



Notice of the Ordinary meeting of

Nelson City Council

Te Kaunihera o Whakatū

Date:	Wednesday 8 December 2021
Time:	10.30.a.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. Public Forum

4.1 John Fitchett - Consultation Forms

John Fitchett will speak about consultation forms.

5. Confirmation of Minutes

5.1 28 October 2021 **21 - 36**

Document number M19037

Recommendation

That the Council

1. Confirms the minutes of the meeting of the Council, held on 28 October 2021, as a true and correct record.

5.2 17 November 2021 **37 - 56**

Document number M19081

Recommendation

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 17 November 2021, as a true and correct record.**

5.3 Extraordinary Meeting - 23 November 2021 **57 - 59**

Document number M19105

Recommendation

That the Council

- 1. Confirms the minutes of the extraordinary meeting of the Council, held on 23 November 2021, as a true and correct record.**

6. Confirmation of Previous Minutes 09 September 2021 60 - 68

Document number R26452

Recommendation

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 09 September 2021, as a true and correct record.**

7. Confirmation of Previous Council Minutes 19 October 2021 69 - 76

Document number R26453

Recommendation

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 19 October 2021, as a true and correct record.**

8. Recommendations from Committees

8.1 Environment and Climate Committee - 4 November 2021

8.1.1 Biosecurity Annual Report 2020/21 & Operational Plan 2021/22

Recommendation to Council

That the Council

- 1. Approves the Operational Plan 2021/22 for the Tasman-Nelson Regional Pest Management Plan (A2763427 of Report R26273), specifically as it relates to Nelson City Council's area.**

8.2 Infrastructure Committee - 18 November 2021

8.2.1 Water Supply Activity Management Plan 2021-31

Recommendation to Council

That the Council

- 1. Adopts the revised Water Supply Activity Management Plan 2021-31 (A2213226).**

8.2.2 Wastewater Activity Management Plan 2021-31

Recommendation to Council

That the Council

- 1. Adopts the revised Wastewater Activity Management Plan 2021-31 (A2758059).**

8.2.3 Stormwater and Flood Protection Activity Management Plan 2021-31

Recommendation to Council

That the Council

- 1. Adopts the revised Stormwater and Flood Protection Activity Management Plan 2021-31 (A2755586).**

8.3 Forestry Subcommittee - 1 December 2021

8.3.1 Forestry Activity Management Plan 2021-31

Recommendation to Council

That Council

- 1. Adopts the revised Forestry Activity Management Plan 2021-31 (A2072414).***

8.4 Community and Recreation Committee - 2 December 2021

8.4.1 City For All Ages/He Rautaki Whakatupuranga Strategy

Recommendation to Council

That the Council

- 1. Endorses the City For All Ages/He Rautaki Whakatupuranga Strategy as strategic guidance for Council, stakeholders and the community in considering and responding to the opportunities and challenges Nelson's ageing demographic presents; and***
- 2. Agrees that Council make an application for Nelson to join the World Health Organisation's Age-Friendly Network; and***
- 3. Supports the establishment of an Age-Friendly Nelson Implementation Group to monitor, support and report on implementation of the Strategy, operating according to the Terms of Reference attached in A2790587.***

8.4.2 Cemetery Provision in Nelson and Richmond - Needs Assessment and Draft Implementation Plan

Recommendation to Council

That the Council

- 1. Confirms that the Council's preferred option at this time is to further investigate the development of a new joint regional cemetery; and***
- 2. Subject to Tasman District Council passing similar resolutions;***

- a. **Approves the draft Joint Regional Cemetery Project Implementation Plan (A2774202); and**
 - b. **Approves the establishment of a Joint Regional Cemetery Working Group to oversee the Regional Cemetery Project Implementation Plan; and**
 - c. **Approves the terms of reference for the Joint Regional Cemetery Working Group (A2774204); and**
 - d. **Delegates authority for any minor amendments to the terms of reference for the Joint Regional Cemetery Working Group (A2774204) and the Joint Regional Cemetery Project Implementation Plan (A2774202) to the Chair of the Community and Recreation Committee and the Group Manager Community Services in conjunction with their counterparts at Tasman District Council; and**
 - e. **Appoints the Chair and a Deputy Chair of the Community and Recreation Committee to the Joint Regional Cemetery Working Group; and**
 - f. **Recommends an iwi representative is invited to the Joint Regional Cemetery Working Group via a request to the Iwi-Council Partnership Group.**
3. **Notes that a final decision on proceeding with a regional cemetery will be made by the two Councils following the endorsement of a business case by the Joint Regional Cemetery Working Group.**

The following are draft recommendations at the time of printing, any changes will be provided at the meeting

8.5 Strategic Development and Property Subcommittee - 3 December 2021

8.5.1 Contingent Loan Facility - Tahuna Beach Camp Inc.

Recommendation to Council

That the Council

1. **Approves an emergency contingent loan facility of up to \$500,000 to be available to Tahuna Beach Camp Inc., if required due to COVID-19 impacts prior to 28 February 2022.**

8.5.2 Nelson Marina s17A Governance Review

Recommendation to Council

That the Council

- 1. Approves the recommendation of a Council Controlled Organisation that manages the Marina as the preferred governance model for Nelson Marina; and***
- 2. Approves undertaking consultation on the proposal to establish a Council Controlled Organisation as per Section 56 of the Local Government Act; and***
- 3. Notes that undertaking consultation on a proposal to establish a Council Controlled Organisation would require additional unbudgeted expense to a maximum of \$65,000 in addition to current budget (\$40,000), to formulate the required documentation and reviews for the new Council Controlled Organisation; and***
- 4. Approves funds, if required for undertaking consultation, to be sourced from the Marina closed account.***

6.5 Regional Transport Committee – 06 December 2021

6.5.1 Variation to Regional Land Transport Plan - Rocks Road Walking and Cycling Pre-Implementation

That the Council

- 1. Approves that the Nelson Regional Land Transport Programme 2021-31 is varied to include a total of \$6.5M for "Pre-implementation Phase" for the SH6 Rocks Road Walking and Cycling facility spread over the 2021-24 financial years.***

9. Mayor's Report

77 - 87

Document number R26350

Recommendation

That the Council

1. **Receives the report Mayor's Report (R26350) and its attachment (A2798220); and**
2. **Approves Councillor Brian McGurk as the third Nelson City Council elected member on the Joint Committee subcommittee to hear and deliberate on the draft Future Development Strategy; and**
3. **Notes that Joint Committee will confirm appointments on the subcommittee to hear and deliberate on the draft Future Development Strategy at its first meeting in 2022.**

10. Status Report - Council - 9 December 2021 88 - 113

Document number R26436

Recommendation

That the Council

1. **Receives the report Status Report - Council - 9 December 2021 (R26436) and its attachment (A1168168); and**

11. Property and Facilities Activity Management Plan 2021-31 114 - 125

Document number R26364

Recommendation

That the Council

1. **Receives the report Property and Facilities Activity Management Plan 2021-31 (R26364) and its attachment (A2443568); and**
2. **Adopts the Property and Facilities Activity Management Plan 2021-31 (A2511502)**
3. **Delegates authority for any minor amendments required to the Property and Facilities Activity Management Plan 2021-31 (A2511502) to the Community and Recreation Committee Chairperson, Strategic Development and Property Subcommittee Chairperson (for their respective areas of delegation), and Group Manager Community Services.**

12. Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan **126 - 151**

Document number R26331

Recommendation

That the Council

- 1. Receives the report *Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan (R26331)* and attachments: (A2786233, A2783462, A2780828 and A2787576); and**
- 2. Accepts the following late feedback (A2780828) on Te Ara ō Whakatū – Nelson City Centre Spatial Plan:**
 - JR Elkington and Trevor duFeu; and**
- 3. Adopts the updated Te Ara ō Whakatū – Nelson City Centre Spatial Plan (A2786233); and**
- 4. Agrees that the Mayor, Chair of Urban Development Subcommittee and Group Manager Environmental Management be delegated to approve any minor editorial changes; and**
- 5. Recommends officers create an implementation plan for the first phase of delivery over the next 10 years and bring that back to Council; and**
- 6. Notes the adoption of Te Ara ō Whakatū – Nelson City Centre Spatial Plan is a strategy that builds on and updates previous city centre strategies e.g., Heart of Nelson.**

13. 2021 Revaluation Presentation - Quotable Value

Gail Smits, National Revaluation Manager and Craig Russell, Registered Valuer & Senior Property Consultant from Quotable Value, Council's Valuation Service Provider will provide a powerpoint presentation to speak to at the meeting.

Attending at 1.00pm on Wednesday 8 December

14. Infrastructure Acceleration Fund: Request for Proposals
152 - 178

Document number R26340

Recommendation

That the Council

- 1. Receives the report Infrastructure Acceleration Fund: Request for Proposals (R26340) and its attachments (A2772290 and A2797854); and***
- 2. Notes that officers will be progressing the Requests for Proposal of the following projects, noting that this in no way fetters any future Council decision making in relation to the proposals, including in its regulatory capacity:***
 - a. Achilles Avenue/Rutherford Street Affordable Housing development;***
 - b. Solitaire Investments Limited/Marsden Park Limited (Marsden Valley);***
 - c. Wakatū Incorporation (Horoirangi); and***
- 3. Notes that the Maitai Development Co "Mahitahi" (Kaka Valley) developer has deemed that there are other options that better suit their goals and vision for this development which they are actively pursuing instead of the Infrastructure Acceleration Fund; and***
- 4. Notes the priority ratings allocated to the developments, as required by Kāinga Ora, as part of the Request for Proposal submission process, namely:***
 - a. Priority 1 - Achilles Avenue/Rutherford Street Affordable Housing development;***
 - b. Priority 2 - Solitaire Investments/Marsden Park Limited (Marsden Valley);***
 - c. Priority 3 - Wakatū Incorporation (Horoirangi); and***
- 5. Notes that a further report will be brought to Council once Kāinga Ora has decided which, if any, of Council's Request for Proposals are successfully through to the negotiation stage, detailing:***

- a. The required level of Council investment in infrastructure to support each qualifying development; and*
- b. Whether or not this funding is included in the Long-Term Plan 2021-31 and which year(s); and*
- c. 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;*
- d. Any developers' agreements required to progress the negotiations; and*
- e. The capacity of Council to deliver multiple additional infrastructure projects within the required timeframe.*

15. Three Waters Reform Update and submission on Three Waters Economic Regulator discussion document 179 - 188

Document number R26389

Recommendation

That the Council

- 1. Receives the report Three Waters Reform Update and submission on Three Waters Economic Regulator discussion document (R26389) and its attachments (A2788174, A2786106, A2786027); and***
- 2. Approves the draft Council submission (A2786027) to the Ministry of Business, Innovation and Employment on the Economic Regulation and Consumer Protection for Three Waters Services in New Zealand; and***
- 3. Agrees that the Mayor, Infrastructure Committee Chair and Chief Executive be delegated authority to approve minor editorial amendments to the Council submission (A2786027); and***
- 4. Notes the Government will introduce legislation to Parliament where Council and the public will have the opportunity to submit on the Water Services Entities Bill and subsequently the Water Services Entities (Implementation Bill); and***

5. **Agrees to community engagement to be undertaken prior to Council submitting on the draft legislation as detailed in Report R26389; and**
6. **Notes a submission on the Water Services Entities Bill will be prepared once the Bill is introduced to Parliament and will be brought back to Council for approval including community feedback; and**
7. **Notes that the Chief Executive will report back once staff have received further information and guidance from the Government on the next steps and how these should be managed.**

16. Annual Report 2020/21

189 - 202

Document number R26237

Recommendation

That the Council

1. **Receives the report Annual Report 2020/21 (R26237) and its attachments (A2791731 and A tbc); and**
2. **Adopts the Annual Report for the year ended 30 June 2021 (A2593052) in accordance with s98 of the Local Government Act 2002; and**
3. **Receives the draft Audit New Zealand Opinion (A tbc); and**
4. **Delegates the Mayor and Chief Executive authority to approve minor editorial changes to the Annual Report 2020/21 (A2791731), as necessary.**

17. Residents' Survey 2020/21

203 - 207

Document number R26030

Recommendation

That the Council

1. **Receives the report Residents' Survey 2020/21 (R26030) and its attachment (A2724461); and**

2. ***Notes that the Residents' Survey 2020/21 will be made available to the public on the Council website; and***
3. ***Notes the three focus areas for improvement in response to the Residents' Survey results are:***
 - a. ***Managing expectations by clearly explaining Council priorities and expenditure; and***
 - b. ***Improving clarity on decision making and how community feedback contributes; and***
 - c. ***Telling our story positively and consistently.***

18. Schedule of meetings 2022 208 - 210

Document number R26393

Recommendation

That the Council

1. ***Receives the report Schedule of meetings 2022 (R26393) and its attachment (A2760389); and***
2. ***Adopts the schedule of meetings for the 2022 calendar year as set out in Attachment 1 (A2760389).***

19. Climate Change Oversight Governance Group Terms of Reference 211 - 215

Document number R26455

Recommendation

That the Council

1. ***Receives the report Climate Change Oversight Governance Group Terms of Reference (R26455) and its attachment (A2783828); and***
2. ***Approves the Terms of Reference for the Climate Change Oversight Governance Group (A2783828).***

20. Approval of submission on the Government's Emissions Reduction Plan 216 - 273

Document number R26441

Recommendation

That the Council

- 1. Receives the report Approval of submission on the Government's Emissions Reduction Plan (R26441) and its attachments (A2769371, A2790131, A2790133); and**
- 2. Approves retrospectively, the submission on the Government's Emissions Reduction Plan (A2769371).**

21. Nelson Arts Strategy - Establishment of Working Group 274 - 281

Document number R26272

Recommendation

That the Council

- 1. Receives the report Nelson Arts Strategy - Establishment of Working Group (R26272) and its attachment (A2752080); and**
- 2. Establishes an Arts Strategy Working Group with the following membership:**
 - 1. Deputy Mayor Judene Edgar**
 - 2. Chair of Community and Recreation – Councillor Tim Skinner**
 - 3. Councillor Pete Rainey; and**
- 3. Approves the Terms of Reference (A2752080) for the Arts Strategy Working Group.**

22. Events Strategy implementation update - Financial Year 2021-21 **282 - 293**

Document number R26330

Recommendation

That the Council

- 1. Receives the report Events Strategy implementation update - Financial Year 2021-21 (R26330) and its attachments (A2776994 and A2768099); and***
- 2. Approves an amendment to the Nelson City Events Strategy to require annual reporting by the Events Development Committee on implementation of the Strategy.***

23. Nelson Regional Development Agency Presentation to Council

Nelson Regional Development Agency (NRDA) Chair, Meg Matthews, accompanied by Toni Power, Mark Maguire, Tracee Neilson, Hannah Norton, Sarah Fitchett, Johny O'Donnell and Fiona Wilson will be present to update the Council on:

- NRDA Annual Report
- Outcomes of consultation on the Regeneration Plan
- NRDA Six monthly update

Attending at 1.00pm on Thursday 9 December

CONFIDENTIAL BUSINESS

24. Exclusion of the Public

Recommendation

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***
 - a. Nick Clarke of Habitat for Humanity remain after the public has been excluded, for Item 5 of the Confidential agenda (Housing Reserve Phase One Applications), as he has knowledge relating to the item that will assist the meeting; and***

- b. Fiona Wilson, Toni Power and Tracee Neislon from NRDA remain after the public has been excluded, for Item 6 of the Confidential agenda (Future of Nelson iSITE within Millers Actre), as they have knowledge relating to NRDA that will assist the meeting; and**
- c. Jane Sheard and Lindsay Coll of Nelmac remain after the public has been excluded, for Item 7 of the Confidential agenda (Nelmac 6 monthly strategic presentation), as they have knowledge relating to Nelmac that will assist the meeting; and**
- d. John Murray, Sam Cottier, Lisa Current and Nick Wilson remain after the public has been excluded, for Item 10 of the Confidential agenda (Central Library Project - Land Exchange Negotiating Brief), as they have knowledge relating to the project that will assist the meeting**

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 - 28 October 2021	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,

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
			<p>without prejudice or disadvantage, commercial activities</p> <ul style="list-style-type: none"> 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 - 17 November 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
3	<p>Recommendations from Committees - Confidential</p> <p>Strategic Development & Property Committee 3 December 2021</p> <p>Proposed Registrations of Interest Document - 258 Wakefield Quay (Anchor Building)</p> <p>Maitai Valley Motor Camp Options</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 negotiations)
4	Council Status Report - Confidential	<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)

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 out, without prejudice or disadvantage, commercial activities
5	Housing Reserve Phase One Applications	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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
6	Future of the Nelson iSITE within Millers Acre	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)
7	Nelmac 6 monthly strategic presentation	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
8	Nelmac Limited - Statement of Expectation 2022/23	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)(h) To enable the local authority to carry out, 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, commercial activities <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
9	Nelson Regional Sewerage Business Unit (NRSBU) independent member 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
10	Central Library Project – Land Exchange Negotiating Brief	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)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

Karakia Whakamutunga



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 28 October 2021, commencing at 9.07a.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) and Governance Advisers (E Stephenson and K McLean)

Apologies : Nil

Karakia and Mihi Timatanga

Attendance: Councillor Edgar entered the meeting at 9.09am.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

Her Worship the Mayor advised the order of business may change to accommodate external presenters. (All external presenters spoke via Zoom.)

3. Interests

There were no updates to the Interests Register. Her Worship the Mayor declared an interest in confidential Item 3 - Nelson Regional Development Agency - Reappointment of Director.

4. Public Forum

- 4.1. Zero Carbon Nelson Tasman - Feedback on Kāinga Ora Housing Development (Social Housing)

Document number R26346

This public forum was withdrawn.

- 4.2. Tāhunanui Business and Citizens Association Incorporated - Waka Kotahi Proposals for Tāhunanui Drive and the Effects of those Proposals

Document number R26062

Paul Matheson and Jacinda Stevenson, accompanied by John Gilbertson, on behalf of the Tāhunanui Business and Citizens Association Incorporated, and Dr Stephen Neas, Tāhunanui Medical Centre, spoke about the Association's meeting with Waka Kotahi over proposals for Tāhunanui Drive and the effects of those proposals. Supporting information was tabled (A2771891).

