms of grant funding towards the Eligible Infrastructure Project(s), as between Kāinga Ora and the relevant Territorial Authority; and
- (b) Housing Outcome Agreement: regarding the commitments towards housing outcomes, as between all relevant parties to the housing development.

As and when Funding Agreements and Housing Outcome Agreements are concluded, a Kāinga Ora Board Committee will provide advice to Ministers and make its recommendations on which Proposals should receive funding from the IAF.

Decision making

A Kāinga Ora Board Committee will decide which Proposals advance to the RFP Stage. This Committee will also provide advice to Ministers on which Proposals should advance to Negotiation.

Following the negotiation of the Funding Agreement and Housing Outcome Agreement(s) for each Proposal, the Committee will provide advice to Ministers on which Proposals should receive funding from the IAF. An Inter-Agency Reference Group will provide input to that Committee at all Stages. Ministerial advice from the Kāinga Ora Board Committee will be based on:

- (a) the evaluation of Proposals against the Evaluation Criteria; and
- (b) any broader considerations, in particular those relating to the balance of the funding package as a whole.

Ministerial decisions in relation to the IAF will be made by the Minister of Finance and Minister of Housing.

In relation to any Proposal in which Kāinga Ora has a material interest, Ministers will receive advice from the Ministry of Housing and Urban Development and other government departments in relation to the investment decision.



Item 9: Infrastructure Acceleration Fund: Developer-led Expressions of Interest: Attachment 1

Fast track

At any time following the EOI evaluation, Kāinga Ora may identify and progress a limited number of Proposals through the RFP Stage, Negotiation and final approval/ decision stages.

Funding

Cabinet has agreed that at least \$1 billion will be invested through the IAF. Any additional funding will be subject to further allocations from the \$3.8 billion Housing Acceleration Fund. Further allocations will be informed by the quality of proposals submitted to the IAF and the needs of other initiatives under the Housing Acceleration Fund.

Applicants should not assume their Proposal will be successful. They are encouraged to continue with work on their developments on the basis that their Proposal will not obtain IAF funding. This applies throughout the IAF process.

Kāinga Ora appreciates that many Applicants are already engaging with other Crown agencies in relation to infrastructure projects, some of which could also be covered by the IAF (e.g. Department of Internal Affairs in relation to three waters and Crown Infrastructure Partners in relation to infrastructure funding and financing). Applicants should continue with these engagements. Applicants must disclose concurrent applications for funding in their EOI.

General

This EOI Invitation is the first Stage in a competitive funding allocation process. It is not part of any procurement process. However, principles of probity will be adhered to in administering the IAF.

Applicants should identify any information that they consider to be confidential. Kāinga Ora will respect that position and not use that information other than for the purpose of the IAF. Applicants should, however, note that if Kāinga Ora was already aware of the information, or it is already in the public domain, it will not be considered to be confidential information.

If Kāinga Ora wishes to use information provided by Applicants for purposes other than the IAF, prior consent will be sought.

Applicants should also note that information provided in Proposals may be disclosed to other government officials (including officials from the Ministry of Housing and Urban Development, Treasury, Waka Kotahi NZTA, Ministry of Transport, Department of Internal Affairs, Crown Infrastructure Partners, and the Infrastructure Commission) and Ministers of



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the Crown and/or Cabinet for purposes relating to this EOI or each of their roles and activities in advancing the objectives of the IAF.

Kāinga Ora is not permitted to apply for funds under the IAF. Where Kāinga Ora has a material interest in any Proposal being evaluated under the IAF, measures will be established to ensure that the Proposal is considered on an impartial and consistent basis, as well as second opinion advice being provided to Ministers, as referred to above.

Words and phrases that have a special meaning are shown by the use of capitals. Definitions are set out in the **Appendix**.

This EOI Invitation is subject to the Terms and Conditions described in section 5.



SECTION 1: THE PROCESS

1.1 Timeline

Steps and indicative key dates in the IAF process are summarised in the table below. Key dates are subject to change and Applicants will be notified of any changes.

Step in the IAF process	Date
EOI Invitation release	30 June 2021
Closing date for EOIs	5:00pm 18 August 2021
Applicants notified of outcome (with invitation to RFP Stage and RFP document provided for successful Proposals)*	15 October 2021
Debriefs to unsuccessful Applicants (as requested)	Following 15 October 2021
Closing date for RFP Proposals	Late December 2021
Evaluation and due diligence of RFP Proposals*	Early 2022
Negotiation commences	Early 2022
Funding Agreements and Housing Outcome Agreements concluded	March - October 2022, as and when agreements are concluded
Final Ministerial funding decisions sought	

**Kāinga Ora may also select a limited number of Proposals to be fast tracked. See paragraph 1.6 below.*

1.2 EOI Stage

Kāinga Ora is looking to receive EOIs that contain Proposals with:

- high level information on the housing development and associated infrastructure requirements (including the Eligible Infrastructure Projects) to enable the housing development; and
- high level information to enable the Proposal to be reviewed against the Eligibility Criteria and evaluated against the Evaluation Criteria.

Each Proposal should relate to one specific housing development and the Eligible Infrastructure Project(s) required to enable that housing development.

Kāinga Ora recognises that some housing developments have a number of different scenarios.



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In this case, Applicants are encouraged to submit only one EOI and Proposal for their preferred scenario. However, Kāinga Ora will accept a separate EOI and Proposal for each distinctly different scenario if it involves materially different housing outcomes and the Applicant considers each to be a strong Proposal.

At this EOI Stage, Kāinga Ora will focus on identifying those Proposals which:

- (a) meet the Eligibility Criteria; and
- (b) score well against the Evaluation Criteria.

1.3 RFP Stage

Following consideration of EOIs and the Proposals, the Kāinga Ora Board Committee will decide to either:

- (a) release an RFP to each Applicant with a successful Proposal; or
- (b) advise the Applicant that the Proposal has been unsuccessful.

The RFP will seek more detailed information about the Proposal in order for Kāinga Ora to be able to conduct in-depth evaluation and due diligence.

In recognition of the areas covered by the current and emerging Urban Growth Partnerships (and the typical added complexities in these areas), the following Paths have been established for the RFP Stage (and subsequent Negotiation period):

- (a) a Programme Path for main urban areas covered by current and emerging Urban Growth Partnerships; and
- (b) a Project Path for all other parts of New Zealand, including Proposals from developers and Māori in current or emerging Urban Growth Partnership areas.

Programme Path

The following groups of Territorial Authorities are covered by the current and emerging Urban Growth Partnerships and therefore will participate in the Programme Path:

- (a) **Auckland Council**, including its council controlled organisations;
- (b) **Smart Growth**: Tauranga City Council and Western Bay of Plenty District Council;
- (c) **Future Proof**: Waikato Regional Council, Waipa District Council, Waikato District Council, and Hamilton City Council;
- (d) **Wellington Regional Growth Framework**: Wellington City Council, Hutt City Council, Upper Hutt City Council, Porirua City Council, Kāpiti Coast District Council,



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Horowhenua District Council, South Wairarapa, District Council, Carterton District Council, and Masterton District Council;

- (e) **Greater Christchurch Partnership:** Christchurch City Council, Selwyn District Council and Waimakariri District Council; and
- (f) **Queenstown Lakes District Council.**

At the RFP Stage, Territorial Authorities which fall within the Programme Path are strongly encouraged to submit a collective response that contains the individual Proposals supported by that group of Territorial Authorities. This collective response will also include an indication of the respective priority of each Proposal.

In exceptional circumstances, where collective agreement cannot be reached, an individual Territorial Authority within the Programme Path is able to submit a Proposal without collective regional support. However, it should be noted that this lack of regional support will be a relevant factor considered when the Proposal is evaluated at the RFP Stage.

Project Path

Proposals from all other Applicants will be submitted individually and progress through the Project Path at the RFP Stage.

Developer and Māori Applicants

Developers and Māori will proceed on the Project Path at the RFP Stage. They will be requested to obtain (and evidence) Territorial Authority support (or lack thereof) and submit this with their RFP Proposal. This reflects that Territorial Authority support will be a key factor when evaluating Proposals, and there would need to be very clear justification for advancing an RFP Proposal to Negotiation without this support.

RFP Proposals, evaluation and due diligence

The information sought in relation to Proposals at the RFP Stage will be more fulsome than that sought at this EOI Stage.

Kāinga Ora will evaluate each Proposal against the Evaluation Criteria and undertake due diligence to determine which Proposals should proceed to Negotiation.

In the case of Programme Path Proposals, Kāinga Ora anticipates this will involve a reasonably high level of engagement with the Applicant in order to fully understand and possibly refine Proposals.

In the case of Project Path Proposals, Kāinga Ora expects that a degree of engagement will be needed in order to clarify and possibly refine Proposals.



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1.4 Negotiation

Following the completion of the RFP Stage evaluation of Proposals, the Kāinga Ora Board Committee will provide advice to Ministers as to whether or not Proposals should proceed to Negotiation. Proposals are expected to be advanced through this process in early 2022.

If and when Ministerial approval is obtained to proceed with a Proposal, Kāinga Ora will engage with the Applicant to seek to negotiate the terms of the Funding Agreement and the Housing Outcome Agreement.

Funding from the IAF will be in the form of grant funding to the Territorial Authority³ to contribute towards Eligible Costs.

The Funding Agreement will record the terms of the grant funding for the Territorial Authority⁴ towards the Eligible Infrastructure Project(s) and the co-funding requirements to be met as a condition to funding under the IAF. The agreement will outline the funding tranches that reflect the key stages involved in the progression of the housing development and delivery of the Eligible Infrastructure Project(s). The number of stages is expected to be limited to about 3 or 4 and each subsequent stage of funding will be conditional upon satisfactory progression through the previous stages. Co-funding will be expected to contribute towards the costs incurred during each stage. Kāinga Ora governance oversight is anticipated, and reporting obligations will be imposed.

The Funding Agreement will also record the position in respect of differences between costs as contemplated in the Proposal and the actual costs as they are incurred in the future. Kāinga Ora expects the amount of IAF funding to be capped and therefore Applicants will need to manage this risk internally.

It is expected that any Housing Outcome Agreement will contain commitments from developers (and other relevant parties) in relation to the housing outcomes referred to in the Proposal, along with any complementary actions to be taken by the relevant Territorial Authority.

We will be looking for Applicants to “rally support” in terms of organising the relevant parties, be they developers, co-funders or other interested parties.

Kāinga Ora expects to provide a commercial term-sheet for the Funding Agreement and Housing Outcome Agreement at the RFP Stage.

Kāinga Ora recognises that both agreements will need to reflect the nature and complexity of

³ Or other such entity, including Waka Kotahi NZTA, council controlled organisation, special purpose vehicle or otherwise, as is determined appropriate.

⁴ Or other such entity.



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each successful Proposal.

1.5 Final funding decisions

Once the terms of the Funding Agreement and relevant Housing Outcome Agreement are agreed, the Proposal will be put to the Kāinga Ora Board Committee for consideration. The Committee will provide advice to Ministers for their consideration prior to Ministers making a final decision on funding.

It is expected that Proposals will be advanced through this approval process throughout the course of 2022 and that this will occur in batches. The amount of IAF funding available will be reduced by the amount of funding allocated to successful Proposals.

1.6 Fast-track Proposals

A fast-track process will be used to accelerate a limited number of Proposals through the RFP Stage, Negotiation and final funding decision by Ministers.

Following the EOI evaluation period, Kāinga Ora will engage with each Applicant with a Proposal identified as a fast-track candidate to undertake the RFP Stage due diligence and negotiate a Funding Agreement and Housing Outcome Agreement as soon as reasonably possible.

Proposals expedited through the fast-track process are expected to be those where:

- (a) the quality of the Proposal has already been well validated, such as through previous feasibility analysis by Government agencies; or
- (b) the Proposal is straightforward such that the evaluation and due diligence work can be done very quickly; and
- (c) in each case, the Proposal scores highly against the Evaluation Criteria.

1.7 Role of place based teams and inter-agencies

Place based teams

Kāinga Ora and the Ministry of Housing and Urban Development have place based teams whose work includes engaging with Territorial Authorities, Māori and developers on numerous matters, including in relation to housing developments.

The IAF will build on the work between place based teams and Territorial Authorities (and other potential Applicants), and their ongoing roles and relationships are also recognised.

Kāinga Ora and the Ministry of Housing and Urban Development place based teams also work within current and emerging Urban Growth Partnerships. These teams will also be looking to build on and leverage prior work with Applicants within those partnerships, with a view to



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ensuring that IAF funding is, to the extent possible, aligned with government investment in infrastructure.

Members of the place based teams will continue to engage during the IAF process. At a high-level, this engagement may include:

- (a) acting as a point of contact for general queries in relation to the IAF; and
- (b) discussions to help Applicants understand what Kāinga Ora is looking for under the IAF.

Place based teams will not provide, and Applicants should not seek, any substantive advice on preparing Proposals, including providing:

- (a) guidance to Applicants regarding which Proposals should be prioritised over another;
- (b) any further information on the IAF process that is not already available to all Applicants; and/or
- (c) any information about other Proposals submitted.

Place based teams can only clarify the requirements in the EOI Invitation based on information contained in this document or available to all Applicants. Enquiries beyond this level of detail must be directed through the Authorised Representative set out in section 4.2.

The same principles will apply to any assistance that might be provided to developer Applicants. Māori Applicants should note the further guidance provided in section 2.1 in regards to preparing Proposals.

If any Applicant feels that they have not been engaged with on an equivalent basis, they may contact the Probity Auditor at the contact details set out in section 1.9 below. Applicants should note, however, that not all Applicants will be in an equivalent position in terms of how advanced Proposals are, so equivalent treatment does not, for example, mean getting Proposals to the same level of knowledge and understanding with each place based team. It is more a case of equivalence in time and effort allocated to each Applicant relative to the Proposal in question.

Members of the place based teams will provide input into the team at Kāinga Ora undertaking the evaluation of Proposals (and during subsequent Stages). However, they will not undertake any evaluation of the Proposals, be evaluators, or make evaluation (or subsequent) decisions.

Inter-agency input

Input into the evaluation of Proposals (and during subsequent Stages) will also be provided by other Government agencies such as the Ministry of Housing and Urban Development, Waka



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Kotahi NZTA, Ministry of Transport, Department of Internal Affairs, Crown Infrastructure Partners, the Infrastructure Commission and the Treasury.

These agencies routinely engage with Territorial Authorities, developers and Māori in relation to housing developments, and senior representatives from these agencies will form the Inter-Agency Reference Group to provide input to the Kāinga Ora Board Committee.

1.8 Decision making

The Kāinga Ora Board Committee will decide which Proposals advance to the RFP Stage and provide advice to Ministers as to which Proposals should advance to Negotiation and those to receive IAF funding.

The Kāinga Ora Board Committee will consist of individuals with the following expertise:

- (a) housing development;
- (b) Māori housing;
- (c) infrastructure delivery;
- (d) local government; and
- (e) finance and risk management.

To support general cross-government alignment, the Inter-Agency Reference Group will inform the decisions and advice from the Kāinga Ora Board Committee.

Following the RFP Stage, Ministers will receive advice from Kāinga Ora, which will be based on the evaluation of individual Proposals against the Evaluation Criteria. Advice may also cover broader considerations, in particular those relating to the balance of the funding package as a whole, to ensure alignment with the objectives for the IAF. Broader considerations include matters such as the balance between greenfields and brownfields development, and near-term and medium-term delivery, construction sector capacity, capacity of the IAF and regional spread.

In relation to any Proposal in which Kāinga Ora has a material interest, Ministers will also receive advice from the Ministry of Housing and Urban Development.

1.9 Probity

The process described in this EOI relates to the allocation of IAF funding. It is not a procurement. However, Kāinga Ora intends to apply general probity principles to the EOI process.

If any Applicant has any concerns in relation to probity, they should contact the Probity Auditor at the contact details below:



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Shaun McHale, Managing Director
McHale Group Limited
Public Sector Assurance
Level 1, 187 Featherston Street
PO Box 25103
Wellington 6146
OFFICE: 04 496 5580

Shaun McHale
MOBILE: 027 486 3412
EMAIL: shaun.mchale@mchalegroup.co.nz

Minnie Prakash
MOBILE: 027 446 2274
EMAIL:
minnie.prakash@mchalegroup.co.nz



SECTION 2: WHAT WE ARE LOOKING FOR

Kāinga Ora is looking for Proposals that meet the Eligibility Criteria set out in sections 2.1 to 2.3 and that will score well against the Evaluation Criteria in section 2.4.

Kāinga Ora is seeking Proposals where IAF funding unlocks or accelerates housing development, and enables a meaningful contribution to housing outcomes in areas of need. We are looking for Proposals that are sufficiently advanced to provide enough certainty on those housing outcomes, whilst not being so advanced such that IAF funding is not critical.

Applicants should submit EOIs which seek funding for Proposals which satisfy the various criteria and considerations identified in this section 2, and provide high-level information in their EOI Response Form that enables Kāinga Ora to make its assessment using the evaluation approach in section 3.

Applicants are asked to also identify how existing non-financial powers of local government and central government (e.g., Ministerial RMA powers, RMA fast-track, and Urban Development Act powers) could complement funding to maximise the impact of their Proposals.

2.1 Eligibility Criteria – Eligible Applicants

The following Applicants are eligible to submit EOIs and Proposals:

- (a) Territorial Authorities; and
- (b) developers⁵ and Māori who can demonstrate sufficient rights in, or access to, the land (or a material proportion of the land) upon which the housing development will be built.

Developers are strongly encouraged to work with the relevant Territorial Authority in the first instance to encourage that Territorial Authority to submit an EOI and Proposal as the lead Applicant. If the relevant Territorial Authority is unwilling or unable to support the Proposal then a developer may apply directly to the fund, provided the above Eligibility Criteria is met.

Developer and Māori Applicants should:

- (a) prior to preparing an EOI and Proposal, check with their Territorial Authority whether a particular housing development is already being progressed by that Territorial Authority; and
- (b) refer to the specific guidance for developer and Māori Applicants throughout this EOI Invitation and the EOI Response Form.

⁵ Including community housing providers.



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In recognition of the operating principles for Kāinga Ora⁶, if Māori Applicants would like assistance in preparing their Proposals in response to this EOI Invitation, they should co-ordinate through their usual channels at Kāinga Ora or email IAF@KaingaOra.govt.nz.

These groups should also note funding opportunities available for Māori-led investments in infrastructure for Māori housing outcomes under the Māori Infrastructure Fund being delivered by the Ministry of Housing and Urban Development.

2.2 Eligibility Criteria – Eligible Infrastructure Projects

In order to qualify as an Eligible Infrastructure Project, the following requirements must be satisfied:

- (a) the infrastructure is new or upgraded enabling infrastructure in the form of transport (including local roading, state highways, public transport infrastructure, footpaths and cycleways), three waters (water supply, wastewater and stormwater) and flood management⁷; and
- (b) the infrastructure is wholly or primarily for the purpose of enabling the building of new or additional dwellings in the short to medium term (meaning, in most cases, that a material number of those dwellings are built (to completion) by December 2029)⁸; and
- (c) the infrastructure relates to developments which are expected to enable at least:
 - (i) 200 additional dwellings in Tier One urban environments (under the National Policy Statement on Urban Development);
 - (ii) 100 additional dwellings in Tier Two urban environments; or
 - (iii) 30 additional dwellings elsewhere.

2.3 Eligibility Criteria - Eligible Costs

Eligible Costs are one-off costs necessary to enable or deliver Eligible Infrastructure Projects (rather than funding ongoing, business-as-usual activities), being the costs of:

- (a) feasibility studies, business cases and other early-stage planning work;
- (b) designing, consenting, tendering and acquiring land (where it is wholly required for Eligible Infrastructure Projects and broader large scale project activities);

⁶ See section 14 Kāinga Ora – Homes and Communities Act 2019

⁷ Energy transmission infrastructure, telecommunications infrastructure, and social infrastructure (such as libraries, parks or recreation facilities) are not Eligible Infrastructure Projects.

⁸ Infrastructure that has purposes beyond supporting housing development (e.g. commercial development or improved resilience) are eligible, but funding can only be sought for the proportion of the infrastructure reasonably attributable to enabling housing development.



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- (c) constructing Eligible Infrastructure Projects; and
- (d) in limited situations, non-capital administrative matters, where these are necessary to establishing complementary financing.

Applicants' internal costs and financing costs are not Eligible Costs.

Applicants should note the co-funding expectations set out in this EOI Invitation.

2.4 Evaluation Criteria

Decisions and recommendations made to Ministers in relation to the IAF made by the Kāinga Ora Board Committee will be based on the following Evaluation Criteria (and Sub-Criteria), which is expected to be consistent across both the EOI and RFP Stages.

Criteria	Sub-criteria
Housing benefits of the proposal (40%) – How will the Proposal, if delivered, contribute to the housing outcomes that are the purpose of the Fund?	<ul style="list-style-type: none"> • The number of additional dwellings that the funding will enable relative to demand in that area. • The proportion of lower-cost houses expected to be enabled by the Eligible Infrastructure Project(s) (primarily informed by typology of housing expected to be built). • The extent to which the location where housing will be enabled has unmet demand and provides access to amenity and opportunity. • The extent to which the Eligible Infrastructure Project(s) supports intensification, in particular that required to be enabled by councils under the National Policy Statement on Urban Development (i.e. typology and density). • The extent to which the Proposal supports housing development on land owned by Māori and to which mana whenua have been involved in developing the proposed solution. • The extent to which the Proposal supports housing development that is environmentally sustainable including through reduced private vehicle use, lower risks from climate change (such as coastal inundation), and supporting water quality and biodiversity.