Mr Matheson said the Association supported other modes of transport and said that it did not support four-laning of Tāhunanui Drive. They felt that Waka Kotahi needed to revisit the effects on residents' businesses.

Ms Stevenson spoke to Waka Kotahi's objectives of safety, wellbeing of residents and safer journeys for all, noting that Tāhunanui Drive was already busy enough, with a unique intersection, a variety of vehicles, scenery distraction and cross traffic. They felt the government objective of safe access to health care was not being met and that the road did not meet world health standards.

Dr Stephen Neas, General Practitioner at Tāhunanui Medical Centre, felt the primary concern was the impact of two southbound lanes on safe access to essential health services.

The submitters answered questions regarding their public forum.

Attachments

- 1 A2771891 - Tāhunanui Business and Citizens Association Inc tabled information

4.3. Public Health Service - Nelson Marlborough District Health Board - Nelson Future Access Project

Document number R26351

Jane Murray, Health in all Policies Advisor, on behalf of Public Health Service Nelson Marlborough District Health Board (NMDHB), spoke about the Nelson Future Access Project (FAS) from a public health perspective. She noted the FAS supported a specific focus on cycling, walking and ride share and on increased safety and environmental benefits, however, there was a lack of cycle paths and parks improving the pedestrian journey and she felt it was difficult to see what the active travel improvements were from the Council report. She highlighted the importance of traffic calming.

In response to a question, Ms Murray said that the NMDHB had not submitted specifically around noise issues.

5. Confirmation of Minutes

5.1 23 September 2021

Document number M18958, agenda pages 12 - 38 refer.

Resolved CL/2021/224

That the Council

- 1. Confirms the minutes of the meeting of the Council, held on 23 September 2021, as a true and correct record.***

Her Worship the Mayor/Courtney

Carried

6. Mayor's Report

Document number R26347

Her Worship the Mayor gave a verbal report, noting the COVID-19 cases in Blenheim and Christchurch and the Government's announcement on the Three Waters Reforms.

Attendance: Councillor Brand left the meeting at 9.44am.

The Mayor answered questions regarding the Three Waters Reforms.

Attendance: Councillor Brand returned to the meeting at 9.50am.

The meeting was adjourned from 9.52am until 9.58am.

During questions on the Three Waters Reforms, the following Points of Order were raised:

- Councillor Lawrey against Councillor Skinner for disrespect, in that he did not use Minister Mahuta's full title. The Point of Order was not upheld, however, the Mayor cautioned Councillor Skinner to be respectful
- Councillor Edgar against Councillor Skinner for misrepresentation of the advice given at the 23 September Council meeting, in that the commentary was not opinion, it was fact, and the decision to opt in or out was not a decision to be made at that meeting. The Point of Order was upheld
- Councillor O'Neill-Stevens against Councillor Courtney for misrepresentation, in saying that Nelson City was having its assets stripped away. The Point of Order was upheld
- The Mayor against Councillor Courtney for misrepresentation, in saying that the Nelson people felt let down. The Mayor felt that misinformation had led to an untrue scenario. The Point of Order was upheld
- Councillor Edgar against Councillor Brand for misrepresentation, in that the Mayor had not said that Councillor Brand misled the public. The Point of Order was upheld.

In light of the number of Points of Order raised, Elected Members were urged to consider how they resolved conflict in the future, and how to share their views respectfully.

In closing, the Mayor highlighted the need to feed in to the working group process and the importance of being engaged. She said, given the importance of the issue, she would like the Select Committee to visit the regions.

7. Uniquely Nelson - Annual Report 2020/21 (deferred from 23 September 2021 Council meeting) (Agenda Item 8)

Document number R26321, agenda pages 39 - 71 refer.

Attendance: Councillor Skinner left the meeting at 10.26am.

Simon Duffy, Manager Uniquely Nelson and Chris Butler, Chairperson, presented this item. Mr Duffy spoke about the impacts of COVID-19 on businesses and the community.

Her Worship the Mayor acknowledged the enormous amount of work done over the last year, which had not been an easy time.

Mr Duffy and Mr Butler answered questions regarding the Buddy Up programme, the effects on the retail and hospitality sectors and on a competition to encourage online shopping.

Attendance: Councillor Skinner returned to the meeting at 10.40am.

In response to a question, Mr Duffy said that shaping a future through an emissions reduction lens and working on sustainable eco-tourism was an important part of the future. Mr Butler noted that a board conversation had taken place on how to align closer to a regional strategy and that more talks with organisations like the Nelson Regional Development Agency were needed.

Resolved CL/2021/225

That the Council

- 1. Receives the report Uniquely Nelson - Annual Report 2020/21 (deferred from 23 September 2021 Council meeting) (R26321) and its attachment (A2739506); and***
- 2. Approves the Uniquely Nelson Annual Report as sufficient to provide Council with an overview of its activities during the 2020/21 year.***

Fulton/Edgar

Carried

8. Cawthron Institute work programme

Document number R26243

Volker Kuntzch, Cawthron Institute Chief Executive, spoke regarding the Cawthron Institute's work programme. A presentation was provided (A2774804).

Mr Kuntzch noted that the Cawthron Institute was in its centenary year, its revenue was \$50m, with half its funding from government and half through activities and projects with industry. He noted the Institute would like to diversify and become slightly more commercially oriented.

The presentation covered areas of research, setting global standards, world firsts, the algae sector, toxin as potential anaesthetic, freshwater management solutions, marine ecosystem management and the Aquaculture Park and Science and Technology Park.

Mr Kuntzch answered questions regarding the presentation.

Attachments

- 1 A2774804 - Cawthron Institute Presentation

The meeting was adjourned from 11.13am until 11.29am, at which time Councillor Skinner was not present.

9. Recommendations from Committees

7.1 Strategic Development and Property Subcommittee - 21 October 2021

7.1.1 Tahuna Beach Camp - Approval to Lease Campground to the Tahuna Beach Camp Incorporated

Attendance: Councillor Skinner returned to the meeting at 11.31am.

Recommendation to Council CL/2021/226

That the Council

- 1. Approves the leasing of the Tahuna Beach Camp to the Tahuna Beach Camp Incorporated Society for an initial term of eleven (11) years with two (2) rights of renewal of eleven (11) years each with renewals dependent on the Lessor and Lessee agreeing the annual base fee and gross income percentage.***

Noonan/Bowater

Carried

10. Nelson Future Access - Business Case Endorsement

Document number R26073, agenda pages 72 - 113 refer.

Group Manager Infrastructure, Alec Louverdis presented the report, noting that endorsement of the Business Case would allow Waka Kotahi officers to submit the Business Case to the Waka Kotahi Board. He introduced Waka Kotahi representatives Emma Speight, Coral Aldridge, Neil Cree and Anna Sanson. A PowerPoint presentation was provided (A2774738).

Ms Speight noted that submission of the Business Case was not a commitment to delivery and timeframes, but a direction working towards the same outcomes.

Attendance: Councillor Noonan left the meeting from 12.21pm until 12.30pm.

Discussion occurred regarding all facets of the Business Case and its potential impacts on the community.

The meeting was adjourned from 12.45pm until 1.31pm.

Questions and discussion continued and particular concerns were raised around the health and safety of the Tahunanui community as well as active transport users.

The meeting was adjourned from 2.44pm until 2.57pm.

Following discussion, an extra clause was added to the recommendations to express the importance of safety for the Tāhunanui community.

Resolved CL/2021/227

That the Council

- 1. Receives the report Nelson Future Access - Business Case Endorsement (R26073) and its attachments A2631617, A2749609, A2771168 and A2770156; and***
- 2. Endorses the Nelson Future Access Business Case (Attachment A2770156 of Report R26073) to enable submission to the Waka Kotahi Board for approval; and***
- 3. Notes that a variation to amend the Regional Land Transport Plan is required to include the SH6 Rocks Road Pre-Implementation Phase to facilitate Waka Kotahi seeking funding concurrently with the Business Case approval, and that consultation on this variation is not required as it does not trigger Council's Regional Land Transport Plan's Significance Policy and nor is it appropriate to carry out any additional consultation in the circumstances; and***
- 4. Notes that funding applications will be made to the Waka Kotahi Board concurrently with the Business Case approval for the Washington and Railway Reserve to Waimea walking and cycling projects to enable pre-implementation work to commence; and***
- 5. Notes that work will commence on several safety projects as detailed in Report R26073, funded from the Low Cost Low Risk funding assigned to Nelson City Council from the approved National Land Transport Programme; and***
- 6. Notes that officers will progress with assessing off-street parking options in Tahunanui, pending the permanent reinstatement of the southbound lane at Bisley signals, and will report back to Council on this matter; and***
- 7. Notes that a safe state highway network through Tahunanui remains a priority for Nelson City Council and its community***

McGurk/Her Worship the Mayor

Carried unanimously

Attachments

- 1 A2774738 - Waka Kotahi Nelson Future Access presentation

Her Worship the Mayor thanked the Waka Kotahi team and the Chief Executive for their work towards this immense task. She acknowledged Rhys Palmer's contribution and acknowledged Group Manager Infrastructure, Alec Louverdis, for his mammoth effort towards this controversial project.

Extension of Meeting Time

Resolved CL/2021/228

That the Council

- 1. Extends the meeting time beyond six hours, pursuant to Standing Order 4.2.***

Her Worship the Mayor/Edgar

Carried

The meeting was adjourned from 3.31pm until 3.35pm.

11. Nelson Central Library - Project Management and Governance Structure

Document number R26049, agenda pages 114 - 131 refer.

Group Manager, Infrastructure, Alec Louverdis, answered questions regarding the assumptions on agenda page 124 and on the recommended governance structure.

The following minor amendments were agreed:

- Agenda page 129 – relevant project staff to be separated out clarifying that they do not have membership
- Agenda page 130 - 7 - third bullet point – the word 'group' to be deleted
- Agenda page 127 – remove reference to design and build as this was not a preference at this stage
- Amend Nelson City Council to say 'Full' Council, for clarity
- Agenda page 117 - (governance) and (management) to be added
- Agenda page 127 – (under Quality Assurance Lead) – add – 'notes that the project manager and lead contractor sign the quality log that delivery meets required standards'.

Elected Members nominated their choice of two Elected Members for membership of the Governance Group. The nominations were collated by Group Manager, Community Services, Andrew White, with Councillors Rohan O'Neill Stevens and Brian McGurk declared as the successful nominees and recommendation clause 4 was updated accordingly.

Mr Louverdis confirmed that a community engagement plan and sustainability objectives would be brought back for Council consideration and that this was the most robust framework to give effect to Council resolutions regarding delivery of the project with appropriate checks and balances.

Resolved CL/2021/229

That the Council

- 1. Receives the report Nelson Central Library - Project Management and Governance Structure (R26049) and its attachments (A2758524, A2762028 and A2760701); and***
- 2. Approves the project management and governance structure as set out in Report R26049 and its attachments (A2758524, A2762028 and A2760701); and***
- 3. Agrees to establish a Nelson Central Library Governance Reference Group with Terms of Reference as set out in (A2760701); and***
- 4. Appoints the Mayor, Deputy Mayor, Councillor O'Neill-Stevens and Councillor McGurk to the Nelson Central Library Governance Reference Group; and***
- 5. Notes that the approval of the project management and governance structure does not constrain Council in relation to any final decision on library location, design, or construction procurement.***

Rainey/Lawrey

Carried

12. Property and Facilities Activity Management Plan 2021-31

Document number R18127, agenda pages 132 - 196 refer.

This agenda item was withdrawn.

13. Deliberations on sale of 69 to 101 Achilles Avenue and/or 42 Rutherford Street to Kāinga Ora for social and affordable housing

Document number R26213, agenda pages 197 - 224 refer.

Attendance: Councillor Rainey left the meeting at 4.30pm.

Julia Campbell, Regional Director, Kāinga Ora, and Strategic Housing Adviser, Lisa Gibellini, answered questions on this item, including:

- the building timeline and housing typology
- supporting local contractors for the project, including engaging a local architect
- updates would be provided through the Councillors' newsletter
- scale of height
- mechanisms for control and addressing feedback concerns
- reassurance about antisocial behaviour and the role of the Nelson tenancy team
- methods to ensure the housing remains affordable
- all recommendations in the report would be subject to a Memorandum of Understanding or Sale and Purchase agreement
- affordability
- community engagement
- parking and transport links.

Resolved CL/2021/230

That the Council

1. ***Receives the report Deliberations on sale of 69 to 101 Achilles Avenue and/or 42 Rutherford Street to Kāinga Ora for social and affordable housing (R26213) and its attachments (A2763085 and A2767627); and***
2. ***Accepts the following late feedback (A2767627) on the proposal to sell 69 to 101 Achilles Avenue and/or 42 Rutherford Street to Kāinga ora for social and affordable housing:***
 - ***Rachel Boyack, MP for Nelson***
 - ***Ainslie Riddoch***

3. ***Approves the sale of 69 to 101 Achilles Avenue and 42 Rutherford Street to Kainga Ora subject to a negotiating brief that includes the following terms:***
- (i) That the sites be sold for market value to be determined by agreement with Kāinga Ora having regard to independent valuations for the site obtained by Kāinga Ora and Nelson City Council.***
 - (ii) The design outcomes which were outlined to the community as part of the consultation document (A2704161) be adopted to inform the development design:***
 - (a) High quality, high amenity, interactive and accessible design to street and laneway edges.***
 - (b) Design compatibility with the adjacent public spaces and central city location.***
 - (c) The use of appropriately scaled and well-modulated/articulated architectural design elements and an appropriate provision of space, openings and materiality (i.e windows, balconies and cladding types).***
 - (d) Integration of vehicle, public transport and pedestrian circulation with adjoining street frontages and Wakatu Square with minimal provision of on-site carparking.***
 - (e) Inclusion of quality, climate resilient, sustainable, design and building practices.***
 - (f) Less than 50% of household units will be for social housing, the remainder will be a mix of affordable housing types.***
 - (g) Demonstrates consistency with the six key moves of the Nelson City Council City Centre Programme Plan (August 2019).***
 - (h) Minimise, as far as practicable, shading effects that lead to safety hazards on public streets, areas and footpaths.***
 - (i) Provide appropriate cycle storage and servicing facilities.***
 - (j) Within these outcomes, maximise housing yield; and***

- (iii) That Kāinga Ora works in partnership with Council officers on the design of the building, including that officers are part of the Kāinga Ora Project Steering Group contributing to decision making and Project Team responsible for progressing the project and its design.***
- (iv) That Kāinga Ora will seek to commission a local architect to be part of the design team for the development to ensure the building is a good fit with the city centre and Council priorities (exemplar intensification and affordable housing, good urban design including appropriate scale and height, sustainability features, provides for active mode).***
- (v) That Kāinga Ora will, where reasonably possible, partner with local housing providers and developers and/or iwi to deliver the project to ensure that affordable rental and affordable apartment sales are enduring and well managed.***
- (vi) That Kāinga Ora will, where reasonably possible, utilise local construction companies and local materials to undertake the build, acknowledging that this may be affected by the current market shortage of both locally.***
- (vii) That Kāinga Ora uses its placement principles to allocate its social housing tenants to the housing typology of inner-city apartment living.***
- (viii) That communication with the community is undertaken by Kāinga Ora to ensure the community is well informed of progress, including during the progression of development design and housing partnership formations.***
- (ix) That a condition is imposed to ensure that if development of at least one of the sites has not commenced construction within 3 years, both sites will be offered back to Council to purchase for the sale price, less any works that have reduced its value.***
- (x) That a condition is imposed on sale that a covenant will be registered on the title giving Council a right of first refusal to purchase, on terms acceptable to Council, should Kāinga Ora seek to sell all or any part of the sites at any time unless the sales relate to affordable unit title apartments developed by Kāinga Ora or in partnership with others (subject***

also to any applicable legal obligation on Kāinga Ora to first offer to iwi).

(xi) As appropriate, a Memorandum of Understanding may be signed with the purchaser to reflect shared objectives for the development that are not included in the sale and purchase agreement.

(xii) Any other reasonable terms of sale necessary for the divestment.

- 4. Delegates to the Mayor, Deputy Mayor/Chair of the Urban Development Subcommittee and Chief Executive the negotiation and approval of the sale and purchase agreement and Memorandum of Understanding (if appropriate) provided the terms are substantially consistent with the negotiating brief; and***
- 5. Notes that progress on negotiations and development design will be overseen by the Kāinga Ora Governance Reference Group in accordance with the Terms of Reference; and***
- 6. Notes that tenants of 69 to 101 Achilles Avenue and 42 Rutherford Street will be advised of Councils decision, and kept up to date on progress with negotiations, including advice in relation to the effect on their tenancies by officers; and***
- 7. Confirms that the proceeds from any sale will be used to pay off debt; and***
- 8. Approves the sale of 69 to 101 Achilles Avenue and 42 Rutherford Street and identifies the matters in relation to making such a decision in accordance with section 80 of the Local Government Act, including:***
 - (a) While it is not clear, the decision to sell 69 to 101 Achilles Avenue and 42 Rutherford Street to Kāinga Ora rather than via public auction may be inconsistent with the NCC Asset Disposal Policy 2015; and***
 - (b) Council has decided to approve the sale notwithstanding the apparent inconsistency with the Policy because of the broader strategic benefit of the proposal for the community (noting the above conditions) and the enhanced relationship with Kāinga Ora, together with the objective to sell the properties for market value; and***
 - (c) That there is no intention to amend the Policy to accommodate the decision at this time.***

The motion was put and a division was called:

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

The motion was carried 9 - 3.

Edgar/Her Worship the Mayor

Carried

14. Exclusion of the Public

Resolved CL/2021/231

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:***

Edgar/Her Worship the Mayor

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 - 23 September 2021	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason	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

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		exists under section 7.	<ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	Totara Street Properties	<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, negotiations (including commercial and industrial negotiations)
3	Nelson Regional Development Agency - Reappointment of Director	<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

The meeting went into confidential session at 5.09pm and resumed in public session at 5.24pm.

Karakia Whakamutunga

RESTATEMENTS

It was resolved while the public was excluded:

2	Totara Street Properties
	<i>That the Council</i> 6. <i><u>Agrees</u> that Report (R23744), attachments A2759441 and A2751938, and the decision be made publicly available once negotiations are concluded.</i>

3	Nelson Regional Development Agency - Reappointment of Director
	<i>That the Council</i> 3. <i><u>Agrees</u> that the decision only be made publicly available once the 2021 Nelson Regional Development Agency Annual General Meeting has taken place.</i>

There being no further business the meeting ended at 5.25pm.

Confirmed as a correct record of proceedings by resolution on (date)

Resolved



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 Wednesday 17 November 2021, commencing at
9.38a.m.**

- Present: Her Worship the Mayor R Reese (Chairperson), Councillors Y Bowater, T Brand, M Courtney, 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 Strategy and Communications (N McDonald), Team Leader Governance (R Byrne), Governance Adviser (E Stephenson) and Governance Support Officer (A Bryce-Neumann)
- Apologies : Councillor Edgar for absence and Councillor Noonan for lateness

Karakia and Mihi Timatanga

1 Apologies

Resolved CL/2021/236

That the Council

- 1. Accepts the apologies from Councillor Edgar for absence and from Councillor Noonan for lateness.***

Her Worship the Mayor/Bowater

Carried

2. Confirmation of Order of Business

The order of business was changed in order to complete business that was timebound and it was noted that the meeting would need to be reconvened to consider the remaining business.

3. Interests

Her Worship the Mayor advised that she would be making an update to the Interests Register regarding her membership of the Three Waters Reform Working Group, and Councillor Sanson noted her involvement with a Biodiversity Restoration project in the Marlborough Sounds, although no conflict existed as this was in relation to public forum and not to decision-making.

4. Public Forum

4.1. Dr. Murray McClintock - Emissions Trading Scheme and Council's Financial Obligations

Document number R26409

Dr. Murray McClintock, from Carbon Farm Limited, spoke about the Emissions Trading Scheme (ETS) and Council's financial obligations. Supporting information was tabled (A2787950). He advocated for Council to register its forests in the ETS and answered questions regarding costs of registration and underperforming assets.

Attachments

- 1 A2787950 Dr Murray McClintock supporting information

4.2 Jenny Easton and Barbara Robson - Climate Action Plan

Jenny Easton and Barbara Robson, from Zero Carbon Nelson Tasman, spoke in support of the Climate Action Plan and asked that Council continue to engage with experts, stakeholders and the public.

They supported the officer's proposal and looked forward to progressing the Action Plan. They noted that climate adaptation was a challenge that required informed public engagement and that Tasman District Council's (TDC) Climate Action plan had been in place for two years. They felt that this gave Council the opportunity to be a good neighbour and ancestor.

In response to a question, Ms Easton gave the Climate Action Plan a five star rating.

Attendance: Councillor Noonan entered the meeting at 10.05am.

4.3 Mika Hervel - Aotearoa Collective for Public Transport Equity - Free Fares Campaign

Mika Hervel advocated for Council to support the Free Fares Campaign, calling for nationwide free bus fares for tertiary students, Community Services Card Holders and under-25s. He noted that supporting councils would be listed on the Collective's website and media releases. He said that free fares were critical for transport equality and that another key reason was to reduce emissions. He asked that Council resolve a motion of support for the campaign before the 24 November 2021 closing date for submissions to the Government's Emissions Reduction Plan.

Mr Hervel answered questions regarding student and school involvement, emissions rates and the response from other Councils, and said that they did not have an estimate of the number of people and cost of the free fares. He confirmed that they were asking for the Government to fund this through its Emissions Reduction Plan.

4.4 Joanna Barbara - Climate Action Plan

Joanna Barbara from Nelson Tasman Climate Forum, asked Council to pass the Climate Action Plan now and to lock in planned periodic (annual) review and revision, as the Action Plan was a flexible living document. She noted the Forum would like to engage with Council and Tasman District Council to align their Action Plans.

Ms Barbara also advocated for Council to sign the Climate Charter at the highest level of engagement that was feasible for Council and that the Forum would happily accept Council's decision on the matter.

5. Exclusion of the Public

Emma Moran, of DLA Piper, was in attendance via Zoom, to provide legal advice regarding Item 6 - Nelson Tasman Climate Forum - Charter and, accordingly, the following resolution was required to be passed:

Resolved CL/2021/237

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 of Emma Moran of DLA Piper remain after the public has been excluded, to provide legal advice on Item 6 - Nelson Tasman Climate Forum that will assist the meeting.***

Courtney/Noonan

Carried

Resolved CL/2021/238

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:***

Courtney/Noonan

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	Nelson Tasman Climate Forum - Charter	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)(g) To maintain legal professional privilege
2	Code of Conduct - establishment of panel	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

The meeting went into confidential session at 10.27am and resumed in public session at 11.03am.

6. Mayor's Report

Document number R26396

Her Worship the Mayor gave a brief verbal report, noting that the message was clear that COVID-19 was moving around the country, and that it was essential to achieve high levels of vaccination. She acknowledged the work of those supporting the vaccination rollout, noting

that events were taking place in the region with the objective of reaching and exceeding the 90% level before Christmas.

7. Nelson Tasman Climate Forum – Charter (Agenda Item 6)

Document number R26192, agenda pages 6 - 24 refer.

In response to a request to remove the words 'one of' in a sentence in the Charter on agenda page 13 ... *one of the greatest threats to the living world*, Group Manager Strategy and Communication, Nicky McDonald advised that the Charter had already been agreed and signed by others, which meant that there was no ability to change the wording, although she would pass on that feedback.

Councillor McGurk, seconded by Councillor Rainey moved the officer's recommendation to sign the Charter as a Partner Organisation.

Recommendation

That the Council

1. *Receives the report Nelson Tasman Climate Forum - Charter (R26192) and its attachments (A2560914, A2771786, A2771833); and*
2. *Delegates authority to Her Worship the Mayor to sign the Nelson Tasman Climate Forum Charter on behalf of Council as a Partner Organisation.*

McGurk/Rainey

Councillor Skinner, seconded by Councillor Brand, moved an amendment for Council to sign the Charter as a Climate Ally.

That the Council

1. *Receives the report Nelson Tasman Climate Forum - Charter (R26192) and its attachments (A2560914, A2771786, A2771833); and*
2. *Delegates authority to Her Worship the Mayor to sign the Nelson Tasman Climate Forum Charter on behalf of Council as a Climate Ally.*

The amendment was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Apology</u>
Cr Brand	Cr Bowater	Cr Edgar
Cr Skinner	Cr Courtney	
	Cr Fulton	
	Cr Lawrey	

Cr O'Neill-Stevens
Cr McGurk
Cr Noonan
Cr Rainey
Cr Sanson
Her Worship the Mayor Reese
(Chairperson)

The amendment was lost 2 - 10.

Councillor Courtney, seconded by Councillor Fulton, moved a further amendment for Council to sign the Charter as a Signatory.

That the Council

- 1. Receives the report Nelson Tasman Climate Forum - Charter (R26192) and its attachments (A2560914, A2771786, A2771833); and*
- 2. Delegates authority to Her Worship the Mayor to sign the Nelson Tasman Climate Forum Charter on behalf of Council as a Signatory.*

The amendment was put and a division was called:

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

The vote on the amendment was even 6 – 6 and it was therefore declared lost.

The meeting returned to the substantive motion.

Resolved CL/2021/241

That the Council

- 1. Receives the report Nelson Tasman Climate Forum - Charter (R26192) and its attachments (A2560914, A2771786, A2771833); and***
- 2. Delegates authority to Her Worship the Mayor to sign the Nelson Tasman Climate Forum Charter on behalf of Council as a Partner Organisation.***

The substantive motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Apology</u>
Cr Bowater	Cr Brand	Cr Edgar

Cr Courtney	Cr Skinner
Cr Fulton	
Cr Lawrey	
Cr O'Neill-Stevens	
Cr McGurk	
Cr Noonan	
Cr Rainey	
Cr Sanson	
Her Worship the Mayor Reese	
(Chairperson)	
The substantive motion was carried 10 - 2.	

McGurk/Rainey

Carried

The meeting was adjourned from 11.33am until 11.34am.

8. Adoption of the Climate Action Plan

Document number R26187, agenda pages 45 - 74 refer.

Councillor Fulton's alternative recommendations were tabled (A2788141).

Group Manager Strategy and Communication, Nicky McDonald, and Climate Change Adaptation Adviser, Daniela Ramirez, presented the report, noting background and next steps in the development of the Draft Climate Action Plan. Ms Ramirez advised that the Action Plan was deliberately succinct and would feature on Council's website as an accountability mechanism for the community, and would be regularly updated.

Ms McDonald and Ms Ramirez answered questions, including clarification of the level of Nelson's carbon emissions, noting that Statistics New Zealand, which had previously recorded combined Tasman and Nelson emission levels, had released separated inventories and confirmed that Nelson was now at 6.5 in the table, with much lower emissions.

Questions included comparison to other councils' Climate Action Plans, feedback and discussions, updating of the living document, consideration of the strategic plan and priorities through the Long Term Plan and schools and students for climate action.

Councillor Fulton foreshadowed that she wanted to move her suite of recommendations, which she had indicated when speaking to her Chairperson's Report at the 18 November 2021 Environment and Climate Committee meeting.

In response to a question as to whether officers supported Councillor Fulton's recommendations, Chief Executive, Pat Dougherty, advised that officers were guided by Council resolutions to develop an action plan, then a strategic framework, which was the next stage. He felt that there was a difference of opinion regarding the work that had been done and

what the Chair of the Environment and Climate Committee wanted, blurring the two things. He felt that the public wanted to see the plan, and indicated that Councillor Fulton's suite of recommendations could equate to an 18 month piece of work.

Councillor Fulton, seconded by Councillor Courtney, moved the recommendations in her tabled document (A2788141):

That the Council

1. Receives the report (R26187) and its attachments (A2739648 and A2772355); and
2. Recognises the Climate Action Plan is a living document, and approves Attachment A2739648 as an Interim Climate Plan with the following amendments:
 - a Foreword from the Chair of the Environment and Climate Committee
 - b Vision, Purpose, Values and Principles based on co-benefits
 - c Layout incorporating the following four themes:
 - How we live and work,
 - How we move,
 - How we reduce consumption and waste,
 - How we stay healthy, connect to the land and take care of nature; and
3. Agrees that the Mayor, Chair and Deputy Chairs of the Environment and Climate Committee be delegated authority to approve amendments to the Interim Climate Plan and the completed version of the Interim Climate Plan by 1 December 2021; and
4. Establishes a Governance Oversight Group (GOG) consisting of Councillor Fulton (Chair), Climate Change Manager, Councillors McGurk, Courtney and O'Neill-Stevens, iwi, representatives from Nelson Tasman Climate Forum, Businesses for Climate Action, Nelson Regional Development Agency, Nelson Marlborough Health, and Forest and Bird; and
5. Agrees that the delegations of the Governance Oversight Group will be to use the Interim Climate Plan as a starting point, work with staff and consultants to create a Climate Plan by July 2022, which gives consideration to:
 - a incorporating Te Ao Māori
 - b being aspirational and ambitious

- c co-development and co-design being collaborative. co-creative and strives to reach consensus*
 - d refining qualitative and quantitative measurements to show success*
 - e Vision 2060 Framing Our Future Sustainability Strategy*
 - f Nelson City Council's Long Term Plan 2021-2031*
 - g Auckland Council's Climate Plan*
 - h United Nation's Sustainability Goals*
 - i expanding incorporation of localised Good Food Cities objectives (NMH lead)*
 - j expanding incorporation of initiatives which promote sustainable housing solutions*
 - k responses to production/embodied carbon and scope 2 and 3 emissions (Greenhouse Gas Protocol) in more detail*
 - l a just transition, climate justice and well-being in more detail; and*
 - m how we educate, inspire and motivate individual and societal behaviour change; and*
8. Agrees that the Terms of Reference for the Governance Oversight Group consistent with 4(a) – (m) above will be brought to the Council meeting on 9 December 2021 for sign off, along with the timeline for the final strategy programme.

Her Worship the Mayor noted that officer advice was needed on the recommendations.

Councillor Fulton spoke briefly to the motion, she felt that there had been confusion regarding progression of the strategic framework, which she would like completed before the end of the triennium via establishment of the proposed Governance Oversight Group.

The meeting was adjourned, to be reconvened at 9.00am on Tuesday 23 November 2021.



Minutes of a meeting of the

Nelson City Council

Te Kaunihera o Whakatū

Reconvened in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson on Tuesday 23 November 2021, commencing at 9.08a.m.

- Present: Her Worship the Mayor R Reese (Chairperson), Councillors Y Bowater, T Brand, M Courtney, 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 Strategy and Communications (N McDonald), Team Leader Governance (R Byrne) and Governance Adviser (E Stephenson)
- Apologies : Councillor Edgar for absence

9. Adoption of the Climate Action Plan (continued)

Prior to the 17 November 2021 meeting being adjourned, Councillor Fulton, seconded by Councillor Courtney, moved the following motion:

That the Council

- 1. Receives the report (R26187) and its attachments (A2739648 and A2772355); and*
- 2. Recognises the Climate Action Plan is a living document, and approves Attachment A2739648 as an Interim Climate Plan with the following amendments:*
 - a Foreword from the Chair of the Environment and Climate Committee*
 - b Vision, Purpose, Values and Principles based on co-benefits*
 - c Layout incorporating the following four themes:*

- *How we live and work,*
 - *How we move,*
 - *How we reduce consumption and waste,*
 - *How we stay healthy, connect to the land and take care of nature; and*
3. Agrees that the Mayor, Chair and Deputy Chairs of the Environment and Climate Committee be delegated authority to approve amendments to the Interim Climate Plan and the completed version of the Interim Climate Plan by 1 December 2021; and
4. Establishes a Governance Oversight Group (GOG) consisting of Councillor Fulton (Chair), Climate Change Manager, Councillors McGurk, Courtney and O'Neill-Stevens, iwi, representatives from Nelson Tasman Climate Forum, Businesses for Climate Action, Nelson Regional Development Agency, Nelson Marlborough Health, and Forest and Bird; and
5. Agrees that the delegations of the Governance Oversight Group will be to use the Interim Climate Plan as a starting point, work with staff and consultants to create a Climate Plan by July 2022, which gives consideration to:
- a *incorporating Te Ao Māori*
 - b *being aspirational and ambitious*
 - c *co-development and co-design being collaborative. co-creative and strives to reach consensus*
 - d *refining qualitative and quantitative measurements to show success*
 - e *Vision 2060 Framing Our Future Sustainability Strategy*
 - f *Nelson City Council's Long Term Plan 2021-2031*
 - g *Auckland Council's Climate Plan*
 - h *United Nation's Sustainability Goals*
 - i *expanding incorporation of localised Good Food Cities objectives (NMH lead)*
 - j *expanding incorporation of initiatives which promote sustainable housing solutions*
 - k *responses to production/embodied carbon and scope 2 and 3 emissions (Greenhouse Gas Protocol) in more detail*

*l a just transition, climate justice and well-being in more detail;
and*

*m how we educate, inspire and motivate individual and societal
behaviour change; and*

8. *Agrees that the Terms of Reference for the Governance Oversight Group consistent with 4(a) – (m) above will be brought to the Council meeting on 9 December 2021 for sign off, along with the timeline for the final strategy programme.*

A response from officers was tabled (A2790147).

Councillor Fulton, tabled a substitute motion, (A2791671).

The meeting was adjourned from 9.13am until 9.20am, during which time Councillor Skinner joined the meeting.

In response to questions, Group Manager Strategy and Communication, Nicky McDonald, confirmed that the substitute motion would mean that the timeframe and structure would change, that officers' views had not changed and that the timeframes originally suggested were not realistic.

The meeting agreed to consider the substitute motion (A2791671).

That the Council

- 1. Receives the report (R26187) and its attachments (A2739648 and A2772355); and*
- 2. Adopts Attachment A2739648 to inform the development of an Interim Climate Plan, recognising the Climate Plan will be a living document*
- 3. Establishes a Governance Oversight Group (GOG) consisting of the Cr Fulton (Chair), Cr McGurk, Courtney, and O'Neill-Stevens, supported by the Climate Change Manager, to develop a Climate Plan for adoption by Council using the following process:*
 - a. Agrees initial changes to develop an Interim Climate Plan includes:*
 - i. Addition of Foreword from Chair of Environment and Climate Committee.*
 - ii. Inclusion of Vision, Purpose, Values and Principles*
 - iii. Revised layout incorporating the following four themes i.e. How we live and work, How we move, How we reduce consumption and waste, How we stay healthy, connect to the land, and take care of nature.*

- b. Notes the Interim Climate Plan Amendments tabled in A2788141 as a document for consideration for the Governance Oversight Group to commence the revision of the Interim Climate Plan.*
 - c. Reports the Interim Climate Plan for adoption to the Environment and Climate Committee by late February/early March 2022*
- 4. Delegates the Governance Oversight Group to use the adopted Interim Climate Plan to advance development of a Draft Action Plan by engaging with iwi and community representatives including Nelson Tasman Climate Forum, Businesses for Climate Action, Nelson Regional Development Agency, Nelson Marlborough Health, and Forest and Bird to:*
 - Develop a process to incorporate Te Ao Maori.*
 - Refine qualitative and quantitative measurements*
 - Recognise Vision 2060 Framing Our Future Sustainability Strategy*
 - Consider Local Government best practice examples including the Auckland Climate Plan*
 - Reflect the UN Sustainability Goals*
 - Incorporate concepts and actions that are reflected in the Long Term Plan including partnership relationships*
 - Incorporate initiatives which promote sustainable housing solutions*
 - Develop responses to production/embodied carbon and scope 2 and 3 emissions (Greenhouse Gas Protocol) in more detail*
 - Advance a just transition, climate justice, well-being outcomes and other co-benefits in more detail*
 - Demonstrate how we educate, inspire and motivate individual and societal behavioural change*
- 5. Reports the Draft Climate Plan to the Environment and Climate Committee by late July/early August 2022 for adoption as the Climate Plan for 2022/23, including review and reporting dates for updating the plan.*
- 6. Acknowledges that some aspects of the developing the Climate Plan may occur in steps over multiple years*
- 7. Agrees that a Terms of Reference for the Governance Oversight Group will be brought to the Council meeting 9 December, 2021 for approval.*
- 8. Notes that iwi engagement to ensure a Te Ao Maori perspective is incorporated, subject to iwi approval, but may take 12-18 months to achieve incorporation into the Climate Plan.*

Ms McDonald noted that iwi would normally expect to have input into purpose, vision, values and principles, which would normally be workshopped. Questions and discussion took place on the motion,

including the mechanism for external/public input to the annual review of the plan via the Annual Plan and the Long Term Plan.