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Criteria	Sub-criteria
Impact of funding (additionality) (20%) – How critical is this funding to advancing the Eligible Infrastructure Project(s) and housing development?	<ul style="list-style-type: none"> • The impact that this funding will have on the housing development advancing, or on the pace and scale at which it will advance compared to what is currently expected. • Demonstration that other means to fund the Eligible Infrastructure Project(s) without displacement of investment elsewhere (i.e. rate rises, prudent borrowing, or use of the IFF framework) have been exhausted.
Cost and co-funding (20%) – How cost effective is the Proposal and is everyone paying their fair share?	<ul style="list-style-type: none"> • The average whole-of-government cost per dwelling expected to be enabled by the Eligible Infrastructure Project(s). • Alignment with co-funding principles for the Fund, being:⁹ <ul style="list-style-type: none"> ○ developers and landowners should be paying a similar share of the costs of the Eligible Infrastructure Project(s) as would be the case if the infrastructure was funded by traditional means through the local authority, which is generally the reasonable ‘growth’ portion of the total infrastructure cost (in some cases this contribution can be non-financial (e.g. land or commitments to sub-market housing), but any such contribution should be similar in value to the foregone financial contribution); and ○ Territorial Authorities should be co-investing to the maximum extent possible.
Capability and readiness (20%) – If funding is approved, how certain is it that the development will advance, and at what pace?	<ul style="list-style-type: none"> • The extent to which there are other barriers to housing development that the Eligible Infrastructure Project(s) will serve (and how they will be removed if funding is approved).

⁹ Applicants are reminded that this is a key component of ensuring that government investment will have maximum impact. Failure to demonstrate developers and landowners’ preparedness to make such a contribution will likely result in the EOI and Proposal being unsuccessful.



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Criteria	Sub-criteria
	<ul style="list-style-type: none"> • The degree of developer commitment or interest in building housing quickly. • Demonstrated alignment between all parties including Territorial Authorities, Regional Councils, mana whenua and developers needed to advance the housing development. • Confidence in the ability of all parties to deliver the Eligible Infrastructure Project(s) and housing development as proposed.

2.5 Broader considerations

Decisions at both EOI and RFP Stages will also take account of the broader considerations, in particular those relating to the balance of the IAF funding package as a whole, to ensure alignment with the objectives for the IAF and government priorities. These broader considerations will include those set out in the table below.

Broader considerations		Key factors to be assessed
1.	Greenfield/brownfield developments	Does the IAF funding package as a whole enable a balance of brownfield intensification and greenfield expansion?
2.	Timing of housing delivery	Does the IAF funding package as a whole enable a balance of near-term and medium-term activity?
3.	Construction sector capacity	Does the IAF funding package as a whole enable activity that ramps up sustainably to allow the construction sector to steadily increase its capacity and absorb the investment without price escalation?
4.	Capacity of the fund	If the amount of IAF funding requested in the Proposal is granted, is there sufficient capacity remaining in the IAF to support the desired range of Proposals?
5.	Regional spread of funding allocation	Does the funding package as whole represent the government's intention to fund Proposals across multiple regions that include both large urban areas and regional centres, having regard to: (i) allocation of funding from within IAF; and



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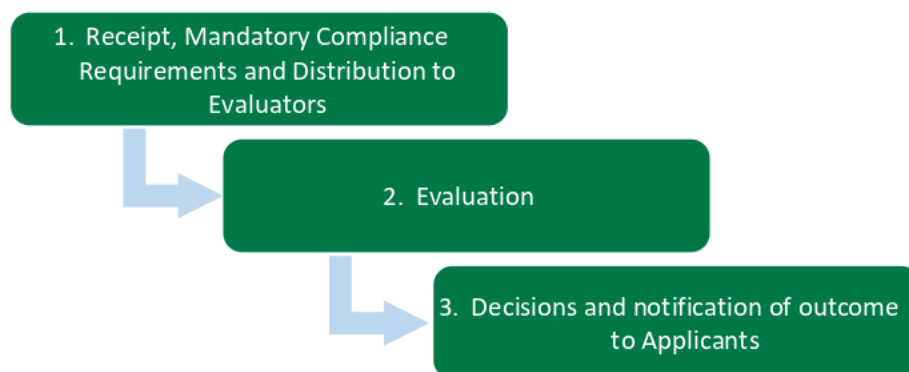
		(ii) any other central government funding for that housing development (including both historical and anticipated funding).
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SECTION 3: EVALUATION APPROACH

3.1 Overview of the Evaluation Process

There are three steps to the evaluation of EOIs:



3.2 Mandatory Compliance

The Mandatory Compliance Requirements will be considered prior to the evaluation of each EOI and will be assessed on a **pass/fail** compliance basis.

Mandatory Compliance Requirements		
1.	EOI Response Form received on time	5.00pm 18 August 2021
2.	EOI Response Form completed as instructed in the prescribed format	Available on Tenderlink
3.	Applicant Declaration received on time	5.00pm 18 August 2021
4.	Applicant Declaration completed as instructed in the prescribed format	Available on Tenderlink

If this information is not provided on time, in the prescribed format, is incomplete, is inaccurate, or the content of the information is not satisfactory to the Evaluation Panel, the Evaluation Panel may (at its discretion) reject the Proposal without proceeding to evaluate it.

Following submission of Proposals, Kāinga Ora may seek further information and clarification from an Applicant if required, but not where the submission of such information would give an advantage to one Applicant over another. Information and clarification requests may be sent by the Authorised Representative at any stage during the EOI Evaluation and responses must be provided within three working days.



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Information and clarification requests may be sent by Kāinga Ora during the period from 1 July to 13 August 2021.

3.3 Evaluation of EOI Proposals

All Proposals that meet the Mandatory Compliance Requirements will be reviewed by Evaluation Teams to check the Eligibility Criteria are satisfied (which will be assessed on a **pass/fail basis**), and scored against the Evaluation Criteria. Applicants whose Proposals meet these requirements will be notified.

This evaluation process will also involve:¹⁰

- (a) the Evaluation Teams seeking inter-agency input from other government entities listed in section 1.7; and
- (b) place based teams providing high level input on the Proposals submitted in their region.

The Evaluation Teams and Evaluation Panel will moderate individual scores and the Evaluation Panel will then confirm the ranking of Proposals.

Kāinga Ora reserves the right to not progress Proposals to the RFP Stage if, in the Evaluation Panel's opinion, a Proposal does not score satisfactorily on one or more of the Evaluation Criteria or Sub-Criteria.

Kāinga Ora also reserves the right to progress Proposals to RFP Stage subject to conditions.

In order to select the limited number of Proposals suitable for fast-tracking, Evaluation Teams and the Evaluation Panel will have regard to factors such as whether:

- a) the quality of the Proposal has already been well validated, such as through a previous central Government process; or
- b) the Proposal is straightforward such that the evaluation and due diligence work can be done very quickly; and
- c) in each case, the Proposal scores highly against the Evaluation Criteria.

3.4 Decisions and notification to Applicants

The Kāinga Ora Board Committee will decide which Proposals will advance to the RFP Stage.

Successful Applicants

Applicants with Proposals to progress to the RFP Stage will be advised in writing that they have been successful, and will be issued the RFP.

¹⁰ In paragraphs (a) and (b), "input" does not include the evaluation of Proposals.
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For Proposals that may only proceed to the RFP Stage if certain conditions are agreed to, the RFP will be issued if and when the Applicant agrees to those conditions.

Unsuccessful Applicants

Applicants with Proposals that have not been selected to progress to the RFP Stage will be advised in writing that they have been unsuccessful, and will be offered debriefs.



SECTION 4: PREPARING A PROPOSAL

4.1 How to respond to this EOI Invitation

Each Proposal must relate to one specific housing development, and the Eligible Infrastructure Project(s) enabling that housing development(s). EOIs will comprise a completed EOI Response Form and Applicant Declaration (each as available on Tenderlink), submitted electronically to Tenderlink by **5:00pm on 18 August 2021**.

The contents of the EOI Response Form are set out in the table below. Instructions on how to complete the EOI Response Form and further guidance for preparing responses to the questions therein are set out in the EOI Response Form.

EOIs transmitted by any other method, such as facsimile, post or in hardcopy delivered to an office of Kāinga Ora, the Ministry of Housing and Urban Development, or any other government agency will not be accepted.

The questions in the EOI Response Form have been developed to ensure that the Evaluation Teams and Evaluation Panel have sufficient information to evaluate Proposals against the Eligibility Criteria and Evaluation Criteria.

Item	Content	Reference
EOI Response Form	<p>A completed EOI Response Form, comprising:</p> <ul style="list-style-type: none">- Part A - General Information: seeking basic information about the Applicant and the housing development.- Part B - Proposal Information: seeking high-level information about the housing development and the infrastructure required to enable the development.- Part C - Criteria Responses: seeking high-level responses on the various aspects of the Eligibility and Evaluation Criteria.	Available on Tenderlink



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4.2 How to contact us

All enquiries to Kāinga Ora regarding this EOI Invitation must be by email, copying our Authorised Representative. Kāinga Ora will manage external communications through this Authorised Representative.

Our Authorised Representative: **Kathleen Fafeita**

Email address: IAF@kaingaora.govt.nz

4.3 Changes to the EOI Invitation

If, after publishing this EOI Invitation, Kāinga Ora needs to change anything about the EOI Invitation or EOI process, or wants to provide additional information, a notice will be issued on Tenderlink. Applicants subscribing to Tenderlink and who download the EOI Invitation will automatically be sent notifications of changes through Tenderlink by email.



SECTION 5: TERMS AND CONDITIONS

1) General

- a. The terms and conditions are non-negotiable and do not require a response. By submitting an EOI and a Proposal, each Applicant will be deemed to have agreed to this EOI Invitation's terms and conditions without reservation or variation.
- b. Applicants acknowledge and agree that the EOI process is not a procurement and the Government Procurement Rules do not apply to this EOI process.

2) Investigations and reliance on information

- a. Each Applicant should satisfy itself as to the interpretation of the EOI Invitation. If there is any perceived ambiguity or uncertainty in the EOI Invitation and document/s, Applicants should set out in their Proposal the interpretation relied upon and any assumptions used.
- b. Kāinga Ora will not be liable (in contract or tort, including negligence, or otherwise) to anyone who relies on any information provided by or on behalf of Kāinga Ora in or in connection with this EOI process.

3) Requests for clarification

- a. Requests for clarification of any perceived ambiguity or uncertainty in the EOI Invitation, or any other enquiry, must be made through IAF@kaingaora.govt.nz by no later than 13 August 2021. Kāinga Ora will respond in a timely manner.
- b. If Kāinga Ora considers a request to be of sufficient importance to all Applicants it may provide details of the question and answer to other Applicants. In doing so, Kāinga Ora may summarise the Applicant's question and will not disclose the Applicant's identity. The question and answer may be posted on Tenderlink, on the Kāinga Ora website, and/or

emailed to Applicants that have registered to the Tenderlink webpage. An Applicant may withdraw a request at any time.

- c. In submitting a request for clarification an Applicant is to indicate, in its request, any information that is commercially sensitive. Kāinga Ora will not publish such commercially sensitive information. However, Kāinga Ora may modify a request to eliminate such commercially sensitive information, and publish this and the answer where Kāinga Ora considers it of general significance to all Applicants. In this case, the particular Applicant will be given an opportunity to withdraw the request or remove the commercially sensitive information.
- d. Business-as-usual communications between Kāinga Ora and the Applicant will be maintained with the usual contacts. However, during the EOI process, Applicants must not use business-as-usual contacts to solicit or discuss details of this EOI process with any person at Kāinga Ora or any other Crown agency or Crown entity or their respective agents, except as permitted by section 1.7 of this EOI Invitation. This paragraph does not prevent Applicants from working on their Proposal with other relevant parties as necessary.

4) Reliance by Applicants

- a. All information contained in this EOI Invitation or given to any Applicant by Kāinga Ora is for the purpose of allowing that Applicant to prepare its Proposal. Kāinga Ora has endeavoured to ensure the integrity of such information. However, it has not been independently verified and Kāinga Ora is under no duty to provide updated information.

5) Reliance by Kāinga Ora

- a. Each Applicant must use its best endeavours to ensure all information provided to Kāinga Ora is true, complete and accurate. The Applicant acknowledges that Kāinga Ora will be relying on the truth, completeness and accuracy of this information in evaluating the Proposal and in subsequent engagements with the Applicant.



6) Clarification by Kāinga Ora

- a. Kāinga Ora may, at any time, request from any Applicant, clarification of its Proposal as well as additional information about any aspect of its Proposal. Kāinga Ora is not required to request the same clarification or information from each Applicant.

7) Inducements

- a. Applicants must not directly or indirectly provide any form of inducement or reward to any officer, employee, advisor, evaluation panel member or other representative of Kāinga Ora in connection with this EOI Process.

8) Evaluation Panel

- a. Kāinga Ora will convene an Evaluation Panel and Evaluation Teams, and a Committee of its Board comprising members chosen for their relevant expertise and experience, and who may have a degree of knowledge of or about any Applicant. In addition, Kāinga Ora may invite independent advisors to advise on any Proposal, or any aspect of any Proposal.

9) Third party information

- a. Each Applicant authorises Kāinga Ora to collect additional information, except commercially sensitive pricing information, from any relevant third party (such as a referee or a previous or existing client) and to use that information as part of its evaluation of the Proposal.

10) Evaluation and decisions

- a. Kāinga Ora will evaluate Proposals submitted in response to the EOI Invitation. This evaluation will be in accordance with the evaluation approach set out in section 3. Kāinga Ora may adjust its evaluation of a Proposal following consideration of any clarification or additional information as described in paragraph 6.
- b. In deciding which Proposals to progress to the RFP Stage, Kāinga Ora may take into account any of the following additional information:
 - i. the results from any due diligence;

- ii. any matter that materially impacts on the trust and confidence Kāinga Ora have in the Applicant or on the truth, accuracy and completeness of any information included in the Applicant's EOI; and/or

- iii. any relevant information that Kāinga Ora may have in its possession.

- c. Kāinga Ora will advise Applicants of the outcome of the evaluation. Progressing past the EOI Stage does not constitute acceptance by Kāinga Ora of the Applicant's Proposal, or imply or create any obligation on Kāinga Ora to enter into negotiations with, or enter into a Funding Agreement or Housing Outcome Agreement with any Applicant.

11) Fast-track process

- a. As described in the EOI Invitation, Kāinga Ora may, at any time following the EOI Invitation, elect to progress any Proposal under the fast-track process if it considers (in its sole discretion) that the Proposal meets the fast-track criteria described in section 3.3.

12) Authorised Representative for Kāinga Ora:

- a. All enquiries regarding the EOI process must be directed by email to the Authorised Representative. Applicants must not directly or indirectly approach any representative of Kāinga Ora, or any other person, to solicit information concerning any aspect of the EOI process, except place based teams to the extent permitted by section 1.7 of this EOI Invitation.
- b. Only the Authorised Representative, place based teams (to the extent permitted by section 1.7 of this EOI Invitation) and any other person authorised in writing by Kāinga Ora, are authorised to communicate with Applicants regarding any aspect of the EOI process. Kāinga Ora will not be bound by, or entitled to rely on, any statement made by any other person.
- c. Kāinga Ora may change the Authorised Representative at any time. Kāinga Ora will notify Applicants of any such change. This notification may be posted on Tenderlink or sent by email.



13) Conflict of interest

- a. Each Applicant must immediately inform Kāinga Ora should a conflict of interest arise during the EOI process. A material conflict of interest may result in the Applicant being disqualified from participating further in the EOI process.

14) Confidential Information

- a. For the purposes of this EOI Invitation and any EOIs submitted in response to it, Confidential Information means information that is marked as “confidential” or “commercial in confidence” by the Applicant.
- b. Confidential information does not cover information that is information already known by Kāinga Ora, or is in the public domain through no fault of either Kāinga Ora or an Applicant.
- c. Kāinga Ora or an Applicant will each take reasonable steps to protect Confidential Information and, subject to paragraphs d, e, and f will not disclose Confidential Information to a third party without the other’s prior written consent. Kāinga Ora will not be subject to any obligation of confidentiality in relation to information that is not marked as “confidential” or “commercial in confidence”.
- d. Kāinga Ora may disclose Confidential Information to any person who is involved in the IAF, including and on behalf of Government departments and other Crown agencies or entities, such as officers, employees, consultants, contractors, professional advisors, but only for the purpose of the IAF.
- e. Kāinga Ora may disclose Confidential Information to any person provided the Confidential Information is included in an aggregated dataset that does not identify the individual data.
- f. The obligations of confidentiality in paragraph c do not apply to any disclosure of Confidential Information required by parliamentary and constitutional convention and any other obligations imposed by law. Where Kāinga Ora receives an *Official Information Act 1982* request or the Applicant receives a *Local Government Official Information and*

Meetings Act 1987 request that relates to the other party’s Confidential Information, the party that has received the request will consult with the other party and may ask the other party to explain why the information is considered by the other party to be confidential or commercially sensitive.

15) Ownership of documents and intellectual property

- a. This EOI Invitation and any other documents supplied by Kāinga Ora to any Applicant remain the property of Kāinga Ora. All copyright and other intellectual property rights in the EOI Invitation and any documents and other information provided to any Applicant or any other person by or on behalf of Kāinga Ora in connection with this EOI Invitation will remain with, and belong at all times to, Kāinga Ora or its licensors. Kāinga Ora may request the immediate return of all documents supplied and any copies made of them at any time. Applicants must comply with any such request in a timely manner.
- b. Any EOI or information supplied by an Applicant to Kāinga Ora in respect of its Proposal will become the property of Kāinga Ora and may not be returned.
- c. Ownership of Intellectual Property rights in the EOI and any information supplied by an Applicant to Kāinga Ora in respect of its Proposal remain the property of the Applicant or its licensors. However, the Applicant grants to Kāinga Ora a royalty-free, non-exclusive, non-transferable, perpetual licence, including the right to sub-license, to retain, use, copy and disclose information contained in the EOI for any purpose related to the EOI process.
- d. By submitting a Proposal, the Applicant warrants that the provision of that information to Kāinga Ora will not breach any third party intellectual property rights.

16) No binding legal relations

- a. Neither the EOI Invitation, nor the EOI process, creates a process contract or any legal relationship between Kāinga Ora and any Applicant, except in respect of:



- i. the Applicant's declaration in its EOI;
 - ii. the Applicant's statements, representations and/or warranties in its EOI, and in its correspondence with Kāinga Ora; and
 - iii. paragraphs 7 and 12 to 22 of these Terms and Conditions.
- b. Kāinga Ora makes no representations nor gives any warranties in this EOI Invitation.
 - c. Any verbal communications made during the EOI process will not be binding on Kāinga Ora and are subject to the terms of this EOI Invitation.
 - d. Despite any other provision in this EOI Invitation or any other document relating to this EOI process, the issue of this EOI Invitation does not legally oblige or otherwise commit Kāinga Ora to proceed with or follow the process outlined in this EOI Invitation.

17) Elimination

- a. Kāinga Ora may exclude an Applicant from participating in the EOI process if it has evidence of any of the following, and this is considered by Kāinga Ora to be material to the EOI process:
 - i. the Applicant has failed to provide all information requested, or in the correct format, or materially breached a term or condition of the EOI process;
 - ii. the Proposal contains a material error, omission or inaccuracy;
 - iii. the Applicant is in bankruptcy, receivership or liquidation;
 - iv. the Applicant has made a false declaration;
 - v. there is a serious performance issue in a historic or current contract delivered by the Applicant;
 - vi. there is professional misconduct or an act or omission on the part of the Applicant which adversely reflects on the integrity of the Applicant;
 - vii. the Applicant has failed to pay taxes, duties or other levies;

- viii. the Applicant represents a threat to national security or the confidentiality of sensitive government information; or
- ix. the Applicant is a person or organisation designated as a terrorist by New Zealand Police.

18) Kāinga Ora additional rights

- a. Despite any other provision in the EOI Invitation Kāinga Ora may, on giving due notice to Applicants:
 - i. amend, suspend, cancel and/or re-issue the EOI Invitation, or any part of the EOI Invitation; and
 - ii. make any material change to the EOI Invitation (including any change to the timeline, requirements or Evaluation Approach) on the condition that Applicants are given a reasonable time within which to respond to the change, where a response is necessary.
- b. Despite any other provision in the EOI Invitation Kāinga Ora may:
 - i. accept a late Proposal if it is received late due to the actions of Kāinga Ora;
 - ii. in exceptional circumstances, accept a late Proposal where it considers that there is no material prejudice to other Applicants. Kāinga Ora will not accept a late Proposal if it considers that there is risk of collusion on the part of an Applicant;
 - iii. accept or reject any Proposal, or part of a Proposal;
 - iv. accept or reject any non-compliant, non-conforming or alternative Proposal;
 - v. decide not to enter into any agreement with any Applicant;
 - vi. liaise or negotiate with any Applicant without disclosing this to, or doing the same with, any other Applicant;
 - vii. provide or withhold from any Applicant information in relation to any question arising in relation to the EOI process. Information will usually only be withheld if it is deemed unnecessary, is



commercially sensitive to an Applicant, is inappropriate to supply at the time of the request or cannot be released for legal reasons;

- viii. amend any agreement or proposed contractual arrangement at any time, including during refinement with a successful Applicant; and
 - ix. waive irregularities or requirements in the EOI process where it considers it appropriate and reasonable to do so.
- c. Kāinga Ora may request that an Applicant agrees to:
- i. selecting any individual element/s that is offered in a Proposal and is capable of being delivered separately, unless the Proposal specifically states that the Proposal, or elements of the Proposal, are to be taken collectively;
 - ii. progress to the RFP Stage, subject to certain conditions regarding the Proposal at EOI Stage; and/or
 - iii. selecting two or more Applicants to deliver the requirements as a joint venture or consortium.