The meeting was adjourned from 9.51am until 9.52am.

Discussion took place on changes to the motion, including amending clause 3 c) from February/early March to April 2022 and to amend clause 2 to adopt the Climate Action Plan attached to the agenda report (A2739648).

Councillor Skinner raised a Point of Order against Councillor Fulton for disrespect, in that she was asking questions throughout discussion. The Point of Order was not upheld.

The motion was debated. Councillor O'Neill-Stevens advised that he would be suggesting a compromise to the motion currently being discussed.

The meeting was adjourned from 10.22am until 10.32am.

With the agreement of the mover and seconder and the meeting, the motion currently under debate was substituted.

The motion was taken in parts.

Resolved CL/2021/242

That the Council

1. Receives the report (R26187) and its attachments (A2739648 and A2772355); and

2. Adopts the Climate Action Plan (A2739648), recognising it will be a living document.

The motion was put and a division was called:

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

The motion was carried 12 - 0.

Fulton/Courtney

Carried

Resolved CL/2021/243

That the Council

- 3. Establishes a Climate Change Governance Oversight Group (CCGOG) consisting of Councillors Fulton (Chairperson), McGurk, Courtney, and O'Neill-Stevens, supported by the Climate Change Manager, to:**
- (a) Support development of the strategic framework for climate change;**
 - (b) Support engagement with Iwi and other key partners;**
 - (c) Support integration of the strategic framework and action plan;**
 - (d) Provide oversight of climate change operational work; and**
- 4. Agrees that a Terms of Reference for the Climate Change Governance Oversight Group (CCGOG) will be brought to the 9 December 2021 Council meeting for approval.**

The motion was put and a division was called:

For

Cr Bowater
Cr Courtney
Cr Fulton
Cr Lawrey
Cr O'Neill-Stevens
Cr McGurk
Cr Rainey
Cr Sanson
Her Worship the Mayor Reese
(Chairperson)

Against

Cr Brand
Cr Noonan
Cr Skinner

Apology

Cr Edgar

The motion was carried 9 - 3.

Fulton/Courtney

Carried

Attachments

- 1 A2788141 - Councillor Fulton's recommendations tabled 17Nov2021
- 2 A2790147 - Officers' responses to Cr Fulton's tabled recommendations
- 3 A2791671 - Cr Fulton's substitute motion

10. Carbon Credit Potential from Council Indigenous Forests

Document number R26311, agenda pages 25 - 44 refer.

Independent experts Ollie Belton and Peter Gorman were present via Zoom for this item. Climate Change Adaptation Adviser, Daniela Ramirez, tabled amendments to the agenda report (A2791678). Ms Ramirez summarised the amendments and the difference in costs and income.

The meeting was adjourned from 10.53am until 10.59am.

Councillor Sanson, seconded by Councillor O'Neill-Stevens, moved an alternative to the officer's recommendation

That the Council

- 1. Receives the report Carbon Credit Potential from Council Native Forests (R26311) and its attachments (A2761326, A2737347); and*
- 2. Agrees to undertake a detailed assessment of all Council land under ownership and management for eligibility in the Emissions Trading Scheme (ETS); and*
- 3. Requests that eligible Council owned and managed land (including exotic forestry) be registered into the Emissions Trading Scheme before 1 July 2022.*

Mr Belton and Mr Gorman answered questions on aspects of ETS membership.

Attendance: Councillor Fulton left the meeting at 11.19am

It was noted that a report would be considered at the 1 December 2021 Forestry Subcommittee meeting to give effect to the 24 June 2021 Council resolutions regarding independent review of Council's commercial forestry.

Questions were answered regarding the cost of registering/deregistering in the ETC.

Attendance: Councillor Fulton returned to the meeting at 11.29am

Discussion took place regarding reaching zero carbon goals, measuring emissions and offsetting to sequester carbon, commercial forestry block management, lost opportunities and viable options.

During debate Councillor Skinner raised a Point of Order against Councillor Sanson for misrepresentation in quoting incorrect figures. The Point of Order was not upheld.

The motion was taken in parts.

Resolved CL/2021/244

That the Council

- 1. Receives the report Carbon Credit Potential from Council Indigenous Forests (R26311) and its attachments (A2761326, A2737347).***

Sanson/O'Neill-Stevens

Carried

Resolved CL/2021/245

That the Council

- 2. Agrees to undertake a detailed assessment of all Council land under ownership and management for eligibility in the Emissions Trading Scheme (ETS).***

The motion was put and a division was called:

For

Cr Bowater

Cr Brand

Cr Courtney

Cr Fulton

Cr Lawrey

Cr O'Neill-Stevens

Cr McGurk

Cr Noonan

Cr Rainey

Cr Sanson

Her Worship the Mayor Reese
(Chairperson)

Against

Cr Skinner

Apology

Cr Edgar

The motion was carried 11 – 1.

Sanson/O'Neill-Stevens

Carried

Resolved CL/2021/246

That the Council

- 3. Requests that eligible Council owned and managed land (including exotic forestry) be registered into the Emissions Trading Scheme before 1 April 2022.***

The motion was put and a division was called:

For

Cr Brand

Cr Courtney

Cr Fulton

Cr Lawrey

Cr O'Neill-Stevens

Against

Cr Bowater

Cr Noonan

Cr Skinner

Apology

Cr Edgar

Cr McGurk
Cr Rainey
Cr Sanson
Her Worship the Mayor Reese
(Chairperson)

The motion was carried 9 - 3.

Attachments

- 1 A2791678 - Carbon Credit Potential from Council Indigenous Forests (R26311)

Sanson/O'Neill-Stevens

Carried

11. Recommendation from 4 November 2021 Environment and Climate Committee - Whakamahere Whakatū Nelson Plan Programme Update

Document number R26391, agenda pages 75 - 88 refer.

Manager Environmental Planning, Maxine Day spoke to the report.

Attendance: Councillors Rainey and Lawrey left the meeting at 12.03pm.

Ms Day advised that Tasman District Council had resolved to carry on with its work programme, in order to understand the options, and would pause next year.

The meeting was adjourned from 12.06 pm until 12.13pm.

Councillor Skinner moved an amendment by way of addition, seconded by Councillor Brand

During debate, Councillor Skinner raised a Point of Order against Councillor Lawrey for misrepresentation in that he said that the amendment was to increase the number of wood burners. The Point of Order was upheld.

Recommendation

That the Council

2. *e) continuing planning framework for air plan and air shed boundary rules, to ensure Council can be responsive to the future National Environmental Standards, subject to resourcing.*

The amendment was put and a division was called:

For

Cr Bowater
Cr Brand
Cr Courtney

Against

Cr Fulton
Cr Lawrey

Apology/Absent

Cr Edgar (apology)
Cr Rainey (absent)

Cr Noonan	Cr O'Neill-
Cr Skinner	Stevens
Her Worship the Mayor	Cr McGurk
Reese (Chairperson)	Cr Sanson

The amendment was carried 6 - 5.

Skinner/Brand

The substantive motion was put.

Resolved CL/2021/247

That the Council

- 1. Receives the report Whakamahere Whakatū Nelson Plan Programme Update (R26248) and its attachment (A2781941); and***
- 2. Approves the revised recommended programme, including:***
 - a) pausing work on the Whakamahere Whakatū Nelson Plan, to progress a Housing Choice Plan Change to the Nelson Resource Management Plan; and***
 - b) continuing with the freshwater planning framework development; and***
 - c) continuing with the Coastal Hazard Dynamic Adaptive Pathways planning programme; and***
 - d) considering other priorities for plan changes following the enactment of the Natural and Built Environment Act; and***
 - e) continuing planning framework for air plan and air shed boundary rules, to ensure Council can be responsive to the future National Environmental Standards, subject to resourcing.***

McGurk/Fulton

Carried

Karakia Whakamutunga

There being no further business the meeting ended at 12.28pm.

RESTATEMENTS

It was resolved while the public was excluded:

2	Code of Conduct - establishment of panel
	<p><i>That the Council</i></p> <ol style="list-style-type: none"> 1. <i><u>Receives</u> the report Code of Conduct - establishment of panel (R26343); and</i> 2. <i><u>Confirms</u> that an independent investigator may be selected from the following panel to assess Code of Conduct complaints if required:</i> <ol style="list-style-type: none"> a. <i>Bruce Robertson</i> b. <i>Neil Taylor</i> c. <i>Peter Chemis</i> d. <i>Susan Hornsby-Geluk</i> <p><i>Or sought through Equip Local Government New Zealand -; and</i></p> 3. <i><u>Agrees</u> that Report (R26343), and the decision be made publicly available.</i>

Confirmed as a correct record of proceedings by resolution on (date)

Resolved _____



**Minutes of an extraordinary meeting of the
Nelson City Council**

Te Kaunihera o Whakatū

**Held in the Council Chamber, Civic House, 110 Trafalgar Street,
Nelson on Tuesday 23 November 2021, commencing at 1.37p.m.**

- Present: Her Worship the Mayor R Reese (Chairperson), Councillors Y Bowater, T Brand, M Courtney, K Fulton, M Lawrey, R O'Neill-Stevens, B McGurk, R Sanson and T Skinner
- In Attendance: Chief Executive (P Dougherty), Group Manager Infrastructure (A Louverdis), Team Leader Governance (R Byrne) and Governance Adviser (J Brandt)
- Apologies: Councillors J Edgar and G Noonan

Karakia and Mihi Timatanga

1. Apologies

Resolved CL/2021/248

That the Council

- 1. Receives and accepts the apologies from
Councillors J Edgar and G Noonan.***

Courtney/Brand

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

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. Mayor's Report

Document number R26431

There was no Mayor's report.

6. Councillor O'Neill-Stevens Notice of Motion - 'Free Fares'

Document number R26430, agenda pages 4 - 7 refer.

Councillor O'Neill Stevens, seconded by Councillor Lawrey, moved the following motion:

That the Council

1. *Supports and adds its name to the Free Fares Campaign being coordinated by the Aotearoa Collective for Public Transport Equity, noting:*
 - a) *The campaign is advocating for the Government to provide free public transport for Community Service Card holders, tertiary students and under-25s; and*
 - b) *That supporting this campaign does not require any further actions by Council.*

Councillor O'Neill-Stevens spoke to the Notice of Motion. He answered questions, including how the Free Fares Campaign related to the Regional Public Transport Strategy and Regional Land Transport Strategy, why Central Government was the right place to advocate to, how national funding would work, thought given to active transport modes and the overall cost for New Zealand should free fares be granted.

The Notice of Motion was debated.

That the Council

1. *Supports and adds its name to the Free Fares Campaign being coordinated by the Aotearoa Collective for Public Transport Equity, noting:*

- a) The campaign is advocating for the Government to provide free public transport for Community Service Card holders, tertiary students and under-25s; and*
- b) That supporting this campaign does not require any further actions by Council.*

The motion was put and a division was called:

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

The voting on the motion was equal 5 – 5 and therefore declared lost.

O'Neill-Stevens/Lawrey

Lost

Her Worship the Mayor undertook for her and the Chairperson of the Regional Transport Committee to write to relevant Ministers to strengthen Council's submission to the Emissions Reductions Plan consultation with a view to broadening the range of issues raised regarding transport.

Karakia Whakamutunga

There being no further business the meeting ended at 2.52p.m.

Confirmed as a correct record of proceedings by resolution on (date)

Resolved

Nelson City Council Minutes - 9 September 2021



Minutes of a meeting of the

Nelson City Council

Te Kaunihera o Whakatū

Held in via Zoom on Thursday 9 September 2021, commencing at 9.04am to consider Environment and Climate Committee Reports

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

In Attendance: 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), Governance Team Leader (R Byrne), Governance Adviser (E Stephenson) and Youth Councillors (A Sayer and J Ivamy)

Apology: Councillor J Edgar

Karakia and Mihi Timatanga

Her Worship the Mayor opened the meeting with a karakia.

1. Apologies

Resolved CL/2021/176

That the Council

- 1. Receives and accepts an apology from Councillor J Edgar.***

Her Worship the Mayor/Noonan

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

In relation to Item 6 -Gambling Venues Policy Review 2021, the following councillors noted that they had interests in organisations that received funding from gaming machine proceeds, however all confirmed that they were not directly involved in the funding applications and that they could consider the matter with an open mind:

- Cr G Noonan
- Cr P Rainey
- Cr B McGurk
- Cr R Sanson
- Cr Y Bowater.

4. Public Forum

4.1. Brenda McQuillan on behalf of the Advisory Group MoH Preventing and Minimising Gambling Harm - Lived Experience

Brenda McQuillan spoke about the history of her issues with gambling machine addiction and the impact on her life. She felt the ability to self exclude from class 4 venues was a life saver. Ms McQuillan highlighted the financial harm related to gambling addiction and recommended the adoption of a sinking lid policy. She noted that she had been on gambling advisory groups for 17 years, and advocated for harm minimisation and prevention.

Ms McQuillan answered questions regarding other strategies that she thought Council should be considering, the difference between gambling machines and other types of gambling, online gambling, the effect of the cap on gambling machine numbers in new venues, community groups receiving funding from gambling machines and geographical restrictions. She advocated for local and central government to approach the problem as a whole.

5. Mayor's Report

Her Worship the Mayor gave a verbal report, noting the update to COVID-19 alert levels. She felt that alert level 2 was still a challenge for Nelson's hospitality and accommodation sector and said that the regional impacts would be reviewed through the next period.

The Mayor highlighted the challenge around food, noting that many families in this area were being supported and it was expected to continue for some time. She noted appreciation for food banks and similar schemes, and asked that people support those businesses involved.

Her Worship the Mayor vacated the Chair and Councillor Fulton assumed the Chair.

6. Gambling Venues Policy Review 2021

Document number R24818, agenda pages 6 - 29 refer.

Senior Policy Adviser, Michelle Joubert, spoke to the report and answered questions regarding the effectiveness of the current policy and limits on gambling machines and venues compared to a sinking lid policy. Ms Joubert noted that Council's Policy allowing a maximum of only five gaming machines (less than other councils), was a disincentive and a barrier for new venues to open. She advised that analysis of data provided by the Problem Gambling Foundation on 14 councils with sinking lid policies, found that a sinking lid reduced the number of gambling machines but not the gambling spend. She confirmed that having regard to the social impact of gambling was already built into the objective of the current policy.

Councillor O'Neill-Stevens signalled he would be moving an alternative motion, seconded by Councillor Sanson, that would request consultation on the policy, and that it include a sinking lid.

Group Manager Strategy and Communication, Nicky McDonald clarified the significant amount of work required to undertake a special consultative procedure, noting that other work would need to be reprioritised as a result.

In response to a question, Ms McDonald noted that the current policy location and other rules made it difficult for new gambling venues to open. She noted that Council needed to weigh up what additional benefit it thought a sinking lid policy would bring in terms of reducing gambling harm against the other priorities it wished to devote resources to. She advised that officers had evaluated the effectiveness of the current policy in making the recommendation for no change, and it was felt the policy was working as it was intended.

The meeting was adjourned from 10.17am until 10.35am.

Further questions were answered regarding data trends and impact on gambling expenditure, the effect of the strict 100 metre ATM rule on new applications, and the process for consultation under a special consultative procedure. In response to a question regarding mandatory loss limits, it was noted that this an initiative like this would be a matter for the Department of Internal Affairs and was outside the scope of Council's Policy.

A graph which contained additional information on the regional distribution of net Gambling Machine proceeds was tabled and displayed on screen. (A2746786).

Nelson City Council Minutes - 9 September 2021

Councillor O'Neill-Stevens moved the following motion, seconded by Councillor Sanson.

That the Council

1. *Receives the report Gambling Venues Policy Review 2021 (R24818) and its attachments (A2090535, A2720694); and*
2. *Notes that a review of the Council's Gambling Venues Policy (A2090535), which is required under the Gambling Act 2003 and the Racing Industry Act 2020, has been undertaken and is outlined in this report; and*
3. *Agrees that the result of the review is to ~~amend~~ consult on the Gambling Venues Policy (A2090535) to include:*
 - a) a sinking lid policy;*
 - b) an objective of reducing gambling harm; and*
4. *Determines that it is appropriate to carry out a special consultative procedure on the decision to amend the current Gambling Venues Policy (A2090535), and*
5. *Directs staff to develop a draft statement of proposal for approval.*

The meeting was adjourned from 10.59am until 11.09am.

During debate on the motion, the following Points of Order were raised:

- Her Worship the Mayor against Councillor Bowater for disrespect regarding 'provision of information on the fly', Councillor Bowater apologised as this was not her intention, the Point of Order was upheld
- Councillor Lawrey against Councillor Bowater for misrepresentation regarding the ability to introduce new material, the Point of Order was not upheld
- Councillor Noonan against Councillor O'Neil-Stevens for disrespect regarding a suggestion that there was a lack of leadership in previous decision-making on 2018, the Point of Order was upheld, the comment was withdrawn and Councillor O'Neil-Stevens apologised.

Councillor Fulton foreshadowed that if the motion was lost, she would move a motion to progress the matter under discussion.

Nelson City Council Minutes - 9 September 2021

That the Council

1. *Receives the report Gambling Venues Policy Review 2021 (R24818) and its attachments (A2090535, A2720694); and*
2. *Notes that a review of the Council's Gambling Venues Policy (A2090535), which is required under the Gambling Act 2003 and the Racing Industry Act 2020, has been undertaken and is outlined in this report; and*
3. *Agrees that the result of the review is to consult on the Gambling Venues Policy (A2090535) to include:*
 - a) a sinking lid policy;*
 - b) an objective of reducing gambling harm; and*
4. *Determines that it is appropriate to carry out a special consultative procedure on the decision to amend the current Gambling Venues Policy (A2090535), and*
5. *Directs staff to develop a draft statement of proposal for approval.*

The motion was put and a division was called:

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

The motion was lost 5 - 7.

Attendance: Councillor Skinner left the meeting at 11.30 am. and Councillor Rainey left the meeting at 11.44am.