19) Costs and expenses

- a. Kāinga Ora is not responsible for any costs or expenses incurred by an Applicant in the preparation of a Proposal.

20) New Zealand law

- a. The laws of New Zealand shall govern the EOI process and each Applicant agrees to submit to the exclusive jurisdiction of the New Zealand courts in respect of any dispute concerning the EOI Invitation or the EOI process.

21) Disclaimer

- a. Kāinga Ora will not be liable in contract, tort, equity, or in any other way whatsoever for any direct or indirect damage, expense, loss or cost (including legal cost) incurred by any Applicant or any other person in

respect of the EOI process to the maximum extent permitted by law.

This includes, without limitation:

- i. the preparation of any Proposal;
 - ii. any investigations of or by any Applicant;
 - iii. the suspension or cancellation of the process contemplated in this EOI Invitation; or
 - iv. any information given or not given to any Applicant.
- b. Nothing contained or implied in the EOI Invitation, or EOI process, or any other communication by Kāinga Ora to any Applicant shall be construed as legal, financial or other advice. Kāinga Ora has endeavoured to ensure the integrity of such information. However, it has not been independently verified and may not be updated.
- c. By participating in this EOI process, each Applicant waives any rights that it may have to make any claim against Kāinga Ora. To the extent that liability cannot be excluded as a matter of law, the maximum aggregate liability of Kāinga Ora is \$1.

22) Precedence

- a. Any conflict or inconsistency in the documents forming the EOI Invitation shall be resolved by giving precedence in the following descending order:
 - i. any notice made available on Tenderlink or to all Applicants after the release of this EOI Invitation that purports to amend the EOI Invitation;
 - ii. this section 5 (Terms and Conditions);
 - iii. all other sections of this EOI Invitation document; and
 - iv. any other additional information or document provided by Kāinga Ora to Applicants through the Authorised Representative or Tenderlink.



Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 1

Term	Meaning
Proposal	The information provided by Applicants regarding applications for funding under the Infrastructure Acceleration Fund (across EOI and RFP Stages and the remaining negotiation and funding decision processes).
RFP	Request for Proposals
RFP Proposal	A response to the RFP provided by selected Applicants.
RFP Stage	The Stage of the Infrastructure Acceleration Fund process commencing from the issue of the RFP to notifying successful Applicants.
Stages	The stages of the process to allocate funding from the Infrastructure Acceleration Fund referred to in this EOI Invitation.
Territorial Authority	A city council or a district council named in Part 2 of Schedule 2 of the Local Government Act 2002.
Urban Growth Partnership(s)	Partnerships, as identified in section 1.3 of this EOI Invitation, between central government, local government and Māori to ensure alignment of government investment in infrastructure.



Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 1

Term	Meaning
Funding Agreement	An agreement, setting out the terms of IAF funding for an Eligible Infrastructure Project(s).
Housing Outcome Agreement	An agreement setting out the housing outcomes, commitments from developers and other relevant parties, and actions to be taken by the relevant Territorial Authority, in respect of a Proposal.
IAF	Infrastructure Acceleration Fund
Kāinga Ora Board Committee	A committee of the Board of Kāinga Ora responsible for deciding which Proposals progress to the RFP Stage and providing advice to Ministers.
Infrastructure Acceleration Fund (IAF)	A government fund for Eligible Infrastructure Projects, administered by Kāinga Ora.
Inter-Agency Reference Group	A group made up of senior representatives from various government agencies that will inform the decisions and advice from the Kāinga Ora Board Committee.
Māori	Includes, without limitation, iwi, hapū, marae and whanau.
Māori Infrastructure Fund	A government fund for infrastructure that enables Māori housing, administered by the Ministry of Housing and Urban Development.
Ministers	The Minister of Finance and Minister of Housing.
Negotiation	The period that commences when an RFP Proposal receives Ministerial approval to progress to negotiation and concludes when a final Ministerial decision as to funding is sought.
Probity Auditor	The person identified in this EOI invitation who is appointed to audit, and provide independent assurance to Kāinga Ora on the process undertaken in relation to the IAF.
Programme Path*	A pathway for Proposals relating to main urban areas covered by current and emerging Urban Growth Partnerships.
Project Path*	A pathway for Proposals relating to all parts of New Zealand not covered by an Urban Growth Partnership, including those submitted by developers and Māori in Urban Growth Partnership areas. <i>*in each case, a "Path"</i>



APPENDIX: GLOSSARY

Term	Meaning
Applicant	A party, including a Territorial Authority, Māori or developer, who has responded to this EOI Invitation by submitting a Proposal in accordance with the requirements set out in section 4.
Applicant Declaration	The declaration form to be completed by each lead Applicant, as available on Tenderlink.
Eligible Applicant	An Applicant who meets the Eligibility Criteria set out in section 2.1.
Eligibility Criteria	The criteria intended to be used to assess Eligible Applicants, Eligible Infrastructure Projects and Eligible Costs, as set out in sections 2.1, 2.2 and 2.3 respectively.
Eligible Costs	Costs that meet the criteria set out in section 2.3 (as determined by Kāinga Ora as being eligible) and for which IAF funding may contribute towards.
Eligible Infrastructure Project	An infrastructure project that meets the criteria set out in section 2.2 (as determined by Kāinga Ora) and for which IAF funding may be used.
EOI	Expression of Interest in response to this EOI Invitation
EOI Invitation	This invitation, inviting Applicants to submit an EOI and Proposal to receive funding from the Infrastructure Acceleration Fund.
EOI Stage	This stage of the process to allocate funding from the Infrastructure Acceleration Fund, commencing from the issue of this EOI Invitation and concluding on notification of successful Proposals to move to the RFP Stage.
Evaluation Criteria	The criteria intended to be used to assess Proposals as set out in section 2.4 of this EOI Invitation.
Evaluation Teams	Evaluation teams established to evaluate Proposals in accordance with this EOI Invitation as set out in section 3.3.
Evaluation Panel	Evaluation panel comprising officials of Kāinga Ora to evaluate Proposals in accordance with this EOI Invitation as set out in in section 3.3.



Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 1

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b. If there is any conflict or inconsistency between information or documents having the same level of precedence, the later information or document will prevail.



Infrastructure Acceleration Fund - Expressions of Interest Update Notice 1.0

Title: Infrastructure Acceleration Fund – Expressions of Interest

Date: 26 July 2021

Dear Applicants

As each of you will know, the **5pm, 18 August 2021** due date for Expressions of Interest to the Infrastructure Acceleration Fund (IAF) is approaching, and will be strictly enforced.

The purpose of this Addendum is to reinforce a few of the key themes identified in the Invitation for EOIs and answer some common questions that we have received from Applicants.

We would also like to take this opportunity to encourage Applicants to only submit EOI Responses for Proposals that are strongly aligned to the Eligibility Criteria (Section 2.2 and 2.3 in the EOI), as well as the Evaluation Criteria (Section 2.4). Applicants should take into consideration the volume of Proposals that will be seeking funding through the IAF and prioritise their strongest Proposals for submission.

(1) Key themes

Due diligence

The evaluation of Proposals at EOI Stage will primarily focus on establishing indicative compliance with the Eligibility Criteria and indicative alignment with the Evaluation Criteria. Kāinga Ora will therefore primarily rely, at face-value, on Applicants' high-level responses as set out in their EOI Response Form when evaluating Proposals.

In circumstances where Applicants' responses warrant further investigation, however, Kāinga Ora reserves the right to conduct due diligence on certain aspects of Applicants' Proposals at EOI Stage.

The RFP Stage will focus on verifying statements made by Applicants at the EOI Stage using a due diligence process and taking an evidence-based approach to evaluation. To the extent statements made at EOI Stage cannot be verified and supported by evidence, this will be a key consideration in evaluating Proposals at RFP Stage. Applicants should therefore consider this when submitting Proposals.

This concept is particularly relevant to statements relating to the housing outcomes of the Proposal (e.g. timing and scale) at EOI Stage. Applicants are forewarned that these aspects of their Proposal will at RFP Stage be (amongst other considerations):

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Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 2



- scrutinised and tested with due diligence; and
- evaluated in light of the corresponding level of contractual commitment/s to delivering the housing outcomes.

Enabling infrastructure

Kāinga Ora reinforces that the infrastructure for which IAF funding is sought is “enabling infrastructure”.¹ In the context of the IAF, “enabling infrastructure” should be taken to mean network infrastructure that is:

- (a) controlled by a territorial authority or council controlled organisation (as defined in section 6 of the Local Government Act 2002); and
- (b) typically delivered by territorial authorities or Waka Kotahi.

“Enabling infrastructure” is therefore the type of infrastructure which *enables* the particular subdivision or housing development that is the subject of the Applicant’s Proposal.

IAF funding is not concerned with funding infrastructure *within* the boundaries of that particular subdivision (e.g., local roads and local water connections), which is infrastructure typically funded by developers.

Tier one and two urban environments

As noted on page 18 of the Invitation for EOIs, in order to be eligible for IAF funding, the relevant infrastructure must enable at least:

- (i) 200 additional dwellings in Tier One urban environments (under the National Policy Statement on Urban Development;
- (ii) 100 additional dwellings in Tier Two urban environments; and
- (iii) 30 additional dwellings elsewhere.

The National Policy Statement on Urban Development (**NPS-UD**) applies to different “tiers” of local authorities. Where these local authorities have jurisdiction over “urban environments”, they are required to implement the requirements of the NPS-UD that apply specifically to their tier 1 or tier 2 urban environments.

“Urban environment” is defined under the NPS-UD as:

Any area of land (regardless of size, and irrespective of local authority or statistical boundaries that:

¹ As described in Eligibility Criteria 2.2 (Eligible Infrastructure Projects), paragraph (a), page 18 of the invitation for EOIs.

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 2



- (a) is, or is intended to be, predominantly urban in character; and*
- (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people.*

Tier One urban environments are defined under the NPS-UD as one of the following urban centres:

- Auckland;
- Hamilton;
- Tauranga;
- Wellington; and
- Christchurch.

Tier Two urban environments are defined under the NPS-UD as one of the following urban centres:

- Whangārei;
- Rotorua;
- New Plymouth;
- Napier Hastings;
- Palmerston North;
- Nelson Tasman;
- Queenstown; and
- Dunedin.

The NPS-UD does not describe these urban centres in any further detail, but notes the relevant local authorities that have jurisdiction in respect of those urban areas (see the second column in Tables 1 and 2 of the Appendix to the NPS-UD).

What constitutes a tier one or tier two urban environment, and the precise boundaries of that urban environment will ultimately be decided having regard to the definition of “urban environment” in the NPS-UD. In such cases, we suggest that Applicants enquire with the territorial authority with jurisdiction over the particular area of the housing development to confirm whether their housing development is part of an “urban environment”.

Tier 1 and tier 2 local authorities will be undertaking work on their Housing and Business Development Capacity Assessments (HBA) as required under the NPS-UD (in relation to housing), for public release by 31 July 2021. HBAs are likely to provide further guidance on the applicable boundaries for tier 1 and tier 2 urban environments.

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Developer-led Expressions of Interest: Attachment 2



Short to medium-term housing delivery

As noted on page 18 of the Invitation for EOIs, in order to be eligible for IAF funding, the relevant infrastructure must “enable the building of new or additional dwellings in the short to medium term (meaning, in most cases, that a material number of those dwellings are built (to completion) by December 2029”.

By way of clarification, “a material number of those dwellings” should not be read as a requirement that Applicants have delivered a majority of the proposed dwellings within that timeframe. What we are looking for is for meaningful number of dwellings in the development are being built within that seven-year timeframe.

(2) Common questions

Responses to some of the common questions that have been raised by Applicants are set out below.

Q1) Kāinga Ora material interests in housing developments

Certain Proposals will enable housing development on land that is owned or is being developed by Kāinga Ora. How will this be accounted for in the evaluation of Proposals?

Response

As noted on pages 6 and 8 of the Invitation for EOIs, a process is in place for any Proposals in which Kāinga Ora has a material interest. Therefore, please do not determine not to submit a Proposal for that reason.

In such cases, Ministers² will receive (1) second opinion advice from the Ministry of Housing and Urban Development, and (2) other government departments in relation to the investment decision (which will be relevant at both the EOI and RFP Stage).

Q2) Eligibility requirements for affordable and/or social housing

In order to be eligible to apply to the IAF, is it a requirement that a minimum number of the dwellings enabled by the Eligible Infrastructure Project(s) are:

- affordable; and/or
- suitable for social housing?

² Being the Minister of Finance and the Minister of Housing and Urban Development.

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 2



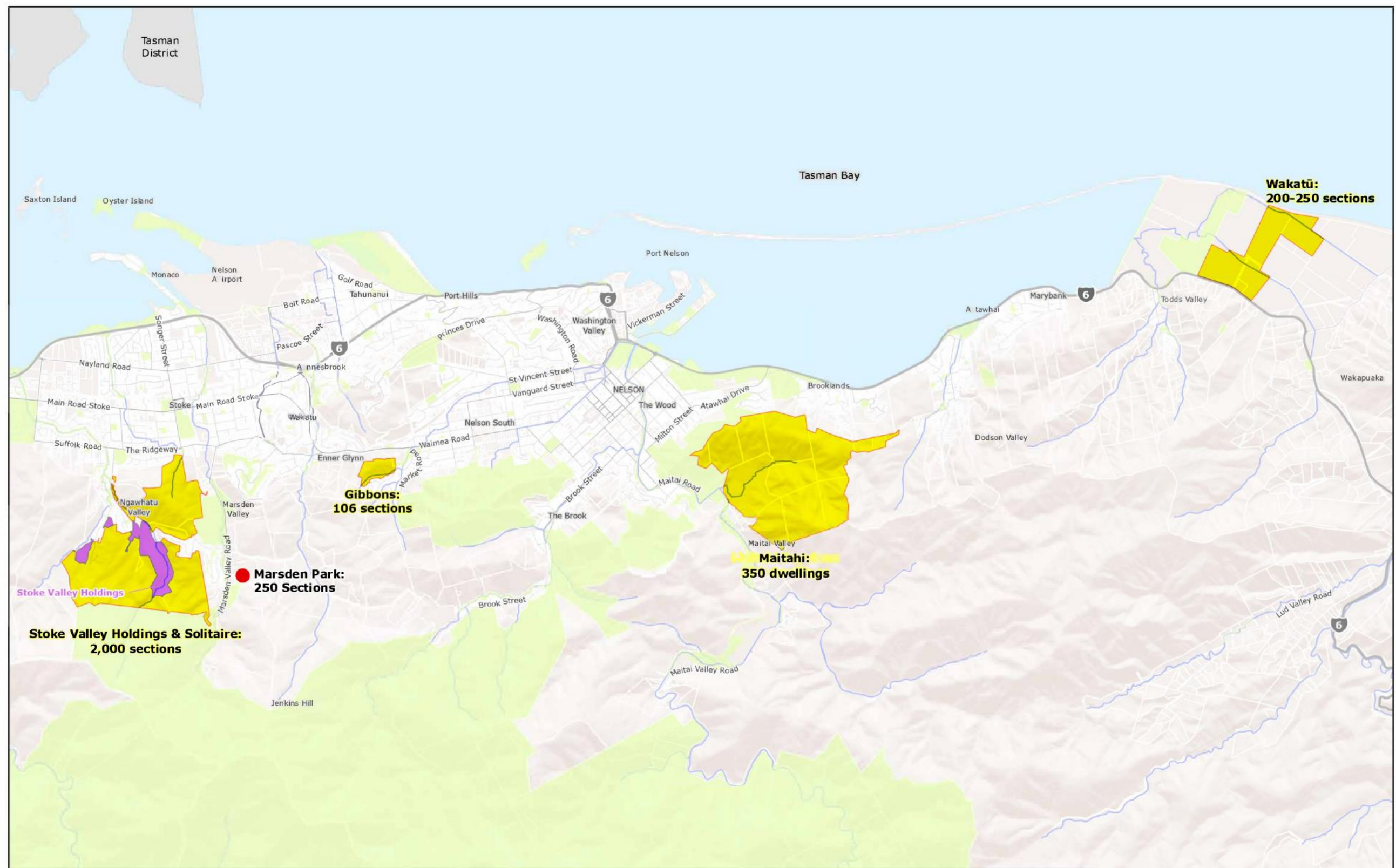
Response

There are no such minimum requirements in order to be eligible for IAF funding.

Proposals will, however, be evaluated against Sub-criteria 1.2. This assessment focuses on the proportion of lower cost houses that are enabled by the Eligible Infrastructure Project(s), with reference to the proposed typology of those dwellings.

The Evaluation Criteria do not refer to social or public housing. Applicants should note that the role of Kāinga Ora in administering the IAF has been set by Cabinet. This role does not involve Kāinga Ora performing its public housing-related functions.

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 3



The map is an approximate representation only and must not be used to determine the location or size of items shown, or to identify legal boundaries. To the extent permitted by law, the Nelson City Council, their employees, agents and contractors will not be liable for any claims, damages or loss suffered as a result of the data or plan, and no warranty of any kind is given as to the accuracy or completeness of the information represented. Nelson City Council information is licensed under a Creative Commons Attribution 4.0 International License, and the use of any data or plan or any information downloaded must be in accordance with the terms of that licence. For more information please contact us.

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Received IAF EIO Applications

R26027



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August 2021

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Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 4



**Housing Acceleration Fund – Infrastructure Acceleration Fund
Developer Proposal Summary**

Proposal	Horoirangi
Developer	Wakatū Incorporation
Landowner	Wakatū Incorporation
Location(s)	307 Main Road, Wakapuaka
Land area (Ha)	64ha
Housing Yield	200-250 Dwellings (Stage 1 sections)
% lower cost housing	50%
Start date (1st title)	July 2026
End date (last title)	2029

IAF Eligibility Criteria (Yes= ✓, ? =Maybe, X=No)
<ul style="list-style-type: none"> ✓ <i>New or upgraded infrastructure</i> ✓ <i>Wholly or primarily for dwellings</i> ✓ <i>100 additional dwellings per application/development</i> ✓ <i>Eligibility cost</i>

IAF Evaluation Criteria	Yes/Maybe/No
Housing Benefits of the proposal (40%) - contribution to IAF housing outcomes	Yes (Critical)
Impact of Funding (20%) - How critical is IAF funding to advance the proposal	Yes (Critical)
Cost and co-funding (20%) - How cost effective is proposal & is each party paying their fair share	Yes (Critical)
Capability and Readiness (20%) - If funding approved, certainty of development advancing and at what pace	Maybe – A plan change and/or resource consent is required and has not yet been applied for.

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Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 4

Council priorities	Green=Yes	Amber=Maybe	Red=No
Infrastructure			
Environment			
City centre development			
Housing Affordability			
Maitai River Precinct			
Sustainable Transport			
Climate change			

Infrastructure	Proposed	Officer comments
Water	Extending the watermain from Clifton Terrace School to the proposed development.	A section of this watermain is identified in the LTP as needing to be upgraded, approximately from Clifton Terrace School to Todds Valley.
Wastewater	Developer considering low pressure system sewers and rising main to existing WWTP.	Council still assessing viability of low pressure system sewers. These wastewater costs would typically be funded by developer
Stormwater	Incorporate waterways/wetlands within the development to mitigate effects from development. Two additional box culverts needed on Hillwood Stream on Boulder Bank Drive.	Significant work required to determine assessment of effects. These stormwater costs would typically be funded by developer
Transport	Legal paper road from SH6 to be formed, connecting from the east from Glen Road and follows Hillwood Stream to site, intersection upgrade to SH6	Works will require liaison with Waka Kotahi. Active mode extension required which may have challenges.

Costs (approx.)	Totals \$10.5M	Developer (TBC)	Council (TBC)	IAF (TBC)
Water	\$3.6M	\$1.6M or \$0	\$2.55M (LTP)	\$1.6M or \$0
Wastewater	\$2.2M	\$2.2M or \$0	None	\$2.2M or \$0
Stormwater	\$1M	\$1M or \$0	None	\$1M or \$0
Transport	\$3.7M	To be worked through	\$3.7M (LTP)	Developer to confirm

Comment	The costs in the above table reflect developers estimates as well as high level cost estimates from NCC officers for public infrastructure. If the Developer's EOI is successful in proceeding to the next stage (Request for Proposal) then
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A2711528

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 4

	officers will need to work with the developer to determine and refine costs. In addition, details will need to be worked through and agreed with respect to the private/public/IAF split.
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Council	Funding	Comment
Long Term Plan (LTP)	<p>\$3.786M in Years 5-10 (Transport)</p> <p>\$2.55M in Years 5-7 (Waters)</p>	<p>For active mode - a shared path extension to Todds Bush Road. (\$750K for investigation, design, and consent. \$3M for construction in Year 10 (30/31) so would require to be brought forward).</p> <p>Upgrade existing trunk main from near Clifton Terrace School to Todds Valley (design/consent/construction over 3 years Yrs 25 - 28 - so would require to be brought forward).</p>
Infrastructure Strategy (IS)	<p>\$2M in years 11-16</p> <p>\$4M in Years 16-20 (Transport)</p>	To continue shared path to Wakapuaka Hall Reserve to then Cable Bay Road, which will require a crossing of SH6.

Recommend support	
Yes/No	Yes
Reasons	The application meets the IAF eligibility criteria and scores well against evaluation criteria. IAF funding and bringing forward LTP funding will enable faster development however a plan change and/or resource consent is required first plus works involving SH6 and liaison with Waka Kotahi. Wakatu well advanced with preliminary planning.