Councillor Fulton moved a motion to progress the matter under consideration, seconded by Councillor McGurk.

During debate on the motion, the following Points of Order were raised:

- Councillor Fulton against Councillor Lawrey for misrepresentation regarding Council not wanting to undergo a special consultative process, the Point of Order was upheld
- Councillor Lawrey against Councillor Fulton for misrepresentation, in that he had not implied that the existing policy was pro-gambling, the Point of Order was not upheld.

Nelson City Council Minutes - 9 September 2021

The motion was taken in parts.

Resolved CL/2021/177

That the Council

- 1. Receives the report Gambling Venues Policy Review 2021 (R24818) and its attachments (A2090535, A2720694); and***
- 2. Notes that a review of the Council's Gambling Venues Policy (A2090535), which is required under the Gambling Act 2003 and the Racing Industry Act 2020, has been undertaken and is outlined in this report; and***
- 3. Agrees that the result of the review is that no change is needed to the current Gambling Venues Policy (A2090535); however***
- 4. Determines that it is not appropriate to carry out consultation or any further engagement on the decision to retain the current Gambling Venues Policy (A2090535) without change.***

The motion was put and a division was called:

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

The motion was carried 7 - 3.

Fulton/McGurk

Carried

Resolved CL/2021/178

That the Council

- 5. Directs that at the next review of the Gambling Venues Policy staff are to bring forward a proposal to consult with the community on including a sinking lid clause and a new objective of reducing gambling harm.***

The motion was put and a division was called:

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

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Cr Rainey

The motion was carried 6 - 3.

Fulton/McGurk

Carried

Resolved CL/2021/179

That the Council

6. Determines that it is not appropriate to carry out consultation or any further engagement on the decision to retain the current Gambling Venues Policy (A2090535) without change.

The motion was put and a division was called:

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

Fulton/McGurk

Carried

Attachments

1 A2746786 regional distribution of net Gambling Machine proceeds graph

7. Submission on the Natural and Built Environment Draft Exposure Bill

Document number R26121, agenda pages 30 - 48 refer.

The cover letter for the submission on the Natural Built Environment was tabled (A2720683).

Manager Environmental Planning, Maxine Day, spoke to the report, noting that the Draft Exposure Bill had not contained enough detail to allow Council to make a detailed submission. She said that the point about elected member representation on planning committees had also been raised by a number of parties, and that officers could provide more feedback if requested.

Ms Day answered questions regarding the Draft Exposure Bill and Council's submission, including giving effect to Treaty of Waitangi principles, the speed for plan change processes, the need for a clear national planning framework and limits, common submission themes and

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regional boundaries. Her Worship the Mayor noted that she would be happy to work on additional feedback after the meeting.

Resolved CL/2021/180

That the Council

- 1. Receives the report Submission on the Natural and Built Environment Draft Exposure Bill (R26121) and its attachment (A2721199); and***
- 2. Approves retrospectively the submission on the Natural and Built Environment Draft Exposure Bill.***

McGurk/Fulton

Carried

Attachments

- 1 A2720683 - Cover letter for the submission on the Natural Built Environment

8. Environmental Management Activity Management Plan - Mahere Taiao (2021-2031)

Document number R22662, agenda pages 49 - 98 refer.

Group Manager Environmental Management, Clare Barton, spoke to the report, which focused on issues and outcomes and answered questions regarding funding and work programmes, partnerships with other local authorities, progress on the Maitahi development and recording of the number of trees planted to link into emissions reduction.

Resolved CL/2021/181

That the Council:

- 1. Receives the report Environmental Management Activity Management Plan - Mahere Taiao (2021-2031) (R22662) and its attachment (A2480683); and***
- 2. Adopts the Environmental Management Activity Management Plan - Mahere Taiao (2021-2031) (A2480683) of report R22662.***

McGurk/Courtney

Carried

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9. Environmental Management Quarterly Report - 1 April - 30 June 2020

Document number R26079, agenda pages 99 - 150 refer.

An Environmental Management 2020 - 21 Achievements Presentation (A2742898) and a Climate Change Achievements Presentation (A2743175) were provided.

Group Manager Strategy and Communication, Nicky McDonald, highlighted Council's climate change achievements and answered questions regarding incentivising sustainable building, the draft Climate Action Plan and Council's climate change team.

Attendance: Councillor Noonan returned to the meeting at 1.45pm.

Resolved CL/2021/182

That the Council

- 1. Receives the report Environmental Management Quarterly Report - 1 April - 30 June 2020 (R26079) and its attachments (A2725276, A2692511, A2700782, A2719763, A2713286, A2717558 and A2711918).***

Fulton/Courtney

Carried

Attachments

- 1 A2742898 - Environmental Management 2020 - 21 Achievements Presentation
- 2 A2743175 - Climate Change Achievements

Karakia Whakamutunga

Her Worship the Mayor closed the meeting with a karakia.

There being no further business the meeting ended at 1.55pm.

Confirmed as a correct record of proceedings by resolution on (date)

Resolved

Nelson City Council Minutes - 19 October 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 Tuesday 19 October 2021, commencing at 2.05p.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 Strategy and Communications (N McDonald), Kaihautū (P Lee), Team Leader Governance (R Byrne) and Governance Adviser (J Brandt)
- Apologies :** Nil

Karakia and Mihi Timatanga

Attendance: Councillor Skinner joined the meeting at 2.06p.m.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

There was no change to the order of business.

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.

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5. Confirmation of Minutes

Document number R26329, agenda pages 7 - 12 refer.

Corrections to the minutes were tabled (A2773385).

Resolved CL/2021/221

That the Council

- 1. Confirms the amended minutes of the meeting of the Council, held on 5 October 2021, as a true and correct record.***

Her Worship the Mayor/Edgar

Carried

Attachments

- A2773385 - Amended Minutes 5Oct2021

6. Mayor's Report

Document number R26326, agenda pages 13 - 14 refer.

Her Worship the Mayor spoke about the Government's new housing policy, the Housing Supply Bill, and that there would be an opportunity for Nelson City Council to make a submission.

The Mayor noted that four out of five of Council's applications to the Infrastructure Acceleration Fund (IAF) were accepted to proceed to the Request for Proposal stage. The Chief Executive, Pat Dougherty, noted that work was under way to put together an IAF project team.

Attendance: Councillor Fulton joined the meeting at 2.17p.m.

The Mayor answered questions about the Science and Technology Precinct Advisory Group's Terms of Reference and about the International Urban and Regional Cooperation Programme.

Resolved CL/2021/222

That the Council

- 1. Receives the report Mayor's Report (R26326).***

Her Worship the Mayor/Courtney

Carried

7. Representation Review - Final Proposal

Document number R26244, agenda pages 15 - 118 refer.

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Manager Governance and Support Services, Devorah Nicuarta-Smith, presented the report. She answered questions about the appeals and objection process following public notification of the final proposal.

Her Worship the Mayor noted that she preferred a four-ward model without an 'at large' ward.

Her Worship the Mayor, seconded by the Deputy Mayor, moved the following motion:

Recommendation

That the Council

1. *Receives the report Representation Review - Final Proposal (R26244) and its attachments (A2751168, A2755743 and A2747943); and*
2. *Amends the initial proposal so as to provide that the Council's final proposal is as follows:*
 - a. *That the Nelson City Council consists of a Mayor and 13 councillors; and*
 - b. *That four General Wards be established as follows:*

Name	Boundaries
Northern Hills Ward	As outlined as North-East Ward in attachment 3 (A2747943)
Central Ward	As outlined in attachment 3 (A2747943)
Southern Coastal Ward	As outlined in attachment 3 (A2747943)
Southern Hills Ward	As outlined in attachment 3 (A2747943)

- i. *Noting that the Whakatū Māori ward was established for the 2022 and 2025 local government elections on 13 May 2021, a decision*

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which cannot be appealed to the Local Government Commission; and

- c. That a ward-only system of voting be established, as follows, noting Ward names will be confirmed:*

	Members	Popn. per Ward councillor
At large (all voters)	Mayor	N/A
Northern Hills Ward (General Roll)	Three councillors	4,080
Central Ward (General roll)	Three councillors	4,530
Southern Coastal Ward (General Roll)	Three councillors	4,233
Southern Hills Ward (General Roll)	Three councillors	4,170
Whakatū Māori Ward (Māori roll)	One councillor	3,320

and

- d. That no community boards be established; and*

3. Agrees that key reasons for its adoption of the final proposal, and for refusing submissions that advocated for a different approach, include:
- a. *A single general ward with ward-only voting would only allow those on the Māori roll to vote for the Mayor and the Māori ward councillor, while those on the general roll would be able to vote for the Mayor and 11 general ward councillors, creating a perceived imbalance in participation opportunities between those registered for each roll.*

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- b. It is anticipated that a single general ward with mixed system voting would create a high level of confusion; as the general ward would encompass the full Nelson electoral boundary, ward councillors and at-large councillors would be campaigning for exactly the same area;*
- c. There was greater community support for four or more general wards than for a three ward model;*
- d. A four ward model provides increased balance in the 'population per councillor' metric across all wards to that of a two ward model, noting that this metric is an important contributor towards assessing fair representation.*

Ms Nīcuarta-Smith answered questions about the naming of wards, reasons for officers recommending a two-ward mixed model, how it compared to a four-ward model, geographical boundaries for wards, the impact of Single Transferable Vote, and the number of councillors in the Māori Ward.

The meeting was adjourned from 3.15p.m. to 3.21p.m.

Elected Members debated the motion.

During debate, Councillor Fulton raised a Point of Order against Councillor Lawrey that under Standing Order 24.2 (d) a potentially misleading statement had been made in the description of the voting system as it did not take into account that Nelson was moving to a Single Transferable Vote. The Mayor upheld the Point of Order.

Councillor Rainey raised a Point of Order against Councillor Skinner that under Standing Order 24.2 (c) his opinion on the motion was irrelevant as it was clear the motion would be lost. The Mayor did not uphold the Point of Order.

The motion was put and a division was called:

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

The motion was lost 6 - 7.

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Councillor Sanson, seconded by Councillor Brand, moved an alternative motion, with the spelling of 'Tahuna' amended to 'Tahunanui' in ward names:

Resolved CL/2021/223

That the Council

- 1. Receives the report Representation Review - Final Proposal (R26244) and its attachments (A2751168, A2755743 and A2747943); and***
- 2. Adopts the initial proposal as the Council's final proposal, noting therefore that the final proposal is as follows:***
 - a. That the Nelson City Council consists of a Mayor and 12 councillors; and***
 - b. That two General Wards be established as follows:***

Name	Boundaries
Central Ward	As outlined in attachment 3 (A2747943)
Stoke-Tāhunanui Ward	As outlined in attachment 3 (A2747943)

- 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

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Central Ward (General roll)	Four councillors	6,458
Stoke- Tāhunanui 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 key reasons for its adoption of the final proposal, and for refusing submissions that advocated for a different approach, include:

- a. A single general ward with ward-only voting would only allow those on the Māori roll to vote for the Mayor and the Māori ward councillor, while those on the general roll would be able to vote for the Mayor and 11 general ward councillors, creating a perceived imbalance in participation opportunities between those registered for each roll.*
- b. It is anticipated that a single general ward with mixed system voting would create a high level of confusion; as the general ward would encompass the full Nelson electoral boundary, ward councillors and at-large councillors would be campaigning for exactly the same area;*
- c. A three ward model can only achieve compliance if all councillors are elected by ward and also requires an increase in the total number of councillors which has not been supported by the community;*
- d. Models with larger numbers of wards also typically require a larger total number of councillors which has not been supported by the community; and*
- e. A four ward model and six ward model are not supported by information held on communities of interest in Nelson.*

Sanson/Brand

Carried

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Karakia Whakamutunga

There being no further business the meeting ended at 4.36p.m.

Confirmed as a correct record of proceedings by resolution on (date)

Resolved

REPORT R26350

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 (R26350) and its attachment (A2798220); and***
- 2. Approves Councillor Brian McGurk as the third Nelson City Council elected member on the Joint Committee subcommittee to hear and deliberate on the draft Future Development Strategy; and***
- 3. Notes that Joint Committee will confirm appointments on the subcommittee to hear and deliberate on the draft Future Development Strategy at its first meeting in 2022.***

3. Updates

Representation Review

- 3.1 Following public notification of Council's final proposal adopted on 20 October 2021, an appeals period of just over a month was opened in line with the requirements of the Local Electoral Act 2001. During this period any person who made a submission on the Council's initial proposal was able to lodge an appeal against the Council's decision as long as it related to the matters raised in that person's submission.
- 3.2 Council received one appeal during this period (Attached A2798220). There is no provision in the Local Electoral Act 2001 for the acceptance of late appeals.

Item 9: Mayor's Report

- 3.3 The appeal has been provided to the Local Government Commission, which has also already received Council's representation documentation throughout the process to date. The Commission will consider the appeal in a process which may involve hearings with relevant parties if it requires. It will then make a determination on the representation arrangements that will apply for the Nelson City Council 2022 local elections. The Commission must make its determination by April 2022.

Appointment to Joint Committee Subcommittee to hear and deliberate on the Future Development Strategy 2022

- 3.4 At its meeting on 2 November 2021 the Joint Committee approved a Subcommittee to oversee the special consultative procedure for the draft Future Development Strategy 2022.
- 3.5 The subcommittee comprises three Elected Members from each Council (Mayor, Deputy Mayor and one other) and up to three Mātauranga Māori representatives.
- 3.6 Councillor McGurk was put forward as Nelson City Council's third elected member. Tasman District Council did not have a preferred elected member and during debate it was agreed that each individual Council would decide who their third representative would be and that the Joint Committee would confirm this appointment at its first meeting in 2022.

Mayoral Discretionary Fund

- 3.7 The Mayor donated \$1,200.00 from her Mayoral Discretionary Fund as a contribution towards costs associated with the re-opening of Nelson Market at Labour weekend. The money was put towards fencing barriers for the entrances to the market.
- 3.8 The Mayor donated \$150.00 from her Mayoral Discretionary Fund as a koha towards costs associated with the attendance of James Alan Reneti, Tuia rangatahi, when he attended the regional gathering of Tuia in Christchurch in November 2021. The koha was a contribution towards accommodation, kai and transport costs incurred at the wananga.

Emergency COVID fund expenditure

- 3.9 Two grants were approved from the Covid Emergency Fund in November.
- Nelson Whakatū Muslim Association: \$3000.00
 - Studio One Collective: \$2000.00
- 3.10 Both grants were to subsidise a loss of revenue due to the Covid-19 resurgence. Both organisations provide community venues and events that reduce social isolation for specific communities
- 3.11 The fund has a balance of \$25,329 remaining as at 30 November 2021.

Item 9: Mayor's Report

Author: Rachel Reese, Mayor of Nelson

Attachments

Attachment 1: A2798220 - Appeal to representation review final proposal [↓](#)

NELSON CITIZENS ALLIANCE

NCC REPRESENTATION REVIEW

SUBMISSION APPEAL

- The Nelson Citizens Alliance wishes to advise the Nelson City Council and the Electoral Commission that the inclusive statements as below, form the basis for its substantive submission appeal.
- Due to the OPTION 6 being the core to the original submission we express the desire for the Electoral Commission to view this Appeal favourably, to reinstate this option.

REPRESENTATION REVIEW INTRODUCTORY STATEMENTS

Representation review – from NCC Website

"Reviewing our representation arrangements is to achieve fair and effective representation in Nelson City".

NELSON CITY COUNCIL's Group Manager Strategy and Communications Nicky McDonald said – "An important consideration for the Representation Review will be achieving balanced and fair representation for everyone in Nelson, regardless of the electoral roll they happen to be on".

"Fairness and effectiveness are fundamental requirements for any representation proposal."

The review also considers whether Nelson should have community boards and, if so, the number of boards, their names and boundaries, and the number of members.

Nelson Mayor Rachel Reese encouraged people to take this opportunity to help "shape the way our local democracy works".

"This is a chance to influence how you are represented as a community, which is a key part of any democracy".

"In 2022 I will be encouraging everyone to get out and vote, but this year I want as many people as possible to give feedback to help shape the representation review."

Take our Representation Review survey, and let us know what you think about local government representation structures for Nelson City Council at: <https://shape.nelson.govt.nz/representation-review>.

NELSON CITY COUNCIL's REPRESENTATION REVIEW

OWN INITIAL PROPOSAL

Recommendation 12 August 2021: That the Nelson City 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

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.

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

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

WARDS

- The way Nelson elects councillors will change for the 2022 local elections, after Nelson City Council chose a preferred representation option that introduces wards, at a Council meeting on Thursday, 12 August, 2021.
- Council was already scheduled to carry out a representation review in 2021, but a decision in May 2021 to create a Māori ward prescribed as compulsory by the local Government Minister, made the review mandatory.
- Councillors voted on a preferred option to segment Nelson into:
 - Two general wards to be created alongside the Māori Ward.
 - One ward would be for north, and central Nelson, including Bishopdale – provisionally called the Central Ward.
 - The other ward would cover Stoke, Tahunanui and Marsden Valley – provisionally called the Stoke-Tahuna Ward. The boundaries of each ward are outlined in the Wards map.
- Submissions had to be made online at shape.nelson.govt.nz/representation-review, by email to elections@ncc.govt.nz, or by mail to Deborah Nicuarta-Smith, Nelson City Council, PO Box 645, 7040.
- Submissions were received by Nelson City Council by **Friday 17 September 2021**.

The population that each member will represent is as follows:

Ward	Population 2018 Census	Members	Population per member
Central Ward	25,830	4	6,458
Stoke-Tahuna Ward	25,480	4	6,370
Whakatū Ward	3280	1	3280
At Large	(54,590)	3	N/A
Total	54,590	12	

In accordance with section 19V(2), Local Electoral Act 2001 the population that each member represents must be within the range of 6414 +/- 10% (5773 to 7055), unless particular community of interest considerations justify otherwise.

SIGNIFICANT FEATURES OF NOTE from the NELSON CITY COUNCIL's REPORT 12.8.21

(PP 137 -196)

Sections 1,3 & 7

(Pp.163 -164) (1) Fit with Purpose of Local Govt.

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.**

(3) Risk

In agreeing on an initial proposal, Council must consider the requirements of **fair and effective representation and what arrangements will best provide these for the Nelson community.**

(7) Inclusion of Maori in the decision-making process

Regular discussion has taken place on representation matters through the IWI – NCC Partnership hui

SPECIAL NOTE: Govt. have legislated to ensure Maori are represented on local councils

NELSON CITY COUNCIL's SURVEY ON WARDS AND REPRESENTATION OF COUNCILLORS

Results (pp.166-172)

Note: Survey based on **only 249** responses Nelson wide.

Survey 4. Would you prefer to:

- Vote for the **Councillors in your Ward** and the Mayor. **27%**
- Vote for the **Councillors in your Ward**, some Councillors at large and the Mayor. **52%**
- *These are well contrived proposals. If you total both of the very similar proposals it is voting for a similar outcome!!* **Total for WARD COUNCILLORS 79%**

Survey - irrelevant collection of data:

- **What Age Group do you fit into.** Why? Note the response by largest group – **65–74-year-olds**
- **Gender Survey –52% males 36% females**
- **Ethnic Survey – European 66% - 6% Maori response**
- Note – Maori involvement in the survey is extremely low interest in Local Council affairs but get a seat via the Govt. legislation directive.

As well - in knowledge of this anomaly Maori also get more voting options than all other ratepayers. They can vote for Maori, the candidates in the At Large Ward and Mayor. All others cannot vote for Maori candidates who the local ratepayers will unlikely get to see publicly before their own selection.

There is no democratic accountability in this action for a group of Nelson City ratepayers, As at the 2018 Census Nelson's population was 54 590 and Maori 3280.

NOTE In the NCC survey the 2 categories of interest showed votes were totalled together as **79%** wanting to vote for Ward Councillors.

- This confirms that the ratepayers definitely want exposure and accountability of candidates for election and ultimately **THEIR WARD (district) COUNCILLORS.**
- They want to know who will represent their local community,
- They don't want political parties as at present (GREENS) block voting and seriously influencing the city's directions.
- The people want a Councillor they can have confidence in approaching like a good area MP.

POINTS TO CONSIDER

1. **NCC Councillors voted for themselves for Option 4a - the option of least accountability** and exposure to the ratepayers. The survey and outcomes have naturally been well endorsed then engineered to suit Councillors.
This action doesn't fit the **fundamental process supporting democratic decision-making and action by, and on behalf of, the community.**
 - The minimal ratepayer's response displays the low interest and apathy on who responded.
2. **To establish a goal to ensure the greatest accountability of Councillor Candidates** for next year's election makes the challenge to the Ward Option (4a) and consider either a case for Option 6.
 - Option 6 will help to provide greater Candidate exposure to ratepayers and opportunities for this to reflect in the local media outlets.
 - It will encourage Candidates to focus on establishing themselves as a convincing Councillor Candidate to represent the people of Nelson City.
3. **Option 4(a) will only ensure:**
Less accountability, less fairness, less democratic selection and less exposure of Council Candidates for the electorate to be able to scrutinise.

NELSON CITIZENS ALLIANCE

NELSON CITIZENS ALLIANCE SUBMISSION PROPOSAL for COUNCILLOR REPRESENTATION

- ❖ This OPTION 6 was discussed for 3 hours and Councillors voted 7 AGAINST and 6 FOR the Proposal
- ❖ The NCC Mayor considered it a good proposal and voted FOR it.
- Four (4) General Wards + One (1) Maori Ward
- Total 13 Councillors + Mayor
- Election of Councillors by Ward only as similar to the Maori Ward

OPTION 6

Wards	Councillors Per Ward	Population Per Councillor	Population at 2018
At large (all voters)	Mayor	54590	54590
North – East Ward	3	4080	12240
Central Ward	3	4530	13500
Southern Coastal Ward	3	4233	12970
Southern Hills Ward	3	4170	12510
Whakatū Māori Ward (Māori roll)	1	3,320	3320
Totals	13 + Mayor		

OPTION 6

REPRESENTATION – ELECTORS CAN VOTE FOR THE FOLLOWING NUMBER OF MEMBERS

General Roll	General Roll	General Roll	General Roll	Maori Roll
North-East Ward	Central Ward	Southern Coastal Ward	Southern Hills Ward	Whakatu Ward
1 Mayor	1 Mayor	1 Mayor	1 Mayor	1 Mayor
3 General Ward Councillors	3 General Ward Councillors	3 General Ward Councillors	3 General Ward Councillors	1 Maori Ward Councillor

NOTE: *The Nelson Citizens Alliance will be placing a request to the Council in order to present details of this submission at the next Council Meeting Public Forum.*

(This was accepted and the NCA representative spoke re- the Submission for approximately 15 minutes

REQUIREMENTS SUGGESTED FOR NCC FOR A REPRESENTATION REVIEW

NELSON CITIZENS ALLIANCE wish to encourage all representation decisions to focus on:

- **Fit for Purpose of Local Government** – *Local Electoral Act (2001)*
 - *The fundamental process must support democratic decision making and action by, and on behalf of, the community*
- **Risk** - NCC must consider requirements of fair and effective representation and what arrangements will best provide these for the Nelson community
- **NCC Survey Results** - Note: This survey received only 249 responses.
- *A poor survey response was largely due to a lack of publicity from NCC on this extremely important decision. Nelsonians were asked to respond to the survey with next to no knowledge of the options of the Representation Review. Local media articles and advertisements were not available.*
- *The NCC recommendations were driven by a minimal representative cluster of the 65-74 age group.*
- The survey was established to receive opinion feedback that supported an already pre-established Representation Format - i.e., Option 4(a)
- Survey Outcomes:
 - **Vote for Councillors in your Ward and the Mayor = 27%**
 - **Vote for Councillors in your Ward, some Councillors and the Mayor At Large = 52%**

NELSON CITIZENS ALLIANCE strongly contends that:

- ❖ Both of these survey options are very similar and thus results amalgamated display what 79% of respondents really wanted.
- ❖ Survey respondents largely indicated they would like to see the Councillors in Wards to ensure voters could visibly see them. They would be able to fairly select the best candidate standing.
- ❖ This is Fair and Democratic action as indicated in the *Local Electoral Act* and expounded by NCC.
- ❖ Option 4(a) has been selected by current Councillors – not by an Independent Advisor/Panel.
- ❖ Option 4(a) suits many current councillors as it provides the best avenue to being re-elected.
- ❖ In Option 4(a) new candidates have greater difficulty in being elected due to their unknown qualities and exposure.

Option 4(a) will ensure: Less accountability, less fairness, less democratic selection and less exposure of council candidates for the electorate to scrutinise.

NELSON CITIZENS ALLIANCE advocates that NCC adopts OPTION 6 on the basis of:

1. Greater exposure and accountability for all possible candidates up for election
2. Far greater opportunities for the public to view and scrutinise candidates pre-election
3. Greater possibilities for local connection and access for the people of the Councillor's ward
4. Greater opportunities for Councillors to become involved in their own community activities
5. This will provide greater diversity and representation of a range of socio-economic groups
6. This will provide a lesser likelihood that block votes can be engineered by groups with national political affiliations/parties. Ultimately this will pave the way for openness and greater independence for decision making at meetings. This will ensure Councillors focus on what is best for Nelson.

NELSON CITIZENS ALLIANCE

SUMMARY STATEMENT

- The Nelson Citizens Alliance wishes to thank the Nelson City Council Staff, Councillors and the Electoral Commission in providing the opportunity to review this submission as an Appeal. The all-inclusive statements form the basis for its substantive submission appeal.
- Due to the OPTION 6 being the core to the original submission we express the desire for the Electoral Commission to view this Appeal favourably and thus to reinstate this option.



Council

9 December 2021

REPORT R26436

Status Report - Council - 9 December 2021

1. Purpose of Report

2. Recommendation

That the Council

- 1. Receives the report Status Report - Council - 9 December 2021 (R26436) and its attachment (A1168168); and***

Author: Robyn Byrne, Team Leader Governance

Attachments

Attachment 1: A1168168 Council Status Report - 08 December 2021 [↓](#)

Status Report – Council - 8 December 2021

^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
9/09/2020	City Streets for People Deliberations Report	<p><i>That the Council</i></p> <p><i><u>Approves</u> the completion of the City Centre Spatial Plan as a first priority for the City Development Team, noting the Spatial Plan will be aligned with the Parking Strategy; and</i></p> <p><i>Supports the work in the City Centre by allocating:</i></p> <p><i>\$200,000 unbudgeted operating expenditure</i></p> <p><i>\$400,000 capital expenditure</i></p> <p><i>Reallocating the Annual Plan capital budget for this work to:</i></p> <p><i>2021/2022 year \$1.2M</i></p> <p><i>2022/2023 year \$1.5M</i></p> <p><i><u>Accepts</u> budgets may need to be adjusted to allow for appropriate sequencing and agrees the purpose of this funding is to advance the pedestrian and place-making aspirations anticipated in the Spatial Plan, noting that engagement and design commences during the 2020/21 year and delivery and implementation commences during the 2021/22 year.</i></p>	Barton, Clare	<p>1. Te Ara ō Whakatū – Nelson City Centre Spatial Plan is nearing completion. Spatial Plan is the priority for the City Centre Development Programme Lead. Draft Spatial Plan reported to Council 26 August 2021. Adoption of the plan is expected come to Council on 9 December 2021.</p> <p>2. Capex and Opex for FY20/21 are committed. Opex for various consultant expertise engagements and Capex mostly on Council approved multi-function lights in Upper Trafalgar. The budgets for 21/22 and 22/23 are included in the LTP for City Centre (or CBD Enhancement or whatever the budgeted activity is)</p> <p>3. We acknowledge some budget adjustment might be needed across the three year programme</p> <p>4. Acknowledged with future Sfp tactical projects. These projects will be considered following adoption of Spatial</p>

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><u>Notes</u> where tactical works are implemented they need to be of a scale that is able to be evaluated, and while they are moveable and removable, in order to test them the expectation is that they will be in place for at least 3 years; and</p> <p><u>Supports</u> the City Development Team in engaging with city centre stakeholders on tactical and permanent, resilient, quality and smart enhancement of Nelsons City Centre; and</p> <p><u>Accepts</u> the Waka Kotahi funding offer will be relinquished and acknowledges the support from Waka Kotahi; and</p> <p><u>Notes</u> officers will have follow up discussions with Waka Kotahi for future funding opportunities.</p>		<p>Plan, including activities in 21/22 and 22/23.</p> <p>5. Pre- Engagement and public feedback on Spatial Plan have been completed</p> <p>6. Funding was relinquished from successful City Centre application but utilised locally for the Nelson South project on Kawai Street</p> <p>7. Relationships at officer level with Waka Kotahi ongoing, including continued participation on Streets for People (Major Town Centre cluster) and TAG member on Urban Streetscape Guide development</p> <p>Ongoing</p>
11/05/2021	Options for Increasing Māori Representation on Committees and Subcommittees	<p><i>That the Council</i></p> <p><u>Receives</u> the report Options for Increasing Māori Representation on Committees and Subcommittees (R22652); and</p>	McDonald, Nicky	<p>As at mid-November 2021, advice on preferred nominees for the committee and subcommittee roles have yet to be received from iwi.</p> <p>Ongoing</p>

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><u>Establishes</u> roles to represent Māori in each of the following governance bodies of Council:</p> <p>Community and Recreation Committee</p> <p>Infrastructure Committee</p> <p>Audit, Risk and Finance Subcommittee</p> <p>Forestry Subcommittee</p> <p><u>Directs</u> Officers to liaise with iwi and seek nominations for an appropriate candidate for each role.</p>		
18/02/2021	Options for a Climatorium	<p>That the Council</p> <p><u>Receives</u> the report Options for a Climatorium (R20301) and its attachment (A2398703); and</p> <p><u>Supports</u> Wakatū Incorporation's approach of developing a business case for the development of a Climatorium; and</p> <p><u>Agrees</u> that planning for any library redevelopment in the Mahitahi River Precinct should recognise the potential development of a Climatorium on Wakatū Incorporation land; and</p>	McDonald, Nicky	<p>Officers continue to liaise with Wakatū and offer support as they work to develop the Climatorium project. Ongoing</p> <p>A Climatorium conference will be held in Denmark in August 2022 and Wakatu is liaising with counterparts in Denmark over this and other collaboration opportunities.</p>

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><u>Agrees</u> to work with Wakatū Incorporation to convene a meeting with representatives from government, industry, research institutions, and the community to explore the opportunity for Nelson to become a centre for climate change mitigation, adaptation and resilience research and innovation; and</p> <p><u>Requests</u> that progress on the development of the Climatorium is reported to Council on a regular basis via the Mayor's Report.</p>		Ongoing.
1/07/2021	Nelson Regional Development Agency Statement of Intent 2021 - 2024	<p>That the Council</p> <p><u>Receives</u> the report Nelson Regional Development Agency Statement of Intent 2021 - 2024 (R25848) and its attachment (A2679638); and</p> <p><u>Agrees</u> 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</p> <p><u>Approves</u>, in principle, the Nelson Tasman Regeneration Plan/Project Kōkiri 2.0; and</p>	McDonald, Nicky	<p>NRDA is presenting to the 8 December 2021 meeting on these matters.</p> <p>Complete</p>

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		<p><u>Agrees</u> 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</p> <p><u>Notes</u> 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</p> <p><u>Endorses</u> the Mayor as Council's representative on the Project Kōkiri Leadership Group.</p>		
18/05/2021	Elma Turner Library - Deliberations on Submissions to the Long Term Plan 2021-31 and Business Case	<p>That the Council</p> <ol style="list-style-type: none"> 1. Receives the report Elma Turner Library – Deliberations on Submissions to the Long Term Plan 2021 – 31 and Business Case (R24785) and its attachment (A2630896). 2. Reconfirms that, having considered submissions on the Long Term Plan 2021-31 and having considered the business case, Council's preferred option is to build a new library building on the corner of Halifax Street and Trafalgar Street, within the Riverside Precinct, subject to agreement with Wakatū Incorporation on a land exchange involving that site 	White, Andrew	<p>September: Resolution 4 has been amended by Council to enable preparation on other workstreams to proceed concurrently with land exchange negotiations.</p> <p>September: (Resolution 2) Flood mitigation report for the preferred library site presented to Council, with</p>

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		and the current library site, and completion of a flood mitigation plan for the proposed building footprint including consideration of effects on adjoining sites.		recommendations accepted by Council.
	3.	Confirms that, prior to negotiations taking place:		October: (Amended resolution 4) Project structure approved by Council.
		<ul style="list-style-type: none"> Council will approve the land exchange negotiating team and its brief; and 		
	4.	Confirms that, on completion of negotiations:		October (Amended resolution 4) Mayor, Deputy Mayor, Councillor O'Neill-Stevens and Councillor McGurk were appointed to the Nelson Central Library Governance Reference Group
		<ul style="list-style-type: none"> Council will approve the community engagement process (including a communication strategy), project management and governance approach, procurement process, financial management, and reporting and approvals processes for the proposed new library building and landscaping; and 		
	5.	Notes that under best practice a Quality Assurance Framework is used for the life of the project		(Resolution 3) Land exchange negotiation brief to be presented to 9 December Council meeting for consideration following two confidential briefings for EMs on this matter.
	6.	Confirms that prior to design		
		<ul style="list-style-type: none"> Council will approve the level of any shared community spaces (including provision for community organisations) in the library building project scope; and Council will approve climate change mitigation and environmental sustainability objectives for the new library building and surrounding landscaping; and 		Ongoing
	7.	Noting the guiding principle of developing an accessible community space, that officers also consider housing opportunities in the planning		

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		<p>process and to report to Council on considerations; and</p> <p>8. Confirms that, should negotiations with Wakatū Incorporation on a land exchange be unsuccessful, officers will seek confirmation from Council to proceed with Option Four – to construct a new high specification library on the current site; and</p> <p>9. Confirms that no financial contribution has been committed by Council to Wakatū Incorporation to support construction of the Climatorium.</p>		
18/05/2021	Deliberations on Submissions to the Long Term Plan 2021-31 Consultation and Related Matters – Science and Technology Precinct	<p>That the Council</p> <p>Science and Technology Precinct</p> <p>21. Notes that the estimated \$2.8 million capital funding for realigning Council's stormwater pipe will be transferred into the stormwater activity and depreciated; and</p> <p>22. Approves a carry forward from 2020/21 to Year 1 of the Long Term Plan 2021-31 of the \$1.5 million capital grant, payable to the Cawthron Institute (on the signing of the sale and purchase agreement between Port Nelson and the Cawthron Institute); and</p> <p>23. Approves bringing forward \$2 million for the Science and Technology Precinct project from Year 2 to Year 1 of the Long Term Plan 2021-31; and</p> <p>24. Approves a loan funded capital grant of up to \$1.2 million to Port Nelson as Council's contribution towards the development at the Science and Technology</p>	Harrison, Nikki	<p>Council approved unbudgeted additional capital funding of \$226,000 for the relocation of the stormwater reticulation on 2 September 2021 increasing total Precinct contribution to \$5.726m. Works are due for completion by February 2022.</p> <p>Ongoing</p>

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		<p><i>Precinct, payable to Port Nelson on completion of the works; and</i></p> <p>25. <i>Approves a provision of \$500,000 additional funding in Year 1 of the Long Term Plan 2021-31 (bringing the total Council contribution to \$5.5 million) towards the Science and Technology Precinct; and</i></p> <p>26. <i>Notes that the total Council contribution towards the Science and Technology Precinct will be \$5.5 million in Year 1 of the Long Term Plan 2021-31.</i></p>		
18/05/21	Proposed New Company Model for Nelson Airport and Port Nelson	<p><i>That the Council</i></p> <p>1. <i>Receives the report Proposed new Company Model for Nelson Airport and Port Nelson (R24786);</i></p> <p>2. <i>Notes that a special consultative procedure has been carried out by Council, in accordance with section 83 of the Local Government Act 2002, covering the proposal to establish a new Council Controlled Trading Organisation; and</i></p> <p>3. <i>Agrees that Option Three, a new company, established as a funding vehicle only, is the most appropriate way of providing financial benefits for the Nelson Airport, Port Nelson and shareholders; and</i></p> <p>4. <i>Notes that shareholder agreement is required in order to proceed with any option other than the status quo; and</i></p> <p>5. <i>Subject to Tasman District Council passing similar resolutions:</i></p> <p>i) <i>Authorises the Mayor to vote the Council's shareholding in the Nelson Airport Limited and Port Nelson Limited to give effect to clauses 3 and 4 of this resolution (CL/2021/100); and</i></p>	Harrison, Nikki	<p>Share valuation has taken place. Next steps is a report to Joint Shareholders Committee in February 2022 including a timetable and then a binding tax ruling.</p> <p>Ongoing</p>