Comment	If the proposal is approved by Kāinga Ora to the next stage, Council will need to consider changes to Council's Long Term Plan, service delivery priorities and resourcing capacity.
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A2711528

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 4

Attachment – concept plans



A2711528

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 4



A2711528

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 5



**Housing Acceleration Fund – Infrastructure Acceleration Fund
Developer Proposal Summary**

Proposal	Maitahi Project
Developer	CCKV Maitai Development Company LP
Landowner	CCKV Maitai Development Company LP
Location(s)	Kākā Valley
Land area (Ha)	40ha. (approx.)
Housing Yield	350 dwellings (approx.)
% lower cost housing	30% (estimated)
Start date (1st title)	2023 (subject to regulatory processes)
End date (last title)	2028/9

IAF Eligibility Criteria (√=Yes, ? = Maybe, X = No)
<ul style="list-style-type: none"> √ New or upgraded infrastructure √ Wholly or primarily for dwellings √ 100 additional dwellings per application/development √ Eligibility cost

IAF Evaluation Criteria	Yes/Maybe/No
Housing Benefits of the proposal (40%) - contribution to IAF housing outcomes	Yes (Critical)
Impact of Funding (20%) - How critical is IAF funding to advance the proposal	Yes (Critical)
Cost and co-funding (20%) - How cost effective is proposal & is each party paying their fair share	Yes (Critical)
Capability and Readiness (20%) - If funding approved, certainty of development advancing and at what pace	Yes (Moderate - feasibility assessments done; Private Plan Change application currently being processed by Council.)

A2716113

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 5

Council priorities	Green=Yes	Amber=Maybe	Red=No
Infrastructure			
Environment			
City centre development			
Housing Affordability			
Maitai River Precinct			
Sustainable Transport			
Climate change			

Infrastructure	Proposed	Officer comments
Water	Connectivity/upgrades from Ralphine Way to Tasman Street including mains, bridge crossings, valves, traffic management etc. Total Cost - \$4.82M	Note, funding not included in LTP or IS.
Wastewater	Connectivity/upgrades from Ralphine Way to Weka Street including rising mains, pipe replacements, traffic management etc. Total Cost - \$7.2M	Note, funding not included in LTP or IS.
Stormwater	Developer cost	Developer cost.
Transport	Total cost \$7.39M (Developer estimate) for transport related projects.	\$1.6M included in LTP for Nile Street cycle path. Not included in developers estimate.

Costs (approx.)	Totals \$23.66M	Developer (TBC)	Council	IAF \$19.41M
Water	\$4.82M	\$0	\$0	\$4.82M
Wastewater	\$7.2M	\$0	\$0	\$7.2M
Stormwater	\$0	\$0	\$0	\$0
Transport	\$8.99M	\$0	\$1.6M in LTP	\$7.39M

Note: The developers EOI indicates no funding from Council required, with EOI request funding only from the IAF.

Comment	The costs in the above table reflect developers estimates as well as high level cost estimates from NCC officers for public infrastructure. If the Developer's EOI is successful in proceeding to the next stage (Request for Proposal) then officers will need to work with the developer to determine and refine costs. In addition, details will need to be worked through and agreed as to the private/public/IAF split.
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A2716113

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 5

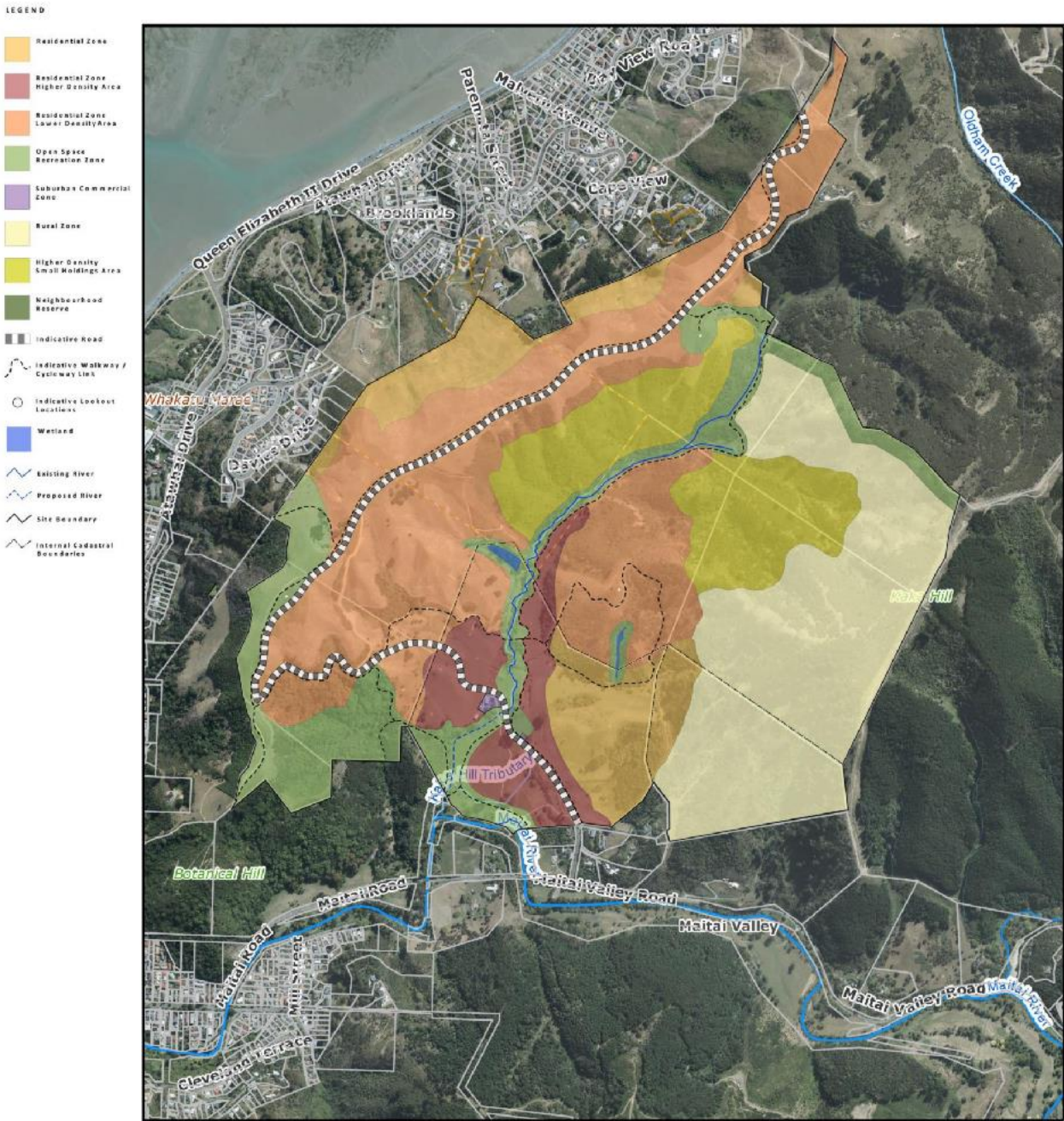
Council Funding	Comment
Long Term Plan (LTP)	No funding in LTP for Water, Stormwater & Wastewater. \$1.6M LTP Transport funds for Nile Street pathway
Infrastructure Strategy (IS)	\$15M identified in years 11-15 linked to unsubsidised road this development.

Recommend support	
Yes/No	Yes
Reasons	The application meets the IAF eligibility criteria and scores highly against evaluation criteria. IAF funding will enable faster development.

Comment	If the proposal is approved by Kāinga Ora to the next stage, Council will need to consider changes to Council's Long Term Plan, service delivery priorities and resourcing capacity.
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Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 5

Attachment – concept plan



A2716113

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 6



**Housing Acceleration Fund – Infrastructure Acceleration Fund
Developer Proposal Summary**

Proposal	Marsden Valley/Ngawhatu Valley developments (Joint application)
Developers	Solitaire Investments Limited, Stoke Valley Holdings Limited, and Marsden Park Limited
Landowner	Solitaire Investments Limited, Stoke Valley Holdings Limited, and Marsden Park Limited
Location(s)	Marsden Valley and Ngawhatu Valley
Land area (Ha)	240ha (Stoke Valley/Solitaire) and 100ha (Marsden Park)
Housing Yield	2,000 Dwellings (Stoke Valley/Solitaire) and 250 (Marsden Park)
% lower cost housing	250 (50% - Marsden Park) and 2000 (20%)
Start date (1st title)	Dec 2021 (Marsden Park) and 18-24 months (Stoke Valley/Solitaire)
End date (last title)	Dec 2028 (Marsden Park) and 2035 (Stoke Valley/Solitaire)

IAF Eligibility Criteria (Yes= ✓, ? =Maybe, X=No)
<ul style="list-style-type: none"> ✓ <i>New or upgraded infrastructure</i> ✓ <i>Wholly or primarily for dwellings</i> ✓ <i>100 additional dwellings per application/development</i> ✓ <i>Eligibility cost</i>

IAF Evaluation Criteria	Yes/Maybe/No
Housing Benefits of the proposal (40%) - contribution to IAF housing outcomes	Yes (Critical)
Impact of Funding (20%) - How critical is IAF funding to advance the proposal	Yes (Critical)
Cost and co-funding (20%) - How cost effective is proposal & is each party paying their fair share	Yes (Critical)
Capability and Readiness (20%) -	All three developers/landholdings

A2720023

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 6

If funding approved, certainty of development advancing and at what pace	have existing consented stages yet to be constructed, however the bulk of the balance of developable land is zoned residential but still requires resource consents.
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Council priorities	Green=Yes	Amber=Maybe	Red=No
Infrastructure			
Environment			
City centre development			
Housing Affordability			
Maitai River Precinct			
Sustainable Transport			
Climate change			

Infrastructure	Proposed	Officer comments (TBC)
Water	<p>A new high-level reservoir at Ngawhatu</p> <p>Montebello - water trunk main extension</p> <p>Marsden - water trunk main to new high-level reservoir</p> <p>New water main connection from top of Quail Rise through to Montebello Avenue to support initial development.</p>	<p>Costs associated with the high-level reservoir is considered Council's costs and allowed for in the LTP and Infrastructure Strategy.</p> <p>All other costs would typically be funded by developers.</p>
Wastewater	<p>Marsden Valley - sewer capacity upgrades</p> <p>Downstream network upgrade from Main Road Stoke to Saxton Road (NRSBU) pump station</p> <p>Montebello Avenue – Sewer trunk extension</p> <p>Sunningdale Drive – Sewer main trunk extension.</p>	<p>Costs associated with the Marsden Valley sewer capacity upgrade and the downstream upgrade from Main Road Stoke to Saxton Road pump station are considered to be Council's costs. A portion of this funding is allowed for within the LTP and Infrastructure Strategy.</p> <p>Montebello and Sunningdale extensions are developer's costs.</p>
Stormwater	<p>Detention pond (Ngawhatu)</p> <p>Flood protection, possible creek remediation</p> <p>Offsite upgrades include Poormans Creek bank protection.</p>	<p>All costs would typically be funded by developers.</p>
Transport	<p>Road intersection upgrades for Marsden Valley Road/Ridgeway,</p>	<p>Transport works planned in LTP/IS. Need to ensure</p>

A2720023

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 6

	Ngawahtu Road/Suffolk Road and for network resilience Cycle path connections	connections between valleys and network resilience.
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Costs (approx.)	Totals	Developer (TBC)	Council (TBC)	IAF (TBC)
Water	\$6.52M	\$0 or \$3.5M	\$3.02M (LTP/IS)	\$0 or \$3.5M
Wastewater	\$11.2M	\$0 or \$2M	\$5.25M (LTP/IS) \$3.95M (Not in LTP)	\$0 or \$2M
Stormwater	\$8M	\$0 or \$8M	None	\$0 or \$8M
Transport	\$10M	\$0 or \$3M	5.2M (LTP) \$1.8M (Not in LTP)	\$0 or \$3M

Comment	The costs in the above table reflect the developers' estimates as well as high level cost estimates from Council officers for public infrastructure. If the Developers' EOI is successful in proceeding to the next stage (Request for Proposal) then officers will need to work with the developers to determine and refine costs. In addition, details will need to be worked through and agreed as to the private/public/IAF split.
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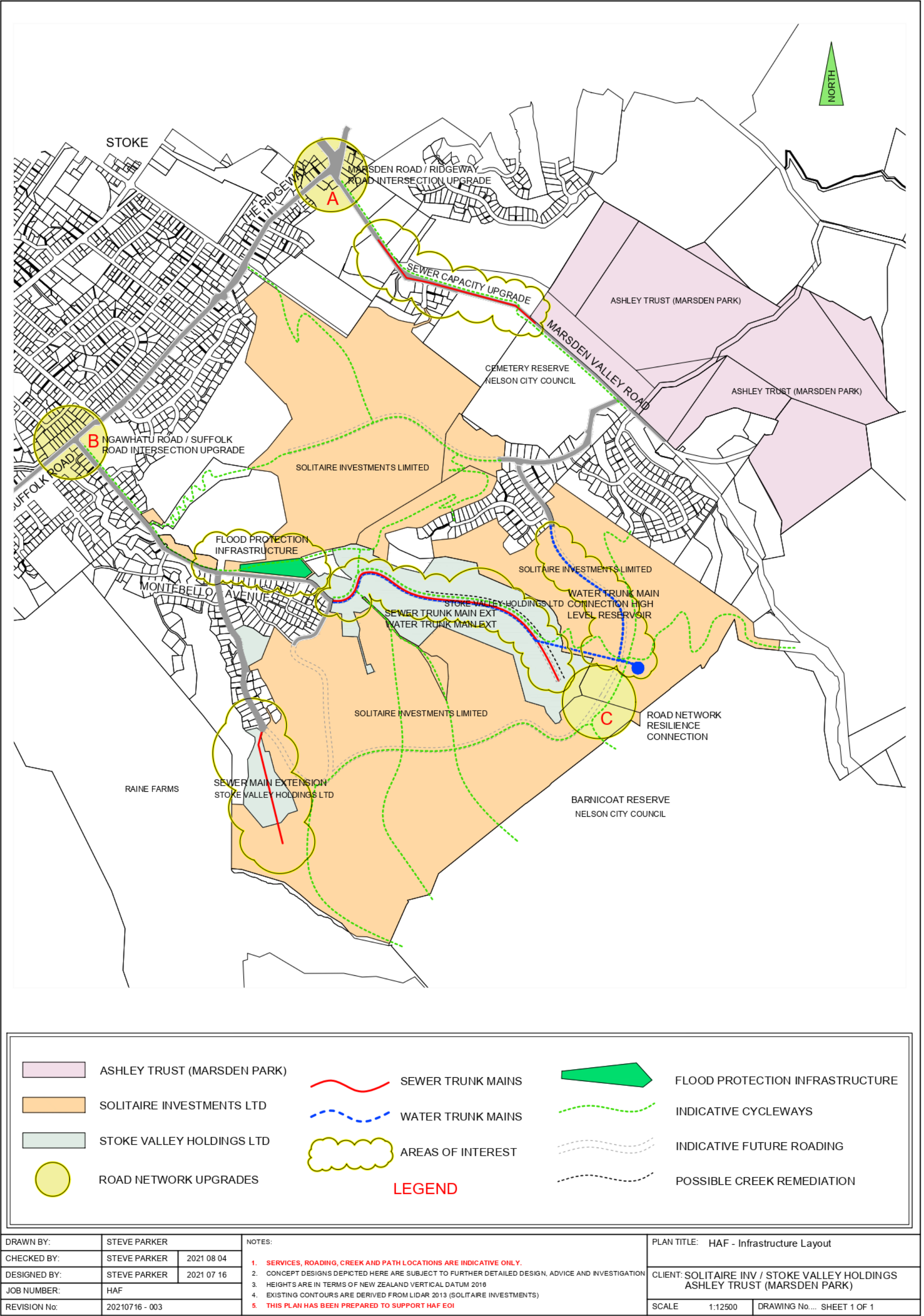
Council	Funding	Comment
Long Term Plan (LTP)	Transport - \$5.2M in Years 4-6 Water - \$463k in Years 8-10 Wastewater - \$250k in Years 9-10	Transport funding allocated for Ridgeway/Suffolk Road intersections, Marsden Valley and Stoke area Water funding allocated for the design of a new reservoir Wastewater funding allocated for the design of a new trunk pipeline
Infrastructure Strategy (IS)	Transport - \$2.56M in Years 11-25 Water - \$2.560M in Years 11-15 Wastewater - \$5M in Years 11-25	Transport Funding Water funding allocated for construction of a new reservoir Wastewater funding allocated for construction a new trunk pipeline

A2720023

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 6

Recommend support	
Yes/No	Yes
Reasons	The application meets the IAF eligibility criteria and scores highly against evaluation criteria. Good housing yield, the largest zoned area that can satisfy immediate and future demand. Requires developer collaboration which is happening. IAF funding and bringing forward LTP funding will enable faster development.
Comment	If the proposal is approved by Kāinga Ora to the next stage, Council will need to consider changes to Council's Long Term Plan, service delivery priorities and resourcing capacity.

A2720023



Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 7



**Housing Acceleration Fund – Infrastructure Acceleration Fund
Developer Proposal Summary**

Proposal	Bishopdale Subdivision
Developer	Gibbons
Landowner	Bishopdale Developments Ltd (Waimea Road) Bishopdale Potteries Ltd (Vista Drive)
Location(s)	257 Waimea Road and Vista Drive
Land area (Ha)	2.30ha (Waimea Road) & 14.95ha (Vista Drive)
Housing Yield	60 (Waimea Road) & 46 (Vista Drive)
% lower cost housing	TBC (IAF funding will help affordability)
Start date (1st title)	2025
End date (last title)	2030

IAF Eligibility Criteria (Yes= ✓, ? =Maybe, X=No)
<p>? New or upgraded infrastructure</p> <p>✓ Wholly or primarily for dwellings</p> <p>X 100 additional dwellings per application/development</p> <p>? Eligibility cost</p>

IAF Evaluation Criteria	Yes/Maybe/No
Housing Benefits of the proposal (40%) - contribution to IAF housing outcomes	Maybe (Minimal)
Impact of Funding (20%) - How critical is IAF funding to advance the proposal	Maybe (Minimal)
Cost and co-funding (20%) - How cost effective is proposal & is each party paying their fair share	Maybe (Minimal)
Capability and Readiness (20%) - If funding approved, certainty of development advancing and at what pace	Yes – both developments are consented

A2713299

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 7

Council priorities	Green=Yes	Amber=Maybe	Red=No
Infrastructure			
Environment			
City centre development			
Housing Affordability			
Maitai River Precinct			
Sustainable Transport			
Climate change			

Infrastructure	Proposed	Officer comments
Water	Needs to address low pressure/flow issues for properties/infrastructure above 90m contour. This may involve a new pump station/tank within the new subdivision or potentially laying a new main from the tanks off Bills Drive to site.	Developer has a resource consent for this work, and as per this consent it's the developer's responsibility for undertaking this work and not considered eligible for IAF funding.
Wastewater	Need to connect into existing WW pipeline on other side of Waimea Road.	Developer has a resource consent for this work, and as per this consent it's the developer's responsibility for undertaking this work and not considered eligible for IAF funding.
Stormwater	Need to install a new pipeline down Waimea Road and connect to the new upgraded network near Bishopdale Reserve. Need to increase the capacity of the detention dam in Vista Drive subdivision to offset increased flows from 257 Waimea Road.	Developer has a resource consent for this work, and as per this consent it's the developer's responsibility for undertaking this work and not considered eligible for IAF funding.
Transport	New intersection construction to traffic lights on Waimea Road (including road widening & retaining walls).	Developer has a resource consent for this work, and as per this consent it's the developer's responsibility for undertaking this work and not considered eligible for IAF funding.

Costs (approx.)	Totals	Developer	Council	IAF
Water	TBC	50% 25%	0% 25%	50%
Wastewater	TBC	50% 0%	0% 50%	50%
Stormwater	\$800k (Pipeline Upgrade)	50% 0%	0% 50%	50%
	\$400k (Detention Dam Upgrade)	50%	0%	50%
Transport	\$1.2M	50%	0	50%

A2713299

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 7

Note: The Developer has provided limited cost information but has indicated potential cost sharing percentages. As it is the developer's responsibility for funding the works, officers have adjusted these percentages.