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		<p>ii) Instructs the Chief Executive, in conjunction with Tasman District Council, to advise council staff and the boards of Nelson Airport Limited and Port Nelson Limited to develop a detailed plan for the establishment of the funding company; and</p> <p>iii) Notes that subsequent amendments to Council's Long Term Plan 2021-2031 and supporting policies will be required as part of the establishment of the Funding Company; and</p> <p>6. Notes that updates on the establishment of the Funding Company will be reported back to Council.</p>		
24/06/2021	Adoption of the Treasury Management Plan (request for report on review of Council's approach to Forestry)	<p><i>That the Council</i> <u>Requests</u> 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.</p>	Louverdis, Alec	<p>A proposal was presented to the 1 December Forestry Subcommittee for consideration and approval.</p> <p>Complete</p>
5/10/2021	Phase One of the Housing Reserve	<p><i>That the Council</i> <u>Receives</u> the report Phase One of the Housing Reserve (R26236) and its attachment (A2748972); and</p>	Barton, Clare	Report on Phase 1 allocation being presented to the Council on 9 December 2021

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><u>Approves</u> Phase One as set out in this report (R26236), including its proposed value of \$2 million as grant funding; and</p> <p><u>Notes</u> Council may agree to approve funding to an aggregate total in excess of \$2 million if applications that meet the specified objective and criteria are received; and</p> <p><u>Approves</u> the process, objectives, and outcomes for Phase One as set out in this report (R26236) (A2748972); and</p> <p><u>Approves</u> the evaluation criteria as set out in attachment 1 (A2748972), subject to the discussed amendments being made to the evaluation criteria; and</p> <p><u>Approves</u>, in recognition of the housing crisis that Nelson is facing, that officers' recommendations on Phase One funding applications be brought directly to Council; and</p> <p><u>Notes</u> that officers will continue to investigate the use of the Housing Reserve and report on this to the Urban Development Subcommittee with final sign off by Council.</p>		

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
23/09/2021	Three Waters Reform Update	<p><i>That the Council</i></p> <p><i><u>Receives</u> the report Three Waters Reform Update (R26075) and its attachments (A2734504, A2734513, A2734630, A2736353, A2734616, A2745775, A2745300, A2748814, and A2748820); and</i></p> <p><i><u>Notes</u> the Government's 30 June and 15 July 2021 Three Waters Reform announcements; and</i></p> <p><i><u>Notes</u> Morrison Low's advice on the accuracy of the information provided to Council in June and July 2021 as a result of the Request for Information and Water Industry Commission for Scotland modelling processes; and</i></p> <p><i><u>Notes</u> the analysis of three water service delivery options available to Council at this time; and</i></p> <p><i><u>Notes</u> that a decision to definitively support or not support the Government's preferred three waters delivery option is not required at this time, and would be premature and contrary to the Council's decision-making obligations in relation to significant decisions; and</i></p>	Dougherty, Pat	<p>The letter (A2745300) outlining Council's feedback on the Three Waters reform proposals was sent on 24 September 2021. The Government announced on 27 October 2021 the next steps in the Three Waters reform programme.</p> <p>A report outlining the latest announcements and next steps, including implications for Council and public engagement is on the agenda for the 9 December Council meeting.</p> <p>Ongoing</p>

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><u>Notes</u> that Council cannot make a formal decision on a regional option for three waters service delivery without doing a Long Term Plan amendment and ensuring it meets section 130 of the Local Government Act 2002; and</p> <p><u>Notes</u> that Council intends to make further decisions about the three waters service delivery model after 30 September 2021; and</p> <p><u>Notes</u> that Council would need to gain an understanding of the community's views once Council has further information from the Government on the next steps in the reform process; and</p> <p><u>Approves</u> the draft letter (A2745300) to the Government outlining where Council seeks guidance and gives feedback on the proposed Three Waters Reform programme; and</p> <p><u>Agrees</u> that the Mayor, Infrastructure Committee Chair and Chief Executive be delegated authority to approve minor editorial amendments to the Government response letter (A2754300); and</p> <p><u>Notes</u> that the Chief Executive will report back once staff have received further information and guidance from Government, Local Government New Zealand and</p>		

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><i>Taituarā on what the next steps look like and how these should be managed; and</i></p> <p><i>Notes that Council has considered the decision-making requirements of Part 6 of the Local Government Act 2002 and determined that they have been adequately complied with for the purposes of this report, taking into account that a) no decisions are being made at this stage to agree to the Government's proposal and b) the low to medium significance under the Significance and Engagement Policy of the decision to request the Chief Executive to seek further information from and give feedback to the Government on the reform proposal.</i></p>		
19/10/2021	Representation Review - Final Proposal	<p><i>That the Council</i></p> <p><i>Receives the report Representation Review - Final Proposal (R26244) and its attachments (A2751168, A2755743 and A2747943); and</i></p> <p><i>Adopts the initial proposal as the Council's final proposal, noting therefore that the final proposal is as follows:</i></p> <p><i>That the Nelson City Council consists of a Mayor and 12 councillors; and</i></p> <p><i>That two General Wards be established as follows:</i></p>	McDonald, Nicky	<p>Public notification period for appeals is open until 1 December 2021. Appeals can be only be made to the final representation proposal by those who submitted on the initial proposal. One appeal has been received and provided to the Local Government Commission for consideration and determination on Council's representation arrangements for the 2022 local election.</p> <p>An update is included in the Mayor's Report</p>

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MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS						
		<table><tr><th>Name</th><th>Boundaries</th></tr><tr><td>Central Ward</td><td>As outlined in attachi (A2747943)</td></tr><tr><td>Stoke-Tāhunanui Ward</td><td>As outlined in attachi (A2747943)</td></tr></table>	Name	Boundaries	Central Ward	As outlined in attachi (A2747943)	Stoke-Tāhunanui Ward	As outlined in attachi (A2747943)		
Name	Boundaries									
Central Ward	As outlined in attachi (A2747943)									
Stoke-Tāhunanui Ward	As outlined in attachi (A2747943)									
		<p><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</i></p> <p><i>That a mixed system of voting be established, as follows:</i></p> <table><tr><th></th><th>Members</th><th>Popn Ward coun</th></tr><tr><td>At large (all voters)</td><td>Mayor</td><td>N/A</td></tr></table>		Members	Popn Ward coun	At large (all voters)	Mayor	N/A		
	Members	Popn Ward coun								
At large (all voters)	Mayor	N/A								

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		Three councillors	N/A	
	Central Ward (General roll)	Four councillors	6,458	
	Stoke-Tāhunanui Ward (General roll)	Four councillors	6,370	
	Whakatū Māori Ward (Māori roll)	One councillor	3,320	
<p><i>That no community boards be established; and</i></p> <p><i><u>Agrees</u> that key reasons for its adoption of the final proposal, and for refusing submissions that advocated for a different approach, include:</i></p> <p><i>A single general ward with ward-only voting would only allow those on the Māori roll to vote for the Mayor and the Māori ward councillor, while those on the general roll would be able to vote for the Mayor and 11 general ward councillors, creating a perceived imbalance in participation opportunities between those registered for each roll.</i></p>				

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><i>It is anticipated that a single general ward with mixed system voting would create a high level of confusion; as the general ward would encompass the full Nelson electoral boundary, ward councillors and at-large councillors would be campaigning for exactly the same area;</i></p> <p><i>A three ward model can only achieve compliance if all councillors are elected by ward and also requires an increase in the total number of councillors which has not been supported by the community;</i></p> <p><i>Models with larger numbers of wards also typically require a larger total number of councillors which has not been supported by the community; and</i></p> <p><i>A four ward model and six ward model are not supported by information held on communities of interest in Nelson.</i></p>		
28/10/2021	Nelson Future Access - Business Case Endorsement	<p><i>That the Council</i></p> <p><i><u>Receives</u> the report Nelson Future Access - Business Case Endorsement (R26073) and its attachments A2631617, A2749609, A2771168 and A2770156; and</i></p>	Louverdis, Alec	A report seeking a variation to the RLTP will be considered at the 6 December RTC meeting.

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><u>Endorses</u> the Nelson Future Access Business Case (Attachment A2770156 of Report R26073) to enable submission to the Waka Kotahi Board for approval; and</p> <p><u>Notes</u> that a variation to amend the Regional Land Transport Plan is required to include the SH6 Rocks Road Pre-Implementation Phase to facilitate Waka Kotahi seeking funding concurrently with the Business Case approval, and that consultation on this variation is not required as it does not trigger Council's Regional Land Transport Plan's Significance Policy and nor is it appropriate to carry out any additional consultation in the circumstances; and</p> <p><u>Notes</u> that funding applications will be made to the Waka Kotahi Board concurrently with the Business Case approval for the Washington and Railway Reserve to Waimea walking and cycling projects to enable pre-implementation work to commence; and</p> <p><u>Notes</u> that work will commence on several safety projects as detailed in Report R26073, funded from the Low Cost Low Risk funding assigned to Nelson City Council from the approved National Land Transport Programme; and</p> <p><u>Notes</u> that officers will progress with assessing off-street parking options in Tahunanui, pending the</p>		<p>Funding applications are being prepared for submission to Waka Kotahi.</p> <p>Completed.</p>

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		<p><i>permanent reinstatement of the southbound lane at Bisley signals, and will report back to Council on this matter; and</i></p> <p><i><u>Notes</u> that a safe state highway network through Tahunanui remains a priority for Nelson City Council and its community</i></p>		
28/10/2021	Nelson Central Library - Project Management and Governance Structure	<p><i>That the Council</i></p> <p><i><u>Receives</u> the report Nelson Central Library - Project Management and Governance Structure (R26049) and its attachments (A2758524, A2762028 and A2760701); and</i></p> <p><i><u>Approves</u> the project management and governance structure as set out in Report R26049 and its attachments (A2758524, A2762028 and A2760701); and</i></p> <p><i><u>Agrees</u> to establish a Nelson Central Library Governance Reference Group with Terms of Reference as set out in (A2760701); and</i></p> <p><i><u>Appoints</u> the Mayor, Deputy Mayor, Councillor O'Neill-Stevens and Councillor McGurk to the Nelson Central Library Governance Reference Group; and</i></p>	Louverdis, Alec	<p>Dates for the Governance Reference Group (PRG) being secured. Iwi approached to appoint a representative on the GRG.</p> <p>Completed.</p>

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<i>Notes that the approval of the project management and governance structure does not constrain Council in relation to any final decision on library location, design, or construction procurement.</i>		
28/10/2021	Deliberations on sale of 69 to 101 Achilles Avenue and/or 42 Rutherford Street to Kāinga Ora for social and affordable housing	<p><i>That the Council</i></p> <p><i>Receives the report Deliberations on sale of 69 to 101 Achilles Avenue and/or 42 Rutherford Street to Kāinga Ora for social and affordable housing (R26213) and its attachments (A2763085 and A2767627); and</i></p> <p><i>Accepts the following late feedback (A2767627) on the proposal to sell 69 to 101 Achilles Avenue and/or 42 Rutherford Street to Kāinga ora for social and affordable housing:</i></p> <p><i>Rachel Boyack, MP for Nelson</i></p> <p><i>Ainslie Riddoch</i></p> <p><i>Approves the sale of 69 to 101 Achilles Avenue and 42 Rutherford Street to Kainga Ora subject to a negotiating brief that includes the following terms:</i></p> <p><i>(i) That the sites be sold for market value to be determined by agreement with Kāinga Ora</i></p>	Barton, Clare	<p>Work continues to be able to bring this matter back to the Council.</p> <p>Ongoing</p>

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		<p><i>having regard to independent valuations for the site obtained by Kāinga Ora and Nelson City Council.</i></p> <p><i>(ii) The design outcomes which were outlined to the community as part of the consultation document (A2704161) be adopted to inform the development design:</i></p> <p><i>High quality, high amenity, interactive and accessible design to street and laneway edges.</i></p> <p><i>Design compatibility with the adjacent public spaces and central city location.</i></p> <p><i>The use of appropriately scaled and well-modulated/articulated architectural design elements and an appropriate provision of space, openings and materiality (i.e windows, balconies and cladding types).</i></p> <p><i>Integration of vehicle, public transport and pedestrian circulation with adjoining street frontages and Wakatu Square with minimal provision of on-site carparking.</i></p> <p><i>Inclusion of quality, climate resilient, sustainable, design and building practices.</i></p> <p><i>Less than 50% of household units will be for social housing, the remainder will be a mix of affordable housing types.</i></p>		

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		<p><i>Demonstrates consistency with the six key moves of the Nelson City Council City Centre Programme Plan (August 2019).</i></p> <p><i>Minimise, as far as practicable, shading effects that lead to safety hazards on public streets, areas and footpaths.</i></p> <p><i>Provide appropriate cycle storage and servicing facilities.</i></p> <p><i>Within these outcomes, maximise housing yield; and</i></p> <p><i>(iii) That Kāinga Ora works in partnership with Council officers on the design of the building, including that officers are part of the Kāinga Ora Project Steering Group contributing to decision making and Project Team responsible for progressing the project and its design.</i></p> <p><i>(iv) That Kāinga Ora will seek to commission a local architect to be part of the design team for the development to ensure the building is a good fit with the city centre and Council priorities (exemplar intensification and affordable housing, good urban design including appropriate scale and height, sustainability features, provides for active mode).</i></p>		

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p>(v) <i>That Kāinga Ora will, where reasonably possible, partner with local housing providers and developers and/or iwi to deliver the project to ensure that affordable rental and affordable apartment sales are enduring and well managed.</i></p> <p>(vi) <i>That Kāinga Ora will, where reasonably possible, utilise local construction companies and local materials to undertake the build, acknowledging that this may be affected by the current market shortage of both locally.</i></p> <p>(vii) <i>That Kāinga Ora uses its placement principles to allocate its social housing tenants to the housing typology of inner-city apartment living.</i></p> <p>(viii) <i>That communication with the community is undertaken by Kāinga Ora to ensure the community is well informed of progress, including during the progression of development design and housing partnership formations.</i></p> <p>(ix) <i>That a condition is imposed to ensure that if development of at least one of the sites has not commenced construction within 3 years, both sites will be offered back to Council to purchase for the sale price, less any works that have reduced its value.</i></p>		

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p>(x) That a condition is imposed on sale that a covenant will be registered on the title giving Council a right of first refusal to purchase, on terms acceptable to Council, should Kāinga Ora seek to sell all or any part of the sites at any time unless the sales relate to affordable unit title apartments developed by Kāinga Ora or in partnership with others (subject also to any applicable legal obligation on Kāinga Ora to first offer to iwi).</p>		
		<p>(xi) As appropriate, a Memorandum of Understanding may be signed with the purchaser to reflect shared objectives for the development that are not included in the sale and purchase agreement.</p>		
		<p>(xii) Any other reasonable terms of sale necessary for the divestment.</p>		
		<p><u>Delegates</u> to the Mayor, Deputy Mayor/Chair of the Urban Development Subcommittee and Chief Executive the negotiation and approval of the sale and purchase agreement and Memorandum of Understanding (if appropriate) provided the terms are substantially consistent with the negotiating brief; and</p>		

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^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<p><i><u>Notes</u> that progress on negotiations and development design will be overseen by the Kāinga Ora Governance Reference Group in accordance with the Terms of Reference; and</i></p> <p><i><u>Notes</u> that tenants of 69 to 101 Achilles Avenue and 42 Rutherford Street will be advised of Councils decision, and kept up to date on progress with negotiations, including advice in relation to the effect on their tenancies by officers; and</i></p> <p><i><u>Confirms</u> that the proceeds from any sale will be used to pay off debt; and</i></p> <p><i><u>Approves</u> the sale of 69 to 101 Achilles Avenue and 42 Rutherford Street and identifies the matters in relation to making such a decision in accordance with section 80 of the Local Government Act, including:</i></p> <p><i>(a) While it is not clear, the decision to sell 69 to 101 Achilles Avenue and 42 Rutherford Street to Kāinga Ora rather than via public auction may be inconsistent with the NCC Asset Disposal Policy 2015; and</i></p> <p><i>(b) Council has decided to approve the sale notwithstanding the apparent inconsistency with the Policy because of the broader strategic</i></p>		

Status Report – Council - 8 December 2021

^MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
		<i>benefit of the proposal for the community (noting the above conditions) and the enhanced relationship with Kāinga Ora, together with the objective to sell the properties for market value; and</i> (c) <i>That there is no intention to amend the Policy to accommodate the decision at this time.</i>		

Property and Facilities Activity Management Plan 2021-31

1. Purpose of Report

- 1.1 To adopt the Property and Facilities Activity Management Plan 2021-31 following approval of the Long Term Plan 2021-31 in June 2021.

2. Recommendation

That the Council

- 1. Receives the report Property and Facilities Activity Management Plan 2021-31 (R26364) and its attachment (A2443568); and***
- 2. Adopts the Property and Facilities Activity Management Plan 2021-31 (A2511502)***
- 3. Delegates authority for any minor amendments required to the Property and Facilities Activity Management Plan 2021-31 (A2511502) to the Community and Recreation Committee Chairperson, Strategic Development and Property Subcommittee Chairperson (for their respective areas of delegation), and Group Manager Community Services.***

3. Background

- 3.1 Activity Management Plans (AMPs) are prepared by Council to inform development of the Long Term Plan (LTP). Following consultation on the LTP, AMPs have been reviewed and updated.
- 3.2 A series of workshops and briefings were held with the elected members during the preparation of this AMP.

Item 11: Property and Facilities Activity Management Plan 2021-31

- 3.3 The AMP takes account of previous Council and Committee resolutions and feedback at workshops on the proposed levels of service and key issues.
- 3.4 A draft Property and Facilities Activity Management Plan was not presented to Council for adoption prior to the Long Term Plan consultation as it was intended that there would be further workshops on the document prior to its adoption. However, a draft AMP was prepared and was used to inform the LTP development.
- 3.5 The focus areas within the draft AMP cover several areas of Council delegations, as shown in the table below.