Comment	If this EOI proceeds to the next RFP officers will need to work with the developer to determine and refine costs. In addition, details will need to be worked through and agreed as to the private/public/IAF split. However, officers are of the opinion the application does not meet the IAF criteria for funding as this is developer funded infrastructure rather than 'enabling infrastructure' (being infrastructure controlled by and typically delivered by a local authority).
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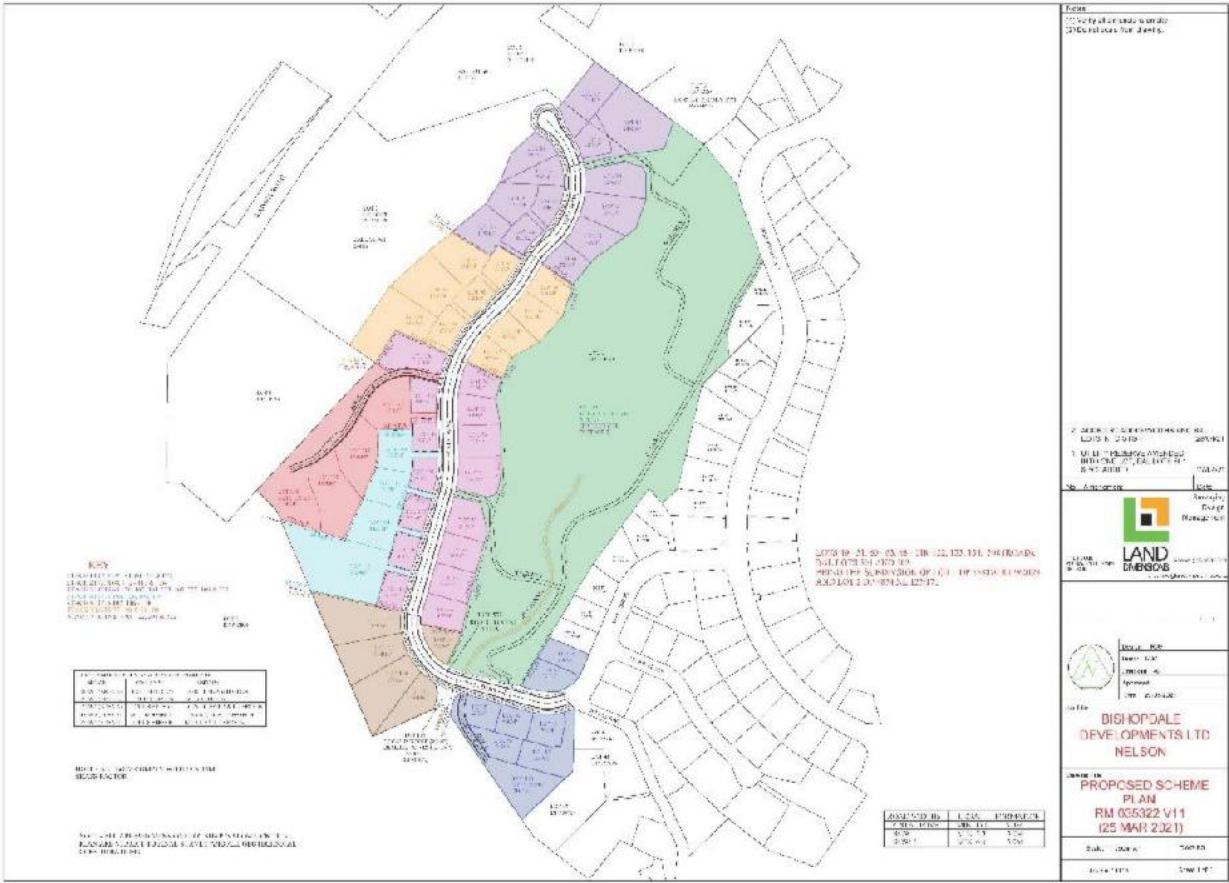
Council Funding	Comment
Long Term Plan (LTP)	None
Infrastructure Strategy (IS)	None

Recommend support	
Yes/No	No
Reasons	<p>The application does not meet the IAF eligibility criteria as Council infrastructure does not require to be accelerated for the Vista Drive development.</p> <p>The application does not meet the IAF eligibility criteria as Council infrastructure does not require to be accelerated for the 257 Waimea Road development.</p> <p>In summary neither development needs Council infrastructure to be accelerated to release housing supply. Any infrastructure that is required is the sole responsibility of the developer as per the approved resource consent.</p>

A2713299

Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 7

Attachment – Scheme plan



Item 9: Infrastructure Acceleration Fund:
Developer-led Expressions of Interest: Attachment 8



Date

Attention: Kāinga Ora – Infrastructure Acceleration Fund

Tēnā koutou,

Nelson City Council letter of support – Developer Expressions of Interest to the Infrastructure Acceleration Fund.

Nelson City Council plays a key role in investigating ways to provide affordable housing in our region. Housing in Nelson is some of the least affordable in New Zealand. In its 2021 – 2031 Long Term Plan (LTP), Council identified strategies to help improve this situation. This included partnering and working with central government, the private sector, and community housing providers to provide a range of housing solutions to the housing crisis.

Following the Infrastructure Acceleration Fund (IAF) announcement on 22 June 2021, Council approached local developers to gauge their interest in identifying appropriate projects, and to determine their desire to submit an Expression of Interest (EOI) to the IAF. Proposals were received by Council and assessed against IAF eligibility criteria and Council's LTP priorities.

Nelson City Council is pleased to support the following Expression of Interest to the Infrastructure Acceleration Fund.

[PROJECT NAME] – [DEVELOPER]. Housing Yield [##], Percentage Lower Cost Housing [##%]

These projects would have a significant positive impact on delivering urgent housing outcomes for the Nelson region.

Council will work closely with the developers if their respective EOI is successful in making it to the Request for Proposal stage. This will include re-prioritising of the necessary Council infrastructure to deliver on the project (subject to meeting any decision-making requirements under the Local Government Act 2002).

It is also noted that support for this EOI in no way fetters Council in the exercise of its regulatory role in relation to any development.

We look forward to working with Kainga Ora should this EOI progress to the next stage.

Nāku iti noa, nā

Rachel Reese

Mayor of Nelson: Te Koromatua o Whakatū

Representation Review Initial Proposal

1. Purpose of Report

- 1.1 To decide on the initial representation proposal for Nelson for the 2022 local government elections.

2. Summary

- 2.1 The Local Electoral Act 2001 (LEA) requires that a local authority complete a representation review at least every six years, through which the local electoral settings are put in place for at least the next local government election (and typically the next two elections).
- 2.2 An initial proposal must be agreed by Council by 31 August 2021 at the latest. Following adoption of an initial proposal, public notice of the proposal is given and opportunity provided to the community to submit on the proposal in line with the requirements of the LEA.
- 2.3 Council will deliberate on any submissions received and decide whether it is appropriate to adjust any parts of the proposal in response. Submitters who are unhappy with Council's response may appeal it, and other members of the public who dislike any changes made may make objections. If this occurs, all appeals and objections are provided to the Local Government Commission for determination.
- 2.4 This report presents options for an initial proposal.

3. Recommendation

That the Council

- 1. Receives the report *Representation Review Initial Proposal (R25896)* and its attachments (A2712103, A2719650, A2715296, A2712591) and A2720247; and**
- 2. Adopts the following initial representation proposal (*Option 4a*):**
 - a. *That the Nelson City Council consist of a mayor and 12 councillors; and***

b. That two General Wards be established as follows:

Name	Boundaries
Central Ward	As outlined in attachment A2715296
Stoke-Tahuna Ward	As outlined in attachment A2715296

i. Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, a decision which cannot be appealed to the Local Government Commission; and

c. That a mixed system of voting be established, as follows:

	Members	Popn. per Ward councillor
At large (all voters)	Mayor	N/A
	Three councillors	N/A
Central Ward (General roll)	Four councillors	6,458
Stoke-Tahuna Ward (General roll)	Four councillors	6,370
Whakatū Māori Ward (Māori roll)	One councillor	3,320

and

d. That no community boards be established; and

3. Agrees that public notification of the initial proposal and opportunity to submit on the proposal will be undertaken

in line with the statutory requirements of section 19M of the Local Electoral Act 2001.

4. Background

Process

- 4.1 A local authority must undertake a representation review at least every six years, in line with Part 1A, Local Electoral Act 2001. This involves agreeing the local electoral settings that will apply for at least the next local election (and which can apply for the next two, assuming no decisions are made in the interim that would require a further review under the LEA). The local authority may choose to undertake a review after three years if it wishes.
- 4.2 These settings are the detailed arrangements for:
 - 4.2.1 The total number of elected members that will make up the council
 - 4.2.2 The basis of election for councillors – whether this will be by ward only, or there will be a mix of ward councillors and “at large” councillors voted for by the city as a whole (the mayor is always voted for at large)
 - 4.2.3 Where there are ward councillors, the number of wards, and the boundaries, names and number of councillors for each
 - 4.2.4 Whether community boards will be established, and if so, how many, where and what their boundaries will be, and how many members they will have including appointed members.
- 4.3 In addition to the above representation arrangements, local authorities can separately consider:
 - 4.3.1 The electoral system to be used for their elections, choosing between First Past the Post (FPP) and Single Transferable Vote (STV).
 - 4.3.2 The establishment of Māori wards.
- 4.4 These decisions are not formally part of a representation review but are important contributors in structuring representation arrangements. Therefore, under the current legislation these decisions must be resolved before the detailed arrangements of a representation review are addressed. The decisions are for local discretion and cannot be appealed to the Local Government Commission.

Item 10: Representation Review Initial Proposal

- 4.5 Nelson City Council selected STV as its preferred electoral system for the 2022 election on 13 August 2020 and established a Māori ward for the 2022 and 2025 elections on 13 May 2021.
- 4.6 Council's decision to establish a Māori ward for the 2022 and 2025 elections effectively means it cannot opt to have all councillors elected "at large", as the LEA provides for Māori wards to exist only where there are other general wards (section 19H, and Schedule 1A). Council is, therefore, left with the options of having all ward councillors, or a mix of ward and "at large" councillors.

Partners

- 4.7 Local authorities are supported by, and must provide updates at different decision points to, a number of different agencies as they complete a representation review:
- 4.7.1 Local Government Commission
 - 4.7.2 Remuneration Authority
 - 4.7.3 Statistics New Zealand
 - 4.7.4 Department of Internal Affairs
 - 4.7.5 Land Information New Zealand
- 4.8 The Local Government Commission in particular plays an important role later in a review process. A local authority must refer its final proposal to the Commission if there are appeals and or objections that have been received against it, or where the proposal does not comply with the requirements for achieving fair representation. In these situations, the Commission must determine the representation arrangements for the local authority for the upcoming local election.

Principles

- 4.9 As well as the direct requirements outlined in Part 1A, LEA in relation to representation reviews, a local authority should bear in mind other statutory principles when considering what arrangements will be appropriate for their district.
- 4.10 The LEA intends to allow for diversity through local decision-making; this means local authorities can and should consider their particular community when agreeing representation arrangements. What works in one area of the country may not be right for another.
- 4.11 Decisions under the LEA must also take into account as far as practicable the following principles:
- 4.11.1 Representative and substantive electoral participation in local elections

Item 10: Representation Review Initial Proposal

- 4.11.2 Fair and effective representation for individuals and communities
- 4.11.3 Reasonable and equal opportunities to vote, and to nominate or be nominated as candidates
- 4.11.4 Public confidence in, and understanding of, local electoral processes.
- 4.12 The principle of fair and effective representation is outlined in more detail below, as it strongly informs much in relation to representation arrangements.
- 4.13 A local authority must also consider the purpose and principles of the Local Government Act 2002 (LGA), including:
 - 4.13.1 To provide for democratic and effective local governance, decision making and action by and on behalf of communities.
 - 4.13.2 To provide for the social, economic, environmental and cultural wellbeing of the community.
 - 4.13.3 To recognise the diversity of our communities and take account of the various views and interests in a community when making decisions.
 - 4.13.4 To maintain and improve opportunities for Māori to contribute to decision-making processes and support their capacity to do so.
 - 4.13.5 To think about interests of the future community as well as current.

Fair and Effective Representation

- 4.14 The LEA requires that representation arrangements be fair and effective for individuals and “communities of interest” (ss 19T, 19U and 19 V, LEA). This means that a local authority must give thought to:
 - 4.14.1 What communities of interest exist within its electoral boundary,
 - 4.14.2 How these communities can be effectively represented, and
 - 4.14.3 How individual electors can most fairly be represented
- 4.15 Fairness and effectiveness are both considered to be important factors under the law. While it is recognised that it is not always easy to fully satisfy both requirements, the intention is to balance each as closely as possible in any representation arrangements.
- 4.16 The concept “community of interest” is not defined in the LEA. One definition regularly referred to by the Local Government Commission suggests contributors can be:

Item 10: Representation Review Initial Proposal

- 4.16.1 A sense of community identity and belonging, which may be reinforced by factors such as distinctive physical and topographical features, similarities in the demographics of the residents in the area, and also similarities in economic or social activities undertaken in the area,
 - 4.16.2 A distinct local history,
 - 4.16.3 The rohe of local iwi or hapū, and
 - 4.16.4 Dependence on shared facilities and services in an area (such as schools, recreational facilities, retail outlets, transport options and so on).
- 4.17 When considering effective representation for Nelson, the following factors need to be addressed:
- 4.17.1 What communities of interest exist, particularly those that are geographically distinct.
 - 4.17.2 How electoral subdivisions (such as wards) can best reflect the size, nature and diversity of the city as well as its communities of interest and contribute to participation.
 - 4.17.3 How many members (excluding the mayor) should exist across Council and any community boards that may be established. Note that this decision will be impacted by the requirements of fair representation outlined below.
 - 4.17.4 The relative merits of single member and multi-member wards (noting that multi-member wards are better suited to the STV electoral system already established for Nelson).
 - 4.17.5 Whether members (excluding the mayor who is always elected "at large") will be elected by ward only or through a mixed system of ward and "at large" positions, noting that the latter may be a better option if there are clear communities of interest across the entire city as well as specific geographically based communities of interest.
- 4.18 When considering fair representation for Nelson, the following factors need to be addressed:
- 4.18.1 A minimum of eight councillors must be elected by ward in order to maintain the ratio that allows Nelson to have one Māori Ward; this ratio is calculated based on the General electoral population and the Māori electoral population, and the number of potential Ward councillors, as outlined in Schedule 1A clause 2 of the Local Electoral Act 2001:

Item 10: Representation Review Initial Proposal

2 Calculation of number of Māori and general ward members

(1) The number of members to be elected by the electors of 1 or more Māori wards of the district of a territorial authority (Māori ward members) is to be determined in accordance with the following formula:

$$nmm = mepd \div (mepd + gepd) \times nm$$

where—

nmm is the number of Māori ward members

mepd is the Māori electoral population of the district

gepd is the general electoral population of the district

nm is the proposed number of members of the territorial authority (other than the mayor).

(2) If a determination is made under clause 1(2)(b)(ii), the definition of nm in the formula must be applied as if for the words "proposed number of members of the territorial authority (other than the mayor)" there were substituted the words "proposed number of members of the territorial authority (other than the mayor and the members to be elected by electors of the district as a whole)".

The Nelson City Maori Ward calculation was run as follows (using Department of Statistics estimates at June 2020 using 2018 census):

Total Māori Electoral population **3,320**

Total General Electoral Population **51,300**

Total Electoral Population **54,620** (difference is in the rounding)

The number of elected members is the total number elected from wards (i.e. it does not include those elected at large)

Currently Nelson has 12 members elected at large. To have a Māori Ward there will have to be a general ward too.

With 7 ward members	0.4530	=	0
With 8 ward members	0.5177	=	1
With 9 ward members	0.5825	=	1
With 10 ward members	0.6472	=	1
With 11 ward members	0.7119	=	1
With 12 ward members	0.7766	=	1
With 13 ward members	0.8413	=	1

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- 4.18.2 As one councillor is to be elected in the Māori Ward, this means that a minimum of seven must be elected as General Ward councillors. The reference to 'General' is derived from the General roll which the voters for these councillors are registered on; the term 'General' is used as required to distinguish from the Māori Ward or roll.
- 4.18.3 Membership of General Wards is required to provide approximate population equality per member; that is, any member should have about the same number of voters able to vote for them, making all votes equal (referred to as the +/- 10% rule).
- 4.18.4 There are only a few reasons why a local authority may depart from the +/- 10% rule, which are outlined in s19V(3)(a) LEA:
- non-compliance is required for effective representation of communities of interest within island communities or isolated communities situated within the district of the territorial authority, or
 - compliance would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions, or
 - compliance would limit effective representation of communities of interest by uniting within a ward or subdivision 2 or more communities of interest with few commonalities of interest.
- 4.18.5 If it is felt there are grounds for non-compliance these must be clearly outlined to the Local Government Commission accompanied by all relevant information, and the Commission will decide on the matter.

5. Discussion

Communities of Interest

- 5.1 The factors contributing to communities of interest are outlined in paragraph 4.16.
- 5.2 Nelson is relatively compact in area and for many of the community, services and facilities may be accessed across the city, with the household being based in one suburb, seeking goods and services in others, and participating in recreational activities in yet others.
- 5.3 The geographical features and topography of the city do create some distinctions between the central city and more southern areas of the electoral boundary such as Stoke and Tahunanui.

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- 5.4 Stoke and Tahunanui both also have quite strong community identities, contributed to by their history as separate settlements which have become a part of Nelson City over time. This may further support an argument that communities of interest could exist in these areas. This could also be said of Atawhai.

Community Feedback

- 5.5 A community survey was open from mid-June to mid-July 2021, seeking views on the factors Council must weigh up when forming an initial proposal. The survey received 253 responses with a demographic spread close to that of Nelson as a whole. Survey results are broken down by question below and give some indication of the range of community views.
- 5.6 The results of the feedback survey, and demographic spread of the respondents, are shown at Attachment 1 (A2712103).

Specific Views

- 5.7 The survey sought input on the following, in line with the required decisions that form a representation proposal:
- 5.7.1 Whether residents identify with Nelson as a whole or more strongly with some parts than others
- This question allows Council to form a view as to whether there are communities of interest for residents smaller than the city as a whole, and if so, where.
 - If residents identify with particular areas more strongly than the city as a whole this would provide support for establishing multiple wards.
 - **Survey results:** More survey respondents identified with Nelson as a whole rather than with specific parts within the city. Where more specific areas were identified with, this occurred most frequently for southern areas such as Stoke and Tahunanui, with some emphasis on Atawhai.
 - The total number of councillors residents would prefer
 - Through the representation review Council must set the total number of councillors it believes will most effectively represent the community
 - Survey results: While there was a spread of responses to this question, most respondents preferred that the existing total number of councillors (12) be maintained, with some support for slightly more or slightly less councillors also being expressed.

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5.7.2 Whether residents would prefer to elect all their councillors by ward, or some by ward and some 'at large' (by the whole city and regardless of which electoral roll the voter is listed on)

- Council must decide whether electing councillors by ward only, or a mixed system where some councillors are elected by ward and some at large, will be fairest and most effective for Nelson.
- This decision interacts with the number of wards established, as some combinations are not able to meet statutory requirements.
- **Survey results:** Most respondents preferred a mixed system, where some councillors are elected by ward, and some by the city as a whole regardless of the electoral roll the voter is on.

5.7.3 Whether residents saw value in one or more community boards being established, and if so, where

- Council must decide if establishing one or more community boards is important to ensuring fair and effective representation in Nelson, and if so where and how many members each board should have.
- **Survey results:** Just over half of the respondents did not want community boards to be established. Additional comments noted that a community board or boards would add unnecessary layers of cost and bureaucracy to Council.

General Feedback

5.8 As well as the specific views on the particular questions asked, a number of themes were identified in the feedback received.

5.8.1 Many respondents associated a ward system with greater levels of accountability and communication directly back to the community. Others believed that Nelson is too small to divide into multiple wards, and or that several wards could create 'factions' within a Council.

5.8.2 Many respondents commented on wanting to see multicultural diversity on Council as a reflection of the make-up of our community.

5.8.3 A number of respondents commented in relation to Council's 13 May 2021 decision to establish a Māori ward in Nelson, with a spread of views expressed. Under the current legislation this decision will next be open to review following the 2025 local government election.

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- 5.8.4 Several respondents felt that increased alignment or integration with Tasman District Council would be useful.
- 5.8.5 Feedback also included comments on specific projects or decisions of Council which are out of scope for this report.

Potential Ward Options and Viability Assessment

- 5.9 As mentioned above, with the establishment of a Māori ward for the 2022 and 2025 elections, it is required that Nelson also have at least one General Ward.
- 5.10 In preparation for Council's consideration of an initial proposal, a number of potential ward options have been assessed for viability under the requirements of the Act. Nelson has previously made a consistent case to the Local Government Commission that there are no communities of interest within the city significant enough to warrant the creation of electoral divisions. The establishment of a Māori Ward requires this to be reassessed.
- 5.11 27 potential ward options were reviewed in preparation for consideration of an initial proposal; of these, a number did not meet viability criteria for fairness and were discounted. A number of the viable options which also align with community feedback are outlined in Attachment 2 [A2719650]. Further discussion on each is shown within the Options section of this report.

Community Boards

- 5.12 Where community boards exist, the members primarily act as advocates for the area they represent. Community boards are not decision-making entities, except to the extent that Council might choose to delegate certain decisions to them.
- 5.13 Community boards can be useful to advocate for the interests of distinct areas where these interests are greater or more specific than the wider populace of a district. For example, they can be successful providing further voice for rural populations in districts that have large hinterlands. The Local Government Commission has also seen them as a useful tool in increasing visibility and voice for areas with higher deprivation indices that traditionally have lower representation and participation rates.
- 5.14 Nelson City has a relatively small electoral boundary and has never had community boards.
- 5.15 Community feedback suggests there is not a strong drive to change the current setting.

6. Options

- 6.1 There are a number of options that meet the fair representation test (meaning that where there is more than one General Ward proposed, the population per councillor across the General Wards meets the +/-10% rule). Several also reflect the feedback received through the recent survey, as well as anecdotal views shared over time by the Nelson community.
- 6.2 An arrangement including two General Wards alongside the Māori Ward and a mixed system of voting:
- 6.2.1 Reflects topography, local history and community feedback that suggests that communities of interest can be seen to exist particularly in the southern areas of Nelson (Stoke and Tahunanui),
 - 6.2.2 Takes into account the preference of survey respondents for a mixed system of voting (that is, a combination of Ward councillors and 'At Large' councillors),
 - 6.2.3 Provides opportunity for more balanced participation opportunities across General and Maori electors by providing 'At Large' councillors that can be voted for regardless of which Ward one is in,
 - 6.2.4 Maintains the minimum number of Ward councillors required to maintain the ratio that supports a Māori Ward, and
 - 6.2.5 Maintains the current number of councillors, reflecting the feedback received.

As there a number of advantages to this Option (Option 4a) it is the recommended Option.

Option 1: Single General Ward/ Ward-only voting

Single General Ward

- Named Nelson City Ward
- Encompassing the full Nelson electoral boundary, for voters on the General roll
- 11 General Ward councillors
- Population per Ward councillor 4,664

Single Māori Ward

- Named Whakatū Māori Ward

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<ul style="list-style-type: none"> ○ Encompassing the full Nelson electoral boundary, for voters on the Māori roll ○ 1 Māori Ward councillor ○ Population per Ward councillor 3,280 (Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, and this decision is not subject to appeal to the Local Government Commission) <p>Mayor and 12 councillors (11 General Ward councillors and 1 Māori Ward councillor)</p> <p>Ward-only voting:</p> <ul style="list-style-type: none"> • All councillors to be elected by ward <p>No community boards</p>	
Advantages	<ul style="list-style-type: none"> • A single general ward is most similar to the current 'at large' arrangement, which has been in place for around 30 years. • A single general ward would align with the feedback of most survey respondents that they identify with Nelson as a whole.
Risks and Disadvantages	<ul style="list-style-type: none"> • Electors on the Māori roll will only have opportunity to vote for the mayor and the Māori councillor while those on the general roll will be able to vote for the mayor and all General Ward councillors; this creates an imbalance in participation opportunities between those registered for each roll. • All councillors are elected by ward, which does not reflect the preference expressed in community feedback.
<p>Option 2: Single General Ward/ Mixed system voting</p> <p>Single General Ward</p> <ul style="list-style-type: none"> ○ Named Nelson City Ward ○ Encompassing the full Nelson electoral boundary, for voters on the General roll ○ 7 General Ward councillors 	

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- Population per Ward councillor 7,329

Single Māori Ward

- Named Whakatū Māori Ward
- Encompassing the full Nelson electoral boundary, for voters on the Māori roll
- 1 Māori Ward councillor
- Population per Ward councillor 3,280
(Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, and this decision is not subject to appeal to the Local Government Commission)

Mayor and 12 councillors (4 At Large councillors, 7 General Ward councillors and 1 Māori Ward councillor)

Mixed system of voting:

- 7 councillors – Nelson General Ward
- 1 councillor – Whakatū Māori Ward
- 4 councillors – at large (whole city)

No community boards

Advantages

- Electors would be able to vote for the At Large councillors regardless of the electoral roll they are registered on, particularly improving the participation opportunities for those on the Māori roll who would otherwise only be able to vote for 1 councillor and the mayor.
- A single general ward is most similar to the current 'at large' arrangement, which has been in place for around 30 years.
- A single general ward would align with the feedback of most survey respondents that they identify with Nelson as a whole.
- Provides a mixed system of voting in line with community feedback.

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Risks and Disadvantages	<ul style="list-style-type: none">• Because the Ward would encompass the full Nelson Electoral boundary, Ward councillors and At Large councillors would be campaigning for exactly the same area. It is anticipated that this could create a high level of confusion.
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Option 3: Two General Wards/ Ward-only voting/ 13 councillors

Two General Wards

- **Ward 1**
 - Named Central Ward
 - Defined by the boundaries outlined in attachment 3 (A2715296)
 - 6 General Ward councillors
 - Population per Ward councillor 4,305
- **Ward 2**
 - Named Stoke-Tahuna Ward
 - Defined by the boundaries outlined in attachment 3
 - 6 General Ward councillors
 - Population per Ward councillor 4,247

Single Māori Ward

- Named Whakatū Māori Ward
- Encompassing the full Nelson electoral boundary, for voters on the Māori roll
- 1 Māori Ward councillor
- Population per Ward councillor 3,280

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<p>(Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, and this decision is not subject to appeal to the Local Government Commission)</p> <p>Mayor and 13 councillors (12 General Ward councillors and 1 Māori Ward councillor)</p> <p>Ward-only voting:</p> <ul style="list-style-type: none"> All councillors to be elected by ward <p>No community boards</p>	
Advantages	<ul style="list-style-type: none"> Reflects topography, local history and community feedback that suggests that communities of interest can be seen to exist particularly in the southern areas of Nelson (Stoke and Tahunanui). The Population per Ward Councillor provides relatively even representation including between General and Māori Wards.
Risks and Disadvantages	<ul style="list-style-type: none"> Increases the total number of councillors, which does not reflect community feedback. All councillors are elected by ward, which does not reflect the preference expressed in community feedback. Electors on the Māori roll will only have opportunity to vote for the mayor and the Māori councillor, while those on the general roll will be able to vote for the mayor and 6 General Ward councillors; this creates an imbalance in participation opportunities between those registered for each roll.
<p>Option 4a: Two General Wards/ Mixed voting/ 12 councillors</p> <p>Two General Wards</p> <ul style="list-style-type: none"> Ward 1 <ul style="list-style-type: none"> Named Central Ward Defined by the boundaries outlined in attachment 3 (A2715296) 4 General Ward councillors Population per Ward councillor 6,458 	

- **Ward 2**

- Named Stoke-Tahuna Ward
- Defined by the boundaries outlined in attachment 3
- 4 General Ward councillors
- Population per Ward councillor 6,370

Single Māori Ward

- Named Whakatū Māori Ward
- Encompassing the full Nelson electoral boundary, for voters on the Māori roll
- 1 Māori Ward councillor
- Population per Ward councillor 3,280
(Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, and this decision is not subject to appeal to the Local Government Commission)

Mayor and 12 councillors (8 General Ward councillors, 1 Māori Ward councillor and 3 councillors at large)

Mixed system of voting:

- 4 councillors –Central Ward
- 4 councillors – Stoke-Tahuna Ward
- 1 councillor – Whakatū Māori Ward
- 3 councillors – at large (whole city)

No community boards

Advantages

- Reflects topography, local history and community feedback that suggests that communities of interest can be seen to exist particularly in the southern areas of Nelson (Stoke and Tahunanui).
- Provides a mixed system of voting in line with community feedback.
- General electors will be able to vote for the Mayor, the 4 General Ward councillors in their Ward and 3 at large councillors; Māori electors will be able to vote for the mayor, 1

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	<p>Māori Ward councillor and 3 at large councillors. This provides a better balance in participation opportunities for those on the Māori roll.</p> <ul style="list-style-type: none"> • Maintains the current number of councillors in line with community feedback preferences.
Risks and Disadvantages	<ul style="list-style-type: none"> • Most survey respondents identified with Nelson as a whole, although there is still evidence for communities of interest centred around the southern sections of the city.
<p>Option 4b: Two General Wards/ Mixed voting system/ 13 councillors</p> <p>Two General Wards</p> <ul style="list-style-type: none"> • Ward 1 <ul style="list-style-type: none"> ○ Named Central Ward ○ Defined by the boundaries outlined in attachment 3 (A2715296) ○ 4 General Ward councillors ○ Population per Ward councillor 6,458 • Ward 2 <ul style="list-style-type: none"> ○ Named Stoke-Tahuna Ward ○ Defined by the boundaries outlined in attachment 3 ○ 4 General Ward councillors ○ Population per Ward councillor 6,370 <p>Single Māori Ward</p> <ul style="list-style-type: none"> ○ Named Whakatū Māori Ward ○ Encompassing the full Nelson electoral boundary, for voters on the Māori roll ○ 1 Māori Ward councillor ○ Population per Ward councillor 3,280 (Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, 	

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<p>and this decision is not subject to appeal to the Local Government Commission)</p> <p>Mayor and 13 councillors (8 General Ward councillors, 1 Māori Ward councillor and 4 councillors at large)</p> <p>Mixed system of voting:</p> <ul style="list-style-type: none"> ○ 4 councillors – Central Ward ○ 4 councillors – Stoke-Tahuna Ward ○ 1 councillor – Whakatū Māori Ward ○ 4 councillors – at large (whole city) <p>No community boards</p>	
Advantages	<ul style="list-style-type: none"> • Reflects topography, local history and community feedback that suggests that communities of interest can be seen to exist particularly in the southern areas of Nelson (Stoke and Tahunanui). • Provides a mixed system of voting in line with community feedback. • General electors will be able to vote for the Mayor, the 4 General Ward councillors in their Ward and 4 at large councillors; Māori electors will be able to vote for the mayor, 1 Māori Ward councillor and 4 at large councillors. This provides a better balance in participation opportunities for those on the Māori roll.
Risks and Disadvantages	<ul style="list-style-type: none"> • Most survey respondents identified with Nelson as a whole, although there is still evidence for communities of interest centred around the southern sections of the city. • Increases the total number of councillors, which does not reflect community feedback.

Option 5: Three General Wards/ Ward-only Voting
Three General Wards

- **Ward 1**
 - Named Atawhai Rural Ward
 - Defined by the boundaries outlined in attachment 4 (A2712591)
 - 2 General Ward councillors
 - Population per Ward councillor 4,650
- **Ward 2**
 - Named City Central Ward
 - Defined by the boundaries outlined in attachment 4
 - 5 General Ward councillors
 - Population per Ward councillor 5,002
- **Ward 3**
 - Named Stoke Ward
 - Defined by the boundaries outlined in attachment 4
 - 4 General Ward councillors
 - Population per Ward councillor 4,250

Single Māori Ward

- Named Whakatū Māori Ward
- Encompassing the full Nelson electoral boundary, for voters on the Māori roll
- 1 Māori Ward councillor
- Population per Ward councillor 3,280
(Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, and this decision is not subject to appeal to the Local Government Commission)

Mayor and 12 councillors (11 General Ward councillors and 1 Māori Ward councillor)

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Ward-only voting: <ul style="list-style-type: none"> All councillors to be elected by ward No community boards	
Advantages	<ul style="list-style-type: none"> A three ward system aligns with the self-identified communities of interest for some Nelson residents.
Risks and Disadvantages	<ul style="list-style-type: none"> A three ward option is a distinct shift from the current electoral arrangement and may require increased justification to the Local Government Commission in support of a move. Most survey respondents identified with Nelson as a whole, suggesting that while some residents do identify with smaller communities of interest the strongest identification remains with Nelson. This option can only achieve compliance if all councillors are elected by ward, which does not reflect the preference expressed in community feedback.
Option 6: Four General Wards/ Ward-only Voting Four General Wards <ul style="list-style-type: none"> Ward 1 <ul style="list-style-type: none"> Named North-East Ward Defined by the boundaries outlined in attachment 5 (A2720247) 3 General Ward councillors Population per Ward councillor 4,080 Ward 2 <ul style="list-style-type: none"> Named Central Ward Defined by the boundaries outlined in attachment 5 3 General Ward councillors 	

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<ul style="list-style-type: none"> Population per Ward councillor 4,530 <ul style="list-style-type: none"> Ward 3 <ul style="list-style-type: none"> Named Southern Coastal Ward Defined by the boundaries outlined in attachment 5 3 General Ward councillors Population per Ward councillor 4,233 Ward 4 <ul style="list-style-type: none"> Named Southern Hills Ward Defined by the boundaries outlined in attachment 5 3 General Ward councillors Population per Ward councillor 4,170 <p>Single Māori Ward</p> <ul style="list-style-type: none"> Named Whakatū Māori Ward Encompassing the full Nelson electoral boundary, for voters on the Māori roll 1 Māori Ward councillor Population per Ward councillor 3,280 (Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, and this decision is not subject to appeal to the Local Government Commission) <p>Mayor and 13 councillors (12 General Ward councillors and 1 Māori Ward councillor)</p> <p>Ward-only voting:</p> <ul style="list-style-type: none"> All councillors to be elected by ward <p>No community boards</p>	
Advantages	<ul style="list-style-type: none"> This model provides relatively balanced participation opportunities for electors on the General and Māori rolls.

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<p>Risks and Disadvantages</p>	<ul style="list-style-type: none"> • A four ward option is a distinct shift from the current electoral arrangement and may require increased justification to the Local Government Commission in support of a move. • Most survey respondents identified with Nelson as a whole, suggesting that while some residents do identify with smaller communities of interest the strongest identification remains with Nelson. • Increases the total number of councillors, which does not reflect community feedback. • All councillors are elected by ward, which does not reflect the preference expressed in community feedback.
<p>Option 7: Four General Wards/ Mixed System Voting</p> <p>Four General Wards</p> <ul style="list-style-type: none"> • Ward 1 <ul style="list-style-type: none"> ◦ Named North-East Ward ◦ Defined by the boundaries outlined in attachment 5 (A2720247) ◦ 3 General Ward councillors ◦ Population per Ward councillor 4,080 • Ward 2 <ul style="list-style-type: none"> ◦ Named Central Ward ◦ Defined by the boundaries outlined in attachment 5 ◦ 3 General Ward councillors ◦ Population per Ward councillor 4,530 • Ward 3 <ul style="list-style-type: none"> ◦ Named Southern Coastal Ward ◦ Defined by the boundaries outlined in attachment 5 ◦ 3 General Ward councillors ◦ Population per Ward councillor 4,233 	

- **Ward 4**

- Named Southern Hills Ward
- Defined by the boundaries outlined in attachment 5
- 3 General Ward councillors
- Population per Ward councillor 4,170

Single Māori Ward

- Named Whakatū Māori Ward
- Encompassing the full Nelson electoral boundary, for voters on the Māori roll
- 1 Māori Ward councillor
- Population per Ward councillor 3,280
(Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, and this decision is not subject to appeal to the Local Government Commission)

Mayor and 13 councillors (12 General Ward councillors and 1 Māori Ward councillor)

Mixed system of voting:

- 2 councillors – North-East Ward
- 2 councillors – Central Ward
- 2 councillors – Southern Coastal Ward
- 2 councillors – Southern Hills Ward
- 1 councillor – Whakatū Māori Ward
- 4 councillors – at large (whole city)

No community boards

Advantages

- This model provides relatively balanced participation opportunities for electors on the General and Māori rolls.
- Provides a mixed system of voting in line with community feedback.

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Risks and Disadvantages	<ul style="list-style-type: none">• A four ward option is a distinct shift from the current electoral arrangement and may require increased justification to the Local Government Commission in support of a move.• Most survey respondents identified with Nelson as a whole, suggesting that while some residents do identify with smaller communities of interest the strongest identification remains with Nelson.• Increases the total number of councillors, which does not reflect community feedback.• All councillors are elected by ward, which does not reflect the preference expressed in community feedback.
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7. Conclusion

- 7.1 Council must complete a representation review every six years, the first stage of which is to adopt an initial proposal.
- 7.2 The representation arrangements Council puts in place must consider and balance the dual requirements of fairness and effectiveness.
- 7.3 In this review process, Nelson must establish at least one general ward and must have at least eight councillors elected by ward (seven general councillors and the Māori councillor).
- 7.4 Community views received through the representation survey suggest that the structures preferred by most respondents would be a single general ward (although some residents identified with smaller communities of interest), a mixed system of some councillors being elected by ward and some at large, the same total number of councillors and no community boards.

8. Next Steps

- 8.1 As required by the LEA, the initial proposal and the community's opportunity to submit feedback on it will be publicly notified. As well as the statutory public notice, Council will also promote awareness of the initial proposal and the period within which submissions can be made through a variety of channels.
- 8.2 The submission period will open on 16 August 2021.
- 8.3 Submitters will have the option to speak to their views if they wish, following which Council will deliberate on and adopt a final proposal.

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Author: Devorah Nicuarta-Smith, Manager Governance and Support Services

Attachments

Attachment 1: A2712103 Representation Review pre-engagement survey results [↓](#)

Attachment 2: A2719650 Ward Option assessments - complying options [↓](#)

Attachment 3: A2715296 Two Ward option - potential boundaries [↓](#)

Attachment 4: A2712591 Three Ward option - potential boundaries [↓](#)

Attachment 5: A2720247 Four Ward option - potential boundaries [↓](#)

Important considerations for decision making
1. Fit with Purpose of Local Government While representation reviews are most directly related to the Local Electoral Act 2001, they are a fundamental process supporting democratic decision-making and action by, and on behalf of, the community.
2. Consistency with Community Outcomes and Council Policy A representation review is the means by which Council agrees the ways in which its own governing body and arrangements will be structured. While this has an impact on every community outcome of Council, it most directly aligns with: "Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement."
3. Risk The Local Electoral Act 2001 requires that an initial proposal be adopted by Council before 31 August 2021. In agreeing an initial proposal, Council must consider the requirements of fair and effective representation and what arrangements will best provide these for the Nelson community. Not doing so creates a risk that Council cannot meet its purpose under the Local Government Act 2002 and increases the likelihood of the decision being challenged by the community and or the Local Government Commission.
4. Financial impact There is no direct financial impact from a representation review. Budget has been agreed through the LTP for election services and support, once representation arrangements have been determined.
5. Degree of significance and level of engagement Representation arrangements are of high significance, and the Local Electoral Act 2001 requires that consultation is undertaken on an initial proposal.

6. Climate Impact

There are no direct implications for climate impact from the matters in this report.

7. Inclusion of Māori in the decision making process

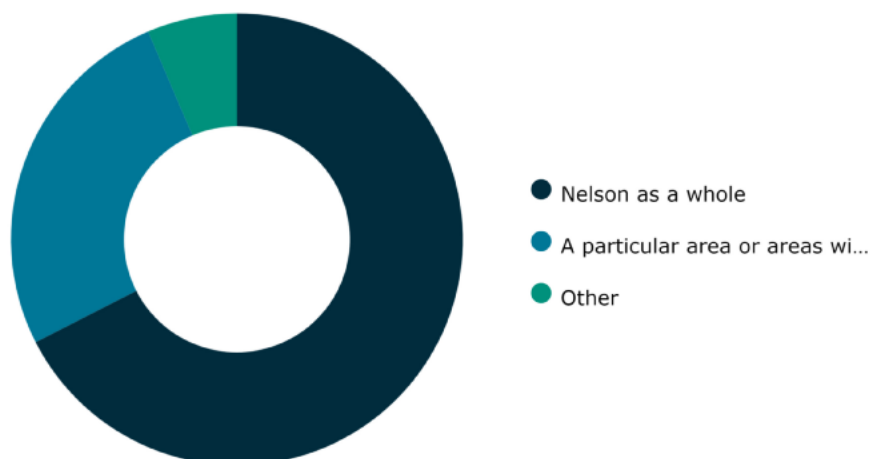
Regular discussion has taken place on representation matters through the Iwi-Council partnership hui.

8. Delegations

Council is responsible for establishing representation arrangements.

2. Do you feel connected to Nelson as a whole, or to a particular area or areas within it?

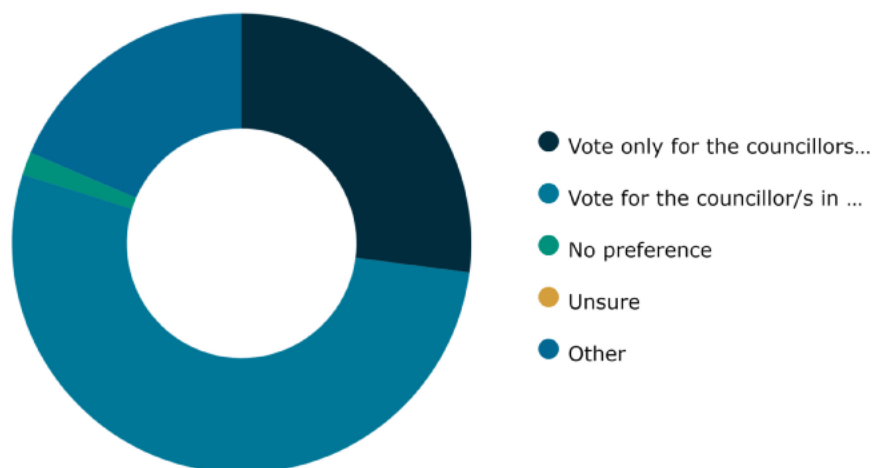
Multiple Choice | Skipped: 4 | Answered: 249 (98.4%)



Answer choices	Percent	Count
Nelson as a whole	67.47%	168
A particular area or areas within Nelson?	26.10%	65
Other	6.43%	16
Total	100.00%	249

4. Would you prefer to:

Multiple Choice | Skipped: 5 | Answered: 248 (98%)

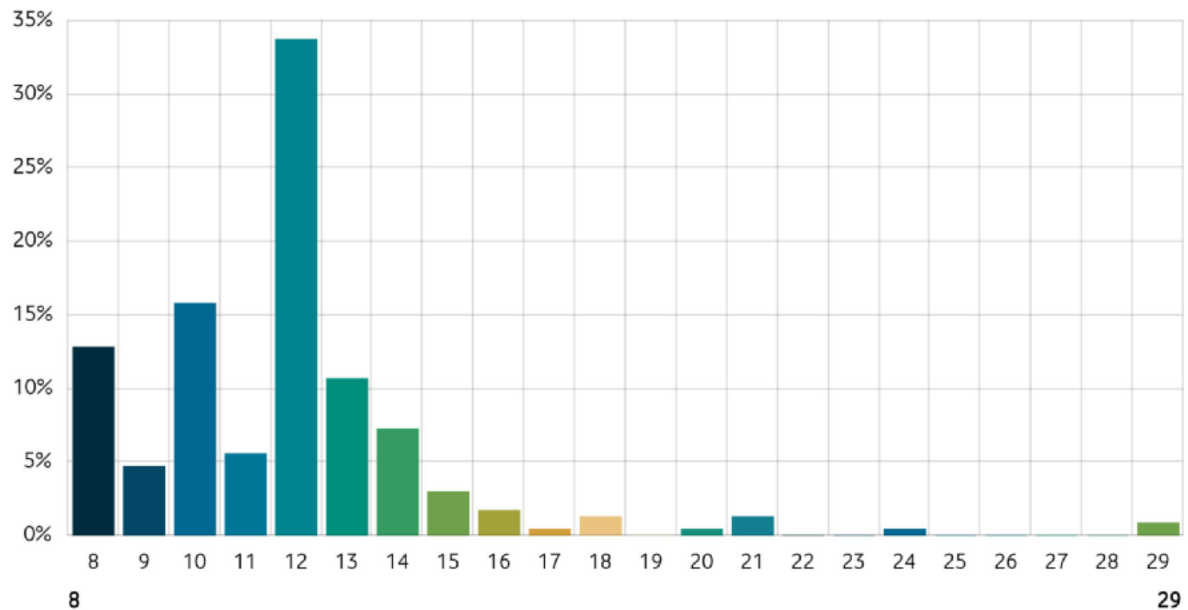


Answer choices	Percent	Count
Vote only for the councillors in your Ward and the Mayor	27.02%	67
Vote for the councillor/s in your Ward, some councillors "at large", and the Mayor	52.82%	131
No preference	1.61%	4
Unsure	0%	0
Other	18.55%	46
Total	100.00%	248

Item 10: Representation Review Initial Proposal: Attachment 1

5. How many elected representatives do you think Nelson City Council should have?

Slider | Skipped: 19 | Answered: 234 (92.5%)

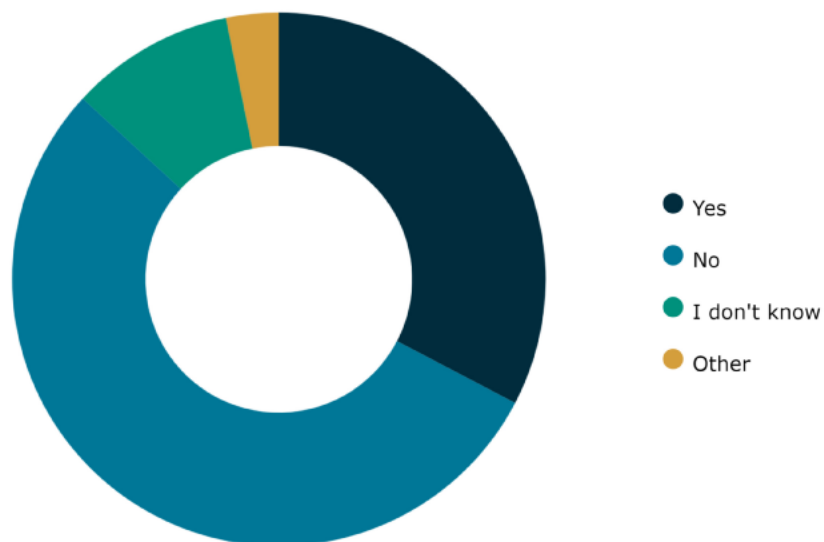


Count	Average	Median	Min	Max
234	11.83	12.00	8	29

Range	Percent	Count
[8, 10.1)	33.33%	78
[10.1, 12.2)	39.32%	92
[12.2, 14.3)	17.95%	42
[14.3, 16.4)	4.70%	11
[16.4, 18.5)	1.71%	4
[18.5, 20.6)	0.43%	1
[20.6, 22.7)	1.28%	3
[22.7, 24.8)	0.43%	1
[24.8, 26.9)	0%	0
[26.9, 29]	0.85%	2
Total	100.00%	234

7. Do you think Nelson should have one or more community boards?

Multiple Choice | Skipped: 2 | Answered: 251 (99.2%)



Answer choices	Percent	Count
Yes	32.67%	82
No	54.18%	136
I don't know	9.96%	25
Other	3.19%	8
Total	100.00%	251

10. What age group do you fit into?

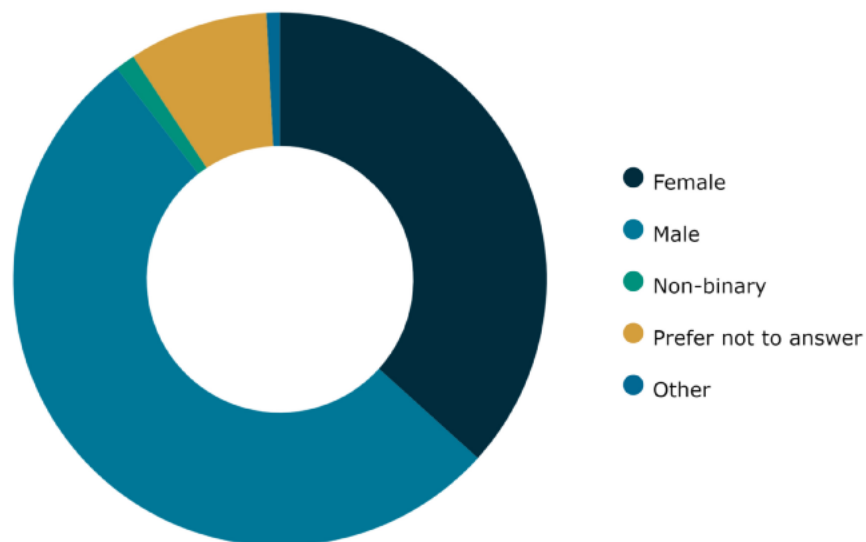
Multiple Choice | Skipped: 6 | Answered: 247 (97.6%)



Answer choices	Percent	Count
Under 18	0%	0
18 - 24	0.81%	2
25 - 34	6.48%	16
35 - 44	10.53%	26
45 - 54	13.77%	34
55 - 64	21.46%	53
65 - 74	33.20%	82
75	13.77%	34
Total	100.00%	247

11. What gender do you identify as?

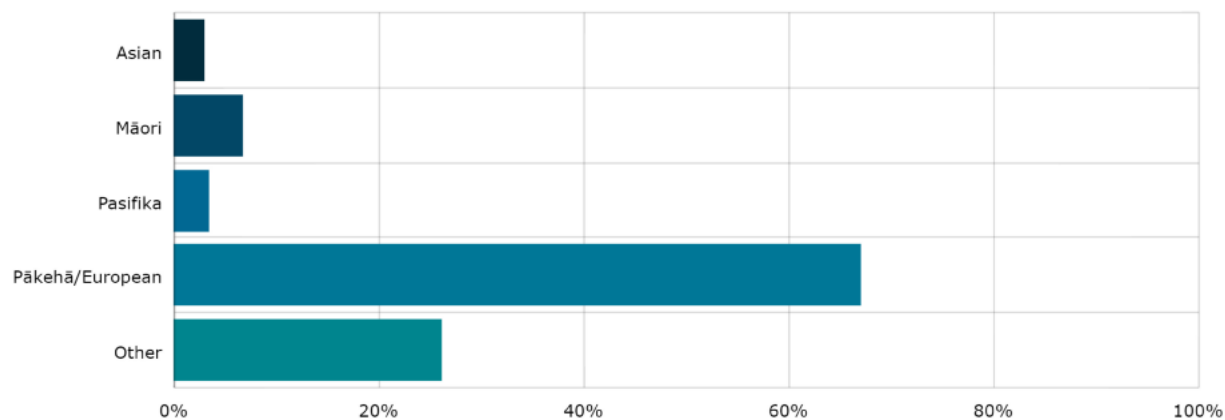
Multiple Choice | Skipped: 5 | Answered: 248 (98%)



Answer choices	Percent	Count
Female	36.69%	91
Male	52.82%	131
Non-binary	1.21%	3
Prefer not to answer	8.47%	21
Other	0.81%	2
Total	100.00%	248

12. What ethnic group/s do you identify with? (select all that apply)

Multiple Choice | Skipped: 14 | Answered: 239 (94.5%)



Answer choices	Percent	Count
Asian	2.93%	7
Māori	6.69%	16
Pasifika	3.35%	8
Pākehā/European	66.95%	160
Other	25.94%	62

Ward Option Assessments**Option 1: Single General Ward/ Ward-only voting**

- Single General Ward and single Māori Ward
- Total 12 councillors + mayor
- Election of councillors by ward only

Ward	Population	No Councillors per Ward	Population per Councillor	Deviation from District average population per Councillor	% deviation from District average population per Councillor
Nelson General Ward	51,300#	11	4,664^	n/a	n/a
Whakatū Māori Ward	3,320#	1	3,320^		
Totals	54,620#	12			

difference is in rounding ^ indicative purposes only

In Option 1, electors can vote for the following number of members:	
General roll	Māori roll
Nelson Ward	Whakatū Ward
1 mayor	1 mayor
11 General Ward councillors	1 Māori Ward councillor

Option 2: Single General Ward/ Mixed system voting

- Single General Ward and single Māori Ward
- Total 12 councillors + mayor
- Mixed system of election for councillors – some by ward and some at large

Ward	Population	No Councillors per Ward	Population per Councillor	Deviation from District average population per Councillor	% deviation from District average population per Councillor
Nelson General Ward	51,300#	7	7,329	n/a	n/a
At Large	(54,620#)	4			
Whakatū Māori Ward	3,320#	1	3,320^		

difference is in rounding ^indicative purposes only

In Option 2, electors can vote for the following number of members:	
General roll	Māori roll
Nelson Ward	Whakatū Ward
1 mayor	1 mayor
4 At Large councillors	4 At Large councillors
7 General Ward councillors	1 Māori Ward councillor

Option 3: Two General Wards/ Ward-only voting

- Two General Wards, single Māori Ward
- Total 13 councillors + mayor
- Election by ward only

Ward	Population	No Councillors per Ward	Population per Councillor	Deviation from District average population per Councillor	% deviation from District average population per Councillor
Central Ward	25,830	6	4,305	29	0.68
Stoke-Tahuna Ward	25,480	6	4,247	-29	-0.68
Total General	51,310#	12	4,276		
Whakatū Māori Ward	3,280#	1	3,280^		
Totals	54,590#	13			

difference is in rounding ^indicative purposes only

In Option 3, electors can vote for the following number of members:		
General roll Central Ward	General roll Stoke-Tahuna Ward	Māori roll Whakatū Ward
1 mayor 6 General Ward councillors	1 mayor 6 General Ward councillors	1 mayor 1 Māori Ward councillor

Option 4a: Two General Wards/ Mixed voting/ 12 councillors

- Two General Wards, single Māori Ward
- Total 12 councillors + mayor
- Mixed system of election for councillors – some by ward and some at large

Ward	Population	No Councillors per Ward	Population per Councillor	Deviation from District average population per Councillor	% deviation from District average population per Councillor
Central Ward	25,830	4	6,458	44	0.69
Stoke-Tahuna Ward	25,480	4	6,370	-44	-0.69
Total General	51,310#	8	6,414		
At-Large	(54,590#)	3			
Whakatū Māori Ward	3,280#	1	3,280^		
Totals	54,590#	12			

difference is in rounding ^indicative purposes only

In Option 4a, electors can vote for the following number of members:		
General roll Central Ward	General roll Stoke-Tahuna Ward	Māori roll Whakatū Ward
1 mayor 3 At Large councillors 4 General Ward councillors	1 mayor 3 At Large councillors 4 General Ward councillors	1 mayor 3 At Large councillors 1 Māori Ward councillor

Option 4b: Two General Wards/ Mixed voting system/ 13 councillors

- Two General Wards, single Māori Ward
- Total 13 councillors + mayor
- Mixed system of election for councillors – some by ward and some at large

Ward	Population	No Councillors per Ward	Population per Councillor	Deviation from District average population per Councillor	% deviation from District average population per Councillor
Central Ward	25,830	4	6,458	44	0.69
Stoke-Tahuna Ward	25,480	4	6,370	-44	-0.69
Total General	51,310#	8	6,414		
At-Large	(54,590#)	4			
Whakatū Māori Ward	3,280#	1	3,280^		
Totals	54,590#	13			

difference is in rounding ^indicative purposes only

In Option 4b, electors can vote for the following number of members:		
General roll Central Ward	General roll Stoke-Tahuna Ward	Māori roll Whakatū Ward
1 mayor 4 At Large councillors 4 General Ward councillors	1 mayor 4 At Large councillors 4 General Ward councillors	1 mayor 4 At Large councillors 1 Māori Ward councillor

Option 5: Three General Wards/ Ward-only voting

- Three General Wards, single Māori Ward
- Total 12 councillors + mayor
- Election of councillors by ward only

Ward	Population	No Councillors per Ward	Population per Councillor	Deviation from District average population per Councillor	% deviation from District average population per Councillor
Stoke	17,000	4	4,250	-415	-8.90
City Central	25,010	5	5,002	337	7.22
Atawhai Rural	9,300	2	4,650	-15	-0.32
Total General	51,310#	11	4,665		
Whakatū Māori Ward	3,280#	1	3,280^		
Totals	54,590#	12			

difference is in rounding ^indicative purposes only

In Option 5, electors can vote for the following number of members:			
General roll Stoke Ward	General roll City Central Ward	General roll Atawhai-Rural Ward	Māori roll Whakatū Ward
1 mayor 4 General Ward councillors	1 mayor 5 General Ward councillors	1 mayor 2 General Ward councillors	1 mayor 1 Māori Ward councillor

Option 6: Four General Wards/ Ward-only Voting

- Four General Wards, single Māori Ward
- Total 13 councillors + mayor
- Election of councillors by ward only

Ward	Population	No Councillors per Ward	Population per Councillor	Deviation from District average population per Councillor	% deviation from District average population per Councillor
North-East Ward	12,240	3	4,080	-196	-4.58
Central Ward	13,590	3	4,530	254	5.94
Southern Coastal Ward	12,970	3	4,233	-43	-1.01
Southern Hills Ward	12,510	3	4,170	-106	-2.48
Total General	51,310#	12	4,276		
Whakatū Māori Ward	3,280#	1	3,280^		
Totals	54,590#	13			

difference is in rounding ^indicative purposes only

In Option 6, electors can vote for the following number of members:				
General roll North-East Ward	General roll Central Ward	General roll Southern Coastal Ward	General roll Southern Hills Ward	Māori roll Whakatū Ward
1 mayor 3 General Ward councillors	1 mayor 3 General Ward councillors	1 mayor 3 General Ward councillors	1 mayor 3 General Ward councillors	1 mayor 1 Māori Ward councillor

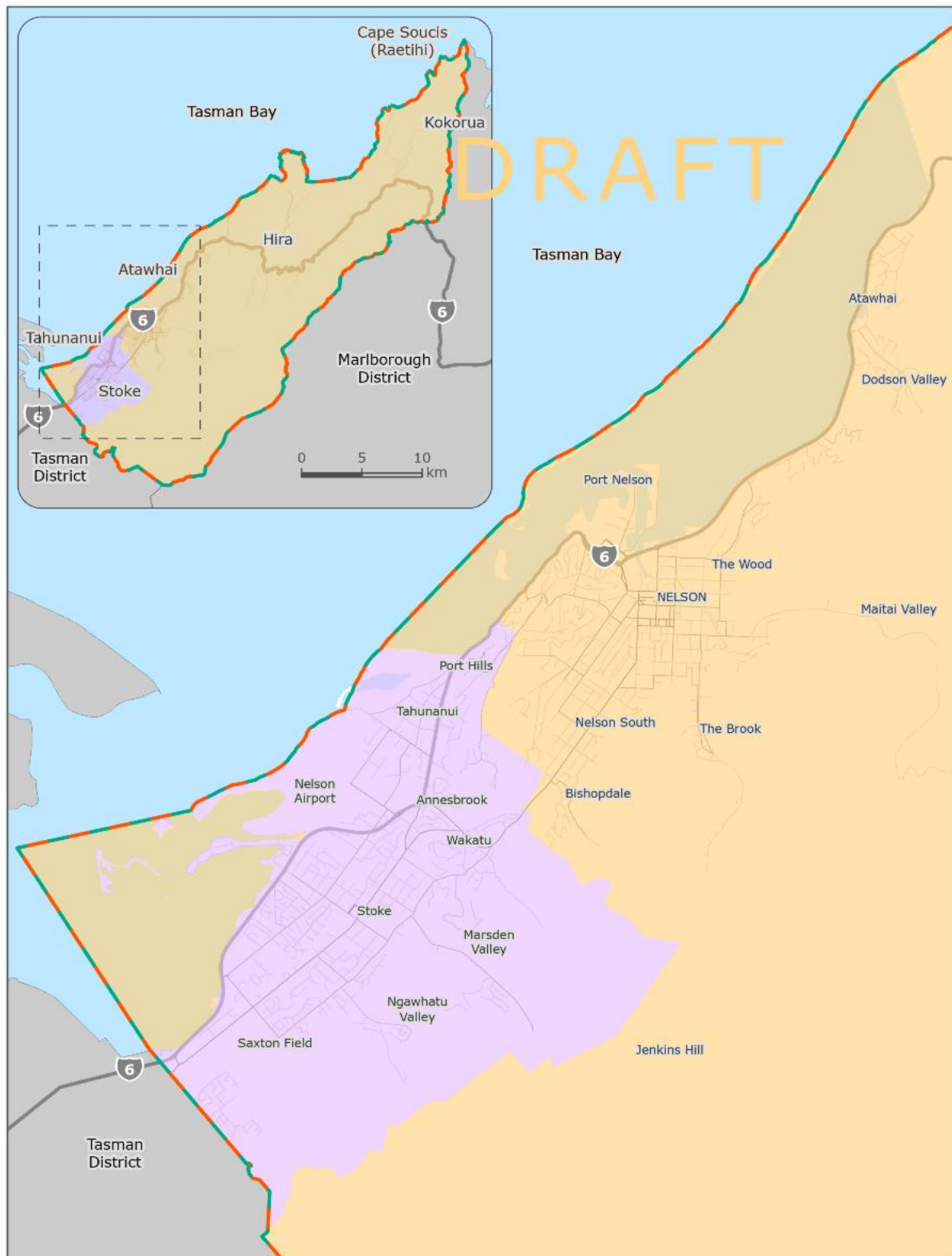
Option 7: Four General Wards/ Mixed System Voting

- Four General Wards, single Māori Ward
- Total 13 councillors + mayor
- Mixed system of election for councillors – some by ward and some at large

Ward	Population	No Councillors per Ward	Population per Councillor	Deviation from District average population per Councillor	% deviation from District average population per Councillor
North-East Ward	12,240	2	6,120	-294	-4.58
Central Ward	13,590	2	6,795	381	5.94
Southern Coastal Ward	12,970	2	6,485	71	1.11
Southern Hills Ward	12,510	2	6,255	-159	-2.48
Total General	51,310#	8	6,414		
At-Large	(54,590#)	4			
Whakatū Māori Ward	3,280#	1	3,280^		
Totals	54,590#	13			

difference is in rounding ^indicative purposes only

In Option 7, electors can vote for the following number of members:				
General roll North-East Ward	General roll Central Ward	General roll Southern Coastal Ward	General roll Southern Hills Ward	Māori roll Whakatū Ward
1 mayor 4 At Large councillors 2 General Ward councillors	1 mayor 4 At Large councillors 2 General Ward councillors	1 mayor 4 At Large councillors 2 General Ward councillors	1 mayor 4 At Large councillors 2 General Ward councillors	1 mayor 4 At Large councillors 1 Māori Ward councillor



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Two General Wards

(Statistical Area 2 - 2020)



- ▬ Whakatū Māori Ward
- ▬ At large
- Two General Wards**
- Central
- Stoke-Tahuna

0 750 1,500 m



July 2021

A2715296

PO Box 645 Nelson 7040 New Zealand PH 03 5460200 nelson.govt.nz

File Ref: A2714881
KS, Original map size A4.

Two Ward Option – Potential Boundaries

Atawhai Central Ward

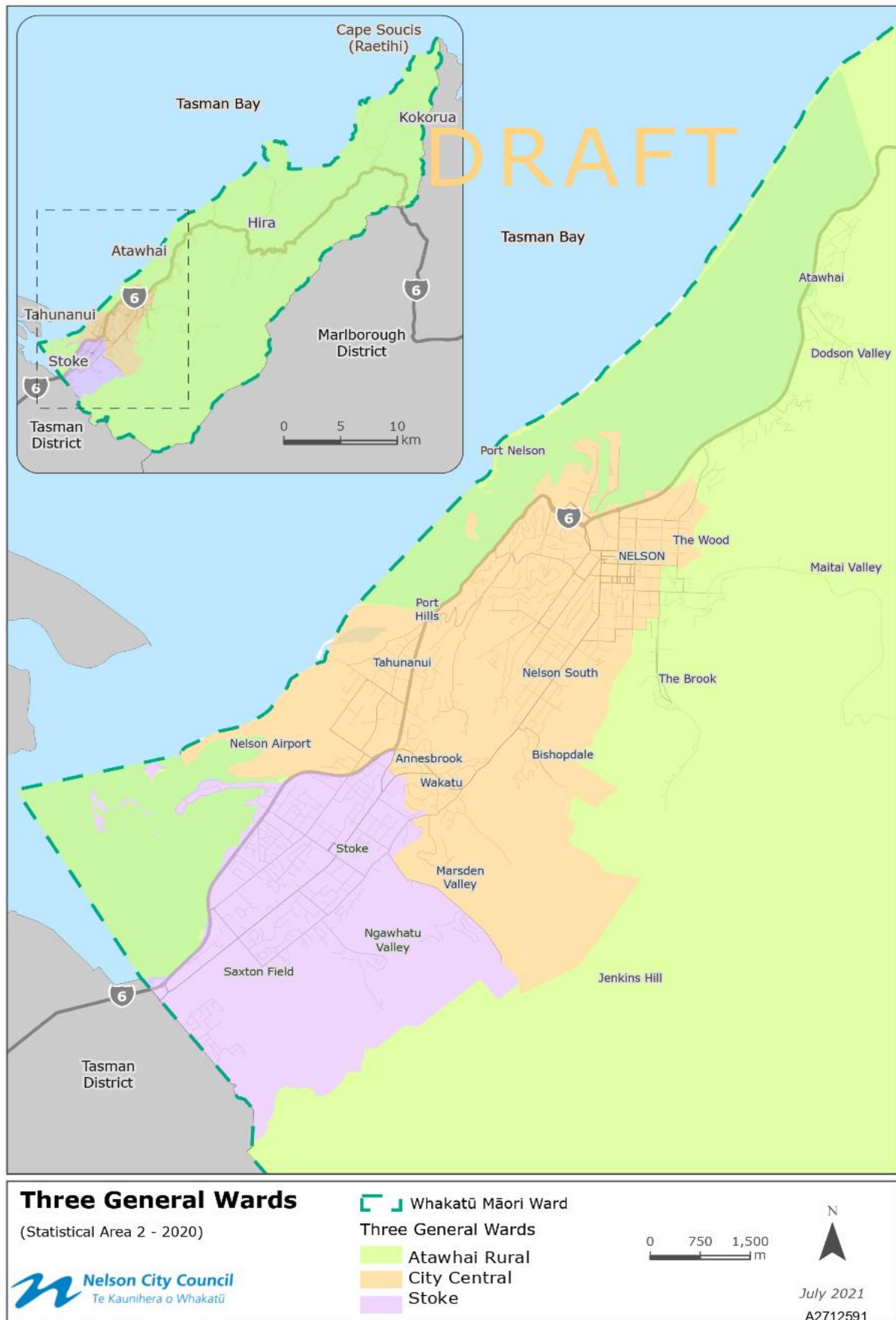
Generally - comprises the northern, central and eastern parts of the region (and adjacent inlets as well as Waimeas Inlet south of Nelson Airport) encompassing the northern Port Hills, Haulashore Island, Port Nelson, Washington Valley, Victory, Toi Toi, Bishopdale, The Brook, East Nelson, Maitai Valley, the Nelson city centre, The Wood, Brooklands, Atawhai, Dodson Valley, Marybank, Todds Valley, Wakapuaka, Glenduan, Hira, Cable Bay, Lud Valley, Teal Valley, Kokorua and the hills of the Bryant Range bounded by the council boundary.

Specifically – follow the coast from the northwest corner of 30 The Cliffs to and along the seaward side of Rocks Road, to and along Tahunanui Beach to the western end, northeast across the water to the west coast of the Boulder Bank, follows the coast north to Pepin Island, across the entrance to the Delaware Bay Estuary, continuing north along the coast, across the entrance to the Whangamoa River Estuary, to the northern council boundary at Cape Soucis (Raetihi), south and then southwest along the eastern council boundary and west along the southern council boundary. At the southern edge of 227 Champion Road, the boundary follows the eastern edge of this property and continues across the foothills in a north east direction, towards and along the northwest edge of Marsden Valley Reserve, then southeast to the Barnicoat Walkway, where it turns northeast to the east edge of Marsden Valley Reserve, which it follows south then turns to the northeast, southeast of the quarry, over the ridgeline and into the Brook Conservation Reserve, west along the southern boundary of 592 Brook Street, northwest along the ridgeline east and then north of 130 Enner Glynn Road, northwest along the south edge of York Valley Landfill, northwest along the south edges of 9, 16, 10 and 8 Bills Drive, continuing northwest along the west edge of 16 Vista Drive, crosses Waimea Road to and north along the centre line of the Railway Reserve, to and northwest along the centre of the road reserve to the northwest of Boundary Road, northeast along the east edge of 5 Observatory Terrace, northwest along the south edge of Pipers Reserve, north along the centre line of Princes Drive, through the roundabout with Moana Avenue, northeast along the centre line of Princes Drive to and along the northeast side of 201 Princes Drive, continuing northwest along the property boundaries to the west edge of 52 The Cliffs, to and west along the centre line of The Cliffs, around the corner to opposite the west side of 41 The Cliffs, north to and southeast along the south edge of 30 The Cliffs, along the cliff top to the northwest corner of 30 The Cliffs. This ward also includes the southwest inlets of Nelson City, where it follows the council boundary from the coast northwest and northeast to and along the southern edge of Nelson Airport, around Monaco and south to the council boundary. This ward does not include Oyster Island, Saxton Island nor Pig Island.

Stoke-Tahuna Ward

Generally - comprises the southern urban part of the region encompassing Stoke, Monaco, Nelson Airport, Tahunanui, the southern Port Hills, Annesbrook, Wakatu, Enner Glynn, Marsden Valley, Ngawhatu Valley, the Saxton area and the islands southwest of the Airport.

Specifically - follows the coast from the southwestern council boundary around Monaco, around Nelson Airport, along the west edge of Nelson Golf Club, the west end of Tahuna Beach Holiday Park, the western and northern edges of Tahunanui Beach, north adjacent to Rocks Road, crosses Rocks Road to the northwest corner of 30 The Cliffs, follows the cliff top to and along the southern edge of 30 The Cliffs, crosses half the road to the centre line of The Cliffs opposite the north corner of 43 The Cliffs, follows the centreline of The Cliffs south around the corner to and along the west edge of 54 The Cliffs, continuing southeast along the property boundaries to and along the east edge of 201 Princes Drive, southwest along the centre line of Princes Drive, through the roundabout with Moana Avenue, continuing southwest and south along Princes Drive, southeast along the southwest edge of Pipers Reserve, south towards Observatory Terrace along the west side of the road reserve, southeast along the centre of the road reserve that is to the northwest of Boundary Road, south along the centre of the Railway Reserve, southeast across Waimea Road to and along the southwest edge of 16 Vista Drive, continuing southeast along the southern edges of 8, 10, 16 and 9 Bills Drive, southeast then northeast along the south edge of the York Valley Landfill, south and then southeast along the ridgeline east of 130 Enner Glynn Road, east and along the southern edge of 592 Brook Street and into the Brook Conservation Reserve, southwest to the southern edge of the quarry east of Marsden Valley Road, north to where the boundary turns southwest, approximately two thirds of the way from the Quarry bridge to the turnoff to the Involution Track, then northwest approximately at the Barnicoat Walkway, towards and along the northeastern edge of the Marsden Valley Reserve, in a southwest direction, continuing across the foothills to the southern edge of 227 Champion Road and the southwestern council boundary which it follows northwest to the coast. This ward includes Oyster Island, Saxton Island and Pig Island.



Three Ward Option – Potential Boundaries

Atawhai Rural Ward

Generally - comprises the northern and eastern parts of the region (and adjacent inlets) encompassing The Brook, East Nelson, Maitai Valley, Brooklands, Atawhai, Dodson Valley, Marybank, Todds Valley, Wakapuaka, Glenduan, Hira, Cable Bay, Lud Valley, Teal Valley, Kokorua and the hills of the Bryant Range bounded by the council boundary.

Specifically - follows the coast from Queen Elizabeth II Drive (SH6) across the road from the boundary between Queen Elizabeth II Reserve and Neale Park, south to and around the Akersten Street peninsula, around Port Nelson, south adjacent to Wakefield Quay and Rocks Road, to and along Tahunanui Beach to the western end, northeast across the water to the west coast of the Boulder Bank, follows the coast north to Pepin Island, across the entrance to the Delaware Bay Estuary, continuing north along the coast, across the entrance to the Whangamoa River Estuary, to the northern council boundary at Cape Soucis (Raetihi), south and then southwest along the eastern council boundary and west along the southern council boundary. At the southern edge of 227 Champion Road, the boundary follows the eastern edge of this property and continues across the foothills in a north east direction, towards and along the northwest edge of Marsden Valley Reserve, then southeast to the Barnicoat Walkway, where it turns northeast to the east edge of Marsden Valley Reserve, which it follows south then turns to the northeast, southeast of the quarry, over the ridgeline and into the Brook Conservation Reserve, west along the southern boundary of 592 Brook Street, northwest along the ridgeline east of 130 Enner Glynn Road, then north along the east side of York Valley Landfill, east to the quarry at the south end of the Grampians, northeast through the quarry to a high point above, northwest to and along a southern boundary of Grampians Reserve to the Tawa Track, turning northeast along the ridgeline of the Grampians, on the west side of the summit to Collingwood Street, east on Brougham Street, north on Scotland Street, east towards and along Bronte Street East, north on Tasman Street, east on Bridge Street, south on Milton Street to the south side of 2/203 Milton Street, east along the north edge of Botanical Sportsfield, north and northeast along the northern edge of Botanical Hill, north and then east of the saddle to and along the west edge of Sir Stanley Whitehead Park to the intersection with Iwa Road, north on Iwa Road, north on Atawhai Drive to the north side of 87 Atawhai Drive and around 87 Atawhai Drive to the northwest to the boundary between Queen Elizabeth II Reserve and Neale Park. This ward also includes the southwest inlets of Nelson City, where it follows the council boundary from the coast northwest and northeast to and along the southern edge of Nelson Airport, around Monaco and south to the council boundary. This ward does not include Oyster Island, Saxton Island, Pig Island, Haulashore Island nor Arrow Rock (Fifeshire Rock).

City Central Ward

Generally – comprises the central urban part of the region encompassing Port Nelson, Washington Valley, the Port Hills, Haulashore Island, Tahunanui, Nelson Airport, most of Annesbrook and Wakatu, Enner Glynn, the northern part of Marsden Valley, Bishopdale, the western side of the Grampians, Victory, Toi Toi, the Nelson city centre and The Wood.

Specifically - follows the coast west from the Whakatu Drive (SH6) bridge over Poorman Valley Stream around Nelson Airport, along the west edge of Nelson Golf Club, the west end of Tahuna Beach Holiday Park, the western and northern edges of Tahunanui Beach, north adjacent to Rocks Road and Wakefield Quay, around Port Nelson and the Akersten Street peninsula, north along the coast around Haven Foreshore then across Queen Elizabeth II Drive (SH6) to and along the boundary between Queen Elizabeth II Reserve and Neale Park, northeast around 87 Atawhai Drive to Atawhai Drive, south on Atawhai Drive, south on Iwa Road, east and south along the west edge of Sir Stanley Whitehead Park to north of the saddle and southwest along the northern edge of Botanical Hill, down the ridgeline and south, then west to the south side of 2/203 Milton Street, north on Milton Street, west on Bridge Street, south on Tasman Street, west on Bronte street East and along to south on Scotland Street, west on Brougham Street, south on Collingwood Street, southwest along the ridgeline of the Grampians on the west side of the summit to the Tawa Track, southeast to and along a southern boundary of Grampians Reserve, continuing to a high point above the quarry at the south end of the Grampians, southwest through the quarry, northeast to and along the east edge of York Valley Landfill, southeast along the ridgeline east of 130 Enner Glynn Road, east and along the southern edge of 592 Brook Street and into the Brook Conservation Reserve, southwest to the southern edge of the quarry east of Marsden Valley Road, northwest on Marsden Valley Road to the south side of 53 Marsden Valley Road, then northeast and northwest through 63 Marsden Valley Road to the south corner of 7E Kakenga Road, continuing northeast then southeast and north along the edge of Bolwell Reserve, then north along the west edge of Poplar Reserve, northward along Arapiki Road, northeast on The Ridgeway to the east side of 88 The Ridgeway, northwest along this edge to and west along the south edge of 74 Coster Street, west along the centre line of Coster Street to and along the south edge of 85A Coster Street, along the back side of the properties west of Coster Street to and along the north side 69 Coster, northwest to the south corner of 61 Coster Street, northeast along the south property edge of 61 and 54 Coster Street, north behind the western properties of Calamaras Street to and east along the centre line of Coster Street to the east side of 23 Coster Street, northeast to the west side of Merrin Way, southwest on Waimea Road, northwest on Quarantine Road, north on Annesbrook Drive to the roundabout, southeast to the Whakatu Drive (SH6) bridge over Poorman Valley Stream. This ward includes Haulashore Island and Arrow Rock (Fifeshire Rock).

Stoke Ward

Generally - comprises the southern urban part of the region encompassing Stoke, Monaco, small parts of Annesbrook and Wakatu, the southern part of Marsden Valley, Ngawhatu Valley, the Saxton area and the islands southwest of the Airport.

Specifically - follows the coast from the southwestern council boundary around Monaco to the Whakatu Drive (SH6) bridge over Poorman Valley Stream, where it follows the Whakatu Drive road centre line east to the roundabout at Annesbrook Drive, which it follows south to Quarantine Road, southeast along Quarantine Road and then east along Waimea Road to Merrin Way, where it turns towards Coster Street, following a straight line along the property boundaries to east of 23 Coster Street, west along Coster Street, south behind the western properties of Calamaras Street to the south corner of 13 Calamaras Street, west along the south property edge of 54 and 61 Coster Street to the south corner of 61 Coster Street, south to and along the north edge of 69 Coster Street, behind the back side of the properties west of Coster Street to and along the south edge

of 85A Coster Street to and along the centre line of Coster Street, to and along the south side of 74 Coster Street to the east side of 88 Coster Street, southeast to The Ridgeway, west on The Ridgeway to Arapiki Road, southward along the centre line of Arapiki Road to 114 Arapiki Road, south along the west edge of Poplar Reserve, continuing south then northwest then southwest along the edge of Bolwell Reserve, continuing to the south corner of 7E Kakenga Road, then southeast and southwest through 63 Marsden Valley Road to the south corner of 53 Marsden Valley Road, southeast along Marsden Valley Road to and along the east edge of Marsden Valley Reserve, from where the boundary turns southwest, approximately two thirds of the way from the Quarry bridge to the turnoff to the Involution Track, then northwest approximately at the Barnicoat Walkway, towards the northeastern edge of the Marsden Valley Reserve, which it follows in a southwest direction, continuing across the foothills to the southern edge of 227 Champion Road and the southwestern council boundary which it follows northwest to the coast. This ward includes Oyster Island, Saxton Island and Pig Island.



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Four General Wards

(Statistical Area 2 - 2020)



Four General Wards

- Central
- North-East
- Southern Coastal
- Southern Hills

0 750 1,500 m



August 2021

A2720247

File Ref: A2714881
K5. Original map size A4.

Four Ward Option – Potential Boundaries

North-East

Generally - comprises the northern and eastern parts of the region (and adjacent inlets) encompassing Port Nelson, The Wood,

The Brook, East Nelson, Maitai Valley, Brooklands, Atawhai, Dodson Valley, Marybank, Todds Valley, Wakapuaka, Glenduan, Hira, Cable Bay, Lud Valley, Teal Valley, Kokorua and the hills of the Bryant Range bounded by the council boundary.

Specifically - follows the coast from the north corner of 326 Wakefield Quay southwest, southeast and adjacent to Wakefield Quay and Rocks Road, to and along Tahunanui Beach to the western end, northeast across the water to the west coast of the Boulder Bank, follows the coast north to Pepin Island, across the entrance to the Delaware Bay Estuary, continuing north along the coast, across the entrance to the Whangamoa River Estuary, to the northern council boundary at Cape Soucis (Raetihi), south and then southwest along the eastern council boundary and west along the southern council boundary. At the southern edge of 227 Champion Road, the boundary follows the eastern edge of this property and continues across the foothills in a north east direction, towards and along the northwest edge of Marsden Valley Reserve, then southeast to the Barnicoat Walkway, where it turns northeast to the east edge of Marsden Valley Reserve, which it follows south then turns to the northeast, southeast of the quarry, over the ridgeline and into the Brook Conservation Reserve, west along the southern boundary of 592 Brook Street, northwest along the ridgeline east of 130 Enner Glynn Road, then north along the east side of York Valley Landfill, east to the quarry at the south end of the Grampians, northeast through the quarry to a high point above, northwest to and along a southern boundary of Grampians Reserve to the Tawa Track, turning northeast along the ridgeline of the Grampians, on the west side of the summit to Collingwood Street, east on Brougham Street, north on Scotland Street, east towards and along Bronte Street East, north on Tasman Street, east on Bridge Street, northwest along the centreline of the Maitai River, north on Trafalgar Street, southwest on Queen Elizabeth II (SH 6), south on Haven Road, northwest on Maori Road to its northern corner, northwest to and northeast along Fountain Place, northwest on Haven Road, continuing along the centre line of Wakefield Quay to and along the northeast edge of 326 Wakefield Quay to its north corner. This ward also includes the southwest inlets of Nelson City, where it follows the council boundary from the coast northwest and northeast to and along the southern edge of Nelson Airport, around Monaco and south to the council boundary. This ward does not include Oyster Island, Saxton Island, Pig Island, Haulashore Island nor Arrow Rock (Fifeshire Rock).

A2720247

Central

Generally – comprises the central urban part of the region encompassing the Port Hills, Haulashore Island, Washington Valley, the Nelson city centre, the western side of the Grampians, Bishopdale, Victory and Toi Toi.

Specifically - follows the coast from the northwest corner of 30 The Cliffs to and northeast along the seaward side of Rocks Road to and along the southwest edge of 326 Wakefield Quay, north and southeast along the property edge to the centre line of Wakefield Quay, northeast on Wakefield Quay, continuing southeast on Haven Road, southwest on Fountain Place, southeast along the southern edge of 7 Fountain Place and 157 Haven Road to the north corner of Maori Road, southeast along the centre line of Maori Road, to and along the centre line of Haven Road, northeast on Queen Elizabeth II Drive (SH 6), south on Trafalgar Street, east and southeast along the centre line of the Maitai River, west on Bridge Street, south on Tasman Street, west on Bronte street East and along to south on Scotland Street, west on Brougham Street, south on Collingwood Street, southwest along the ridgeline of the Grampians on the west side of the summit to the Tawa Track, southeast to and along a southern boundary of Grampians Reserve, continuing to a high point above the quarry at the south end of the Grampians, southwest through the quarry, northeast to and along the east edge of York Valley Landfill, northwest along the south edge of York Valley Landfill, northwest along the south edges of 9, 16, 10 and 8 Bills Drive, continuing northwest along the west edge of 16 Vista Drive, crosses Waimea Road to and north along the centre line of the Railway Reserve, to and northwest along the centre of the road reserve to the northwest of Boundary Road, northeast along the east edge of 5 Observatory Terrace, northwest along the south edge of Pipers Reserve, north along the centre line of Princes Drive, through the roundabout with Moana Avenue, northeast along the centre line of Princes Drive to and along the northeast side of 201 Princes Drive, continuing northwest along the property boundaries to the west edge of 52 The Cliffs, to and west along the centre line of The Cliffs, around the corner to opposite the west side of 41 The Cliffs, north to and southeast along the south edge of 30 The Cliffs, along the cliff top to the northwest corner of 30 The Cliffs. This ward includes Haulashore Island and Arrow Rock (Fifeshire Rock).

Southern Coastal

Generally - comprises the urban coastal part of the region encompassing Monaco, Nelson Airport, Tahunanui, the southern Port Hills, the Tahunanui Hills, Annesbrook, Nayland, western Stoke and the islands southwest of the Airport.

Specifically - follows the coast from a point in line with the northeast edge of 484 Nayland Road, north around Monaco, around Nelson Airport, along the west edge of Nelson Golf Club, the west end of Tahuna Beach Holiday Park, the western and northern edges of Tahunanui Beach, north adjacent to Rocks Road, crosses Rocks Road to the northwest corner of 30 The Cliffs, follows the cliff top to and along the southern edge of 30 The Cliffs, crosses half the road to the centre line of The Cliffs opposite the north corner of 43 The Cliffs, follows the centreline of The Cliffs south around the corner to and along the west edge of 54 The Cliffs, continuing southeast along the property boundaries to and along the east edge of 201 Princes Drive, southwest along the centre line of Princes Drive, through the roundabout with Moana Avenue, continuing southwest and south along Princes Drive, southeast along the southwest edge of Pipers Reserve, south towards Observatory Terrace along the west side of the road reserve, southeast along the centre of the road reserve that is to the northwest of Boundary Road, south along the centre of the Railway Reserve, southeast to and southwest along Waimea Road, west on Beatson Road, northwest on Whakatu Drive, south on Annesbrook Drive, southeast on Quarantine Road, southwest on Waimea Road, continuing on Main Road Stoke, northwest along Poorman Valley Stream, southwest along the centre line of the Railway Reserve, diagonally across Songer Street, continuing southwest along the centre line of the Railway Reserve, southeast to the north corner of 642 Main Road Stoke, southwest along the southeast edge of the Railway Reserve to the west corner of 30 Standish Place, northwest along the southwest edge of 16 Sargeson Street, following this property boundary to the northeast and northwest, to and southwest along the centre line of Nayland Road, to and northwest along the northeast edge of 484 Nayland Road to the coast. This ward includes Oyster Island, Saxton Island and Pig Island.

Southern Hills

Generally - comprises the southern urban part of the region encompassing the Saxton area, eastern Stoke, Wakatu, Enner Glynn, Marsden Valley and Ngawhatu Valley.

Specifically - follows the coast from the southwestern council boundary to a point in line with the northeast edge of 484 Nayland Road, which it follows to the southeast to and northeast along the centre line of Nayland Road, southeast around the edge of 16 Sargeson Street to and northeast along the southeast edge of the Railway Reserve, northwest at the north corner of 642 Main Road Stoke to and northeast along the centre line of the Railway Reserve, diagonally across Songer Street, continuing northeast along the centre line of the Railway Reserve, southeast along the centre line of Poorman Valley Stream, northeast on Main Road Stoke, northwest on Quarantine Road, northeast on Annesbrook Drive, southeast on Whakatu Drive, northeast on Beatson Road, north on Waimea Road, to and along the southwest edge of 16 Vista Drive, continuing southeast along the southern edges of 8, 10, 16 and 9 Bills Drive, southeast then northeast along the south edge of the York Valley Landfill, south and then southeast along the ridgeline east of 130 Enner Glynn Road, east and along the southern edge of 592 Brook Street and into the Brook Conservation Reserve, southwest to the southern edge of the quarry east of Marsden Valley Road, north to where the boundary turns southwest, approximately two thirds of the way from the Quarry bridge to the turnoff to the Involution Track, then northwest approximately at the Barnicoat Walkway, towards and along the northeastern edge of the Marsden Valley Reserve, in a southwest direction, continuing across the foothills to the southern edge of 227 Champion Road and the southwestern council boundary which it follows northwest to the coast.