2. Focus area	3. Team¹ within Council responsible	4. Current Committee delegation²
5. Trafalgar Centre	6. Parks and Facilities	7. Community and Recreation Committee
8. Community Centres and Halls (Stoke Memorial Hall, Greenmeadows Centre/ Pūtangitangi, Wakapuaka Hall, Trafalgar Street Hall, Trafalgar Pavilion)	9. Parks and Facilities	10. Community and Recreation Committee
11. Swimming Pools (Riverside Pool, Nayland Pool)	12. Parks and Facilities	13. Community and Recreation Committee
14. Public Toilets	15. Parks and Facilities	16. Community and Recreation Committee
17. Marina	18. Parks and Facilities	19. Strategic Development and Property Subcommittee
20. Campgrounds (Brook campground, Maitai Campground, Tahunanui Campground)	21. Parks and Facilities	22. Strategic Development and Property Subcommittee
23. Cemeteries (Marsden Valley, Wakapuaka, Seaview and Hira)	24. Parks and Facilities	25. Community and Recreation Committee
26. Crematorium	27. Parks and Facilities	28. Community and Recreation Committee
29. Parks and Reserves Bridges and Platforms (includes jetties and wharfs)	30. Parks and Facilities	31. Community and Recreation Committee

¹ Note, the maintenance and operations may fall to different Council teams

² Note, the Committee structure may change over the life of this plan

Item 11: Property and Facilities Activity Management Plan 2021-31

2. Focus area	3. Team¹ within Council responsible	4. Current Committee delegation²
		<p>32. <i>*note, transport bridges not included in this AMP</i></p> <p>33. <i>*note, marina bridges the delegation of Strategic Development and Property</i></p>
34. Parks and Reserves Buildings (those buildings not included in other sections of this AMP or of the Parks and Reserves AMP)	35. Parks and Facilities and Property (leased properties)	36. Community and Recreation Committee
37. Saxton Field Buildings	38. Parks and Facilities and Property (leased properties)	39. Saxton Field Committee
40. Libraries (Elma Turner, Stoke, Nightingale Library Memorial)	41. Property and Libraries	<p>42. Community and Recreation Committee</p> <p>43. Note, Council retains delegations for Elma Turner Library redevelopment</p>
44. Heritage Houses (Isel House, Melrose House, Broadgreen House and Founders Heritage Park)	45. Property and Community Partnerships	46. Community and Recreation Committee
47. Community Properties (The Refinery, Citizens Advice/Plunket, Surf Lifesaving Tahuna, Stoke Community Hall, Guppy Park changing rooms, Waimarama Community Gardens, Woodturners building, Youth Nelson Building, 1 Kinzett Terrace, Tahunanui Community Centre, Tahunanui Beach café)	48. Property	49. Community and Recreation Committee
50. Civic House	51. Property	52. Council
53. Strategic Properties (250 Haven Road, Anchor building, 236 Haven Road, 300 Wakefield Quay, 23 Halifax Street, 101 Achilles Avenue, 81 Achilles Avenue, 42 Rutherford Street, Millers Acre and residential properties held for strategic purposes)	54. Property	55. Strategic Development and Property Subcommittee

4. Discussion

- 4.1 The Property and Facilities AMP sets out the background to Council's Property and Facilities activity, and includes details of the following:
- 4.1.1 Levels of Service
 - 4.1.2 Information on demand, lifecycle management and risk
 - 4.1.3 Focus areas for the activities during 2021-31
 - 4.1.4 Activity budgets for operations and project delivery
 - 4.1.5 Plan improvements
- 4.2 The Executive Summary of the AMP is appended as Attachment 1.
- 4.3 The full Property and Facilities AMP 2021-31 (A2511502) is a large document and will be made available on the Council's website, 2021-31 Activity Management Plans page (www.nelson.govt.nz/2021-31-activity-management-plans), once approved. It is available for elected members in SharePoint and a hard copy will be placed in the Councillors' Lounge from 21 October.

Changes made through Long Term Plan deliberations

- 4.4 The following summarises the relevant resolutions made at the LTP deliberations affecting budgets in this AMP. These changes have been incorporated into the final AMP.
- 16. Allocates a provision of up to \$9,400 capital expenditure in Year 1 of the Long Term Plan 2021-31 for resealing the 220m2 of road leading to Sanctuary gates in conjunction with the reseal of roading within the campground; and*
 - 17. Further allocates a provision of up to \$80,000 capital expenditure in Year 1 of the Long Term Plan 2021-31 to extend WiFi coverage for the Brook Waimarama Sanctuary, particularly to the visitor centre.*
 - 24. Approves the development and implementation of a zero overdue fees policy for all late returned library items including books, DVDs, magazines and other lending items, effective from 1 July 2021; and*
 - 25. Notes that this decision would result in lost non-rates revenue of \$37,000 annually; and*
 - 26. Approves additional rates contribution to the Library activity of \$37,000 annually to offset the reduction in non-rates revenue; and*

Item 11: Property and Facilities Activity Management Plan 2021-31

27. *Notes that Council's library policy for lost items would not be affected by this change in policy.*
28. *Notes that officers will review the policy change after 12 months and if required report back to Council.*
29. *Directs staff to work with Tasman District Council on the option of a regional cemetery in Moutere or Wakefield.*
35. *Approves a provision of up to \$140,000 in Year 3 of the Long Term Plan 2021-31 for a reconfiguration of the Guppy Park changing rooms.*
42. *Allocates the following provisions for work at the Wakapuaka Cemetery in the Long Term Plan 2021-31 of up to:*
 - a) *\$5,000 capital expenditure per year for Years 1 to 3 for plantings*
 - b) *\$3,500 capital expenditure in Year 1 to make the garage more usable*
 - c) *\$7,000 capital expenditure in Years 1 and 3 for interpretation boards*
 - d) *\$1,000 capital expenditure per year for blocks to identify denominations*
 - e) *\$2,500 operating expenditure per year for slope mowing.*
43. *Agrees that Council will make provision to fund 80% of the cost of the Sea Sports building with the expectation that users will raise a minimum of 20% of the total construction costs, subject to site identification upon approval of the Marina Master Plan.*
44. *Directs officers to liaise with the Nelson Surf Life Saving Club about the proposed hub at Tahunanui in order to prepare a report for further consideration of the project by the Community and Recreation Committee.*
45. *Notes that the establishment of a tennis club house in Rutherford Park would not require ratepayer funding; and*
46. *Directs officers to liaise with the Nelson Lawn Tennis Club about a potential site and lease conditions and bring a report to the Community and Recreation Committee for further consideration including approval of final design concept.*
47. *Directs staff to have discussions with the Seafarers Memorial Trust about the request for Council to take ownership of the Seafarers Memorial and to bring a report to the Community and Recreation Committee for consideration.*

Item 11: Property and Facilities Activity Management Plan 2021-31

56. *Approves an additional \$84,000 operational expenditure in Year 2 of the Long Term Plan 2021-31 to cover costs related to allowing more time for completion of the compliance project before leasing of the Brook Valley Holiday Park commences; and*
57. *Allocates up to an additional \$510,000 capital expenditure (being \$410,000 in Year 1 of the Long Term Plan 2021-31 and \$50,000 in each of Years 2 and 3) for an improved toilet block at the Brook Valley Holiday Park, and to connect long-term occupants to water and wastewater services as well as undertake other work related to achieving compliance and requests a report to the Strategic Development and Property Subcommittee prior to works being undertaken; and*
58. *Requests officers to review the future uses of the Maitai Valley Motor Camp and report back to the Strategic Development and Property Subcommittee; and*
59. *Requests officers to reduce the cap on the number of Maitai Valley Motor Camp users.*
61. *Approves moving the funding from hardstand improvements in Years 7 and 8 of \$800,000 (uninflated) to Year 1 of the Long Term Plan 2021-31 to address health, safety and security projects prior to the Marina Masterplan being consulted on; and*
62. *Notes that additional funding and some redistribution of capital budget between the years of the Long Term Plan 2021-31 is likely to be required once the Marina Masterplan has been adopted; and*
63. *Requests officers to complete a Masterplan for the sea side of the marina; and*
64. *Approves a provision of up to \$110,000 in Year 1 of the Long Term Plan 2021-31 from the Marina account for a s17a review of governance models and transition costs towards a new governance model if required.*
65. *Approves the 2020/21 capital carry forwards to the Long Term Plan 2021-31 capital expenditure budgets, as set out in Attachment 2 (A2642025) of Report R24777.*
67. *Approves that the Long Term Plan 2021-31 be amended to include the changes in the attached document listing corrections and timing changes in Attachment 3 (A2641877) of Report R24777.*

- 4.5 Separate resolutions were also made in relation to the Elma Turner library

Item 11: Property and Facilities Activity Management Plan 2021-31

1. *Receives the report Elma Turner Library - Deliberations on Submissions to the Long Term Plan 2021-31 and Business Case (R24785) and its attachment (A2630896); and*
2. *Reconfirms that, having considered submissions on the Long Term Plan 2021-31 and having considered the business case, Council's preferred option is to build a new library building on the corner of Halifax Street and Trafalgar Street, within the Riverside Precinct, subject to agreement with Wakatū Incorporation on a land exchange involving that site and the current library site, and completion of a flood mitigation plan for the proposed building footprint including consideration of effects on adjoining sites; and*
3. *Confirms that, prior to negotiations taking place:*
 - *Council will approve the land exchange negotiating team and its brief; and*
4. *Confirms that, on completion of negotiations:*
 - *Council will approve the community engagement process (including a communication strategy), project management and governance approach, procurement process, financial management, and reporting and approvals processes for the proposed new library building and landscaping; and*
5. *Notes that under best practice a Quality Assurance Framework is used for the life of the project; and*
6. *Confirms that prior to design*
 - *Council will approve the level of any shared community spaces (including provision for community organisations) in the library building project scope; and*
 - *Council will approve climate change mitigation and environmental sustainability objectives for the new library building and surrounding landscaping; and*
7. *Notes the guiding principle of developing an accessible community space, and requests officers also consider housing opportunities in the planning process and to report to Council on considerations; and*
8. *Confirms that, should negotiations with Wakatū Incorporation on a land exchange be unsuccessful, officers will seek confirmation from Council to proceed with Option Four – to construct a new high specification library on the current site; and*

Item 11: Property and Facilities Activity Management Plan 2021-31

9. *Confirms that no financial contribution has been committed by Council to Wakatū Incorporation to support construction of the Climatorium.*

- 4.6 These changes have been incorporated into the final AMP budgets and body of the document where appropriate.
- 4.7 No significant changes have been made to the final AMP other than those made in relation to the above resolutions. A number of formatting and template-related content changes and corrections have been made but none that alter the direction or substance of the draft AMP.
- 4.8 The AMP reflects decisions made through the Long Term Plan deliberations, however there have been some decisions of Council and Committees made since then which will influence the activities included in the AMP.
- 4.9 Relevant decisions will be reflected in the 2022/23 and 2023/24 Annual Plans if needed and will otherwise be incorporated into the 2024 review of the AMP. Decisions made to date have included decisions on reviews of property assets, campground compliance, the marina, strategic property sales and leases, the Elma Turner Library Project, funding for the Montgomery Toilet and the Seafarers Memorial structure. Further changes may be made through the Annual Plan. Updates on projects and changes are provided through the quarterly reports to the relevant Committees.

Activity Management Plans 2024-34

- 4.10 Planning for future Activity Management Plans 2024–34 will commence shortly. To ensure officers have a clear understanding of Council’s expectations and key issues, workshops will be arranged with the relevant Committees over the next three years.
- 4.11 There is an expectation that the structure of this AMP will change before the 2024 AMPs are prepared, with a likely outcome that there are three separate AMPs: The Marina, Facilities, and Property. More investigation is required before this can occur.

5. Options

- 5.1 The Property and Facilities Activity Management Plan 2021-31 supports Council in meeting its obligations under Section 93 and Schedule 10 of the Local Government Act 2002 and the recommended option is for Council to adopt this Plan.

Option 1: Adopt the Property and Facilities Activity Management Plan 2021-31 (Recommended)	
Advantages	<ul style="list-style-type: none">• Supports Council to meet requirements of the Local Government Act 2002.• Aligns with the direction set by the LTP 2021-31

Item 11: Property and Facilities Activity Management Plan 2021-31

Risks and Disadvantages	<ul style="list-style-type: none">• None
Option 2: Do not adopt the Property and Facilities Activity Management Plan 2021-31	
Advantages	<ul style="list-style-type: none">• None
Risks and Disadvantages	<ul style="list-style-type: none">• Not adopting the AMP would leave Council without a clear plan to mitigate risks and achieve levels of service.

6. Conclusion

- 6.1 The Property and Facilities Activity Management Plan 2021-31 has been reviewed and amended to reflect all decisions made by the Council in the adopted Long Term Plan 2021-2031.

Author: Jane Loughnan, Parks and Facilities Asset Planner

Attachments

Attachment 1: A2443568 Executive Summary to Property and Facilities Activity Management Plan 2021-31 (A2443568) (*Circulated separately*)



Important considerations for decision making
1. Fit with Purpose of Local Government <p>Council's Property and Facilities Activity Management Plan sets out the background to Council's property and recreation facilities activities and will support Council in meeting its obligations under section 93 and Schedule 10 of the Local Government Act 2002.</p>
2. Consistency with Community Outcomes and Council Policy <p>The development of a Property and Facilities Activity Management Plan supports Council's contribution towards Community Outcomes and Council strategy documents. These are listed in the AMP with a description of the activity's contribution. All the community outcomes are supported by the activity:</p> <ul style="list-style-type: none">• Our unique natural environment is healthy and protected• 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, inclusive and resilient• Our communities have opportunities to celebrate and explore their heritage, identity and creativity• Our communities have access to a range of social, educational and recreational facilities and activities• Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement• Our region is supported by an innovative and sustainable economy <p>The AMP reflects the adopted Long Term Plan and any decisions undertaken in that.</p>
3. Risk <p>Adopting the Activity Management Plan is a low risk as it has been through a thorough development process and reflects all of the relevant Long Term Plan decisions. Adopting the Activity Management Plan also helps Council mitigate risks by providing a clear plan to achieve levels of service, address relevant focus areas and sets activity budgets for operations, maintenance, renewals and capital expenditure.</p>
4. Financial impact

The Activity Management Plan reflects the decisions made by Council on 24 June 2021 when the Long Term Plan 2021-31 was adopted and sets out budgets for both operational and capital expenditure. Staff time has been used to prepare the AMP and this report.

5. Degree of significance and level of engagement

This matter is of low significance because decisions arising from the LTP that were considered to be significant were consulted on through the LTP.

The LTP and LTP budgets have already been adopted by Council and this document supports the delivery of those items.

6. Climate Impact

The AMP sets out what activities are occurring in relation to climate impact over the ten year period. The AMP considers the potential impacts and risks climate change presents to the Property and Facilities Activity.

Climate impact implications were considered as part of the development of the Long Term Plan 2021-31.

7. Inclusion of Māori in the decision making process

Iwi feedback was sought on the AMP. Engagement with Māori will be undertaken on specific projects as required.

No engagement with Māori has been undertaken in preparing this report.

8. Delegations

The Community and Recreation Committee has the following delegations to consider the Property and Facilities Activity Management Plan

Areas of Responsibility:

- *Arts, Culture and Heritage*
- *Cemeteries and Crematorium*
- *Community Centres and Halls*
- *Community Development, including youth issues, ageing issues and social well-being*
- *Founders Heritage Park*
- *Heritage Houses and their grounds*
- *Recreation and Leisure Facilities and Services, including swimming pool facilities and Waahi Taakaro Golf Course*
- *Sports Fields, including Trafalgar Park and the Trafalgar Pavilion*

Item 11: Property and Facilities Activity Management Plan 2021-31

- *The Trafalgar Centre*

Powers to decide:

- *Developing, approving, monitoring and reviewing policies and plans, including activity management plans*

Powers to recommend to Council:

- *Unbudgeted expenditure relating to the areas of responsibility, not included in the Long Term Plan or Annual Plan*
- *Decisions regarding significant assets*

The Strategic Development and Property Subcommittee has the following delegations to consider the Property and Facilities Activity Management Plan

Areas of Responsibility:

- *Haven Precinct*
- *Marina Precinct*
- *Campgrounds*
- *Strategic properties as identified in the Property and Facilities Activity Management Plan*

Powers to decide:

- *Developing, monitoring and reviewing strategies, policies and plans, with final versions to be recommended to Council for approval*

Powers to recommend to Council:

- *Approval of final versions of strategies, policies and plans*

Council retains all responsibilities, powers, functions and duties in relation to governance matters for the following items:

- *Civic House*
- *Elma Turner Library redevelopment and Riverside Precinct*

As the Property and Facilities Activity Management Plan covers matters that relate to the areas of responsibility of more than one committee, subcommittee or subordinate decision-making body, the matter is considered a cross-committee item and instead of being considered by one or more committees, will be considered by Council directly.

REPORT R26331

**Deliberations on public feedback to Te Ara ō Whakatū -
Nelson City Centre Spatial Plan**

1. Purpose of Report

- 1.1 To consider the public feedback on the Draft Te Ara ō Whakatū – Nelson City Centre Spatial Plan to inform the 30-year strategic vision guiding the development of Nelson’s city centre and fringe.
- 1.2 After considering the public feedback, approve the adoption of Te Ara ō Whakatū – Nelson City Centre Spatial Plan.

2. Summary

- 2.1 On 26 August 2021 Council approved the Draft Te Ara ō Whakatū for community engagement and public feedback. This followed four months and 80 meetings gaining targeted community pre-engagement feedback that helped develop Te Ara ō Whakatū. Council sought more formal public feedback from 30 August 2021 to 1 October 2021 through a range of means.
- 2.2 80% of the feedback is supportive, 15% not supportive, and 5% did not know.
- 2.3 After considering the feedback received, officers recommend the adoption of Te Ara ō Whakatū – Nelson City Centre Spatial Plan subject to some minor amendments.

3. Recommendation

That the Council

- 1. Receives the report Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan (R26331) and attachments: (A2786233, A2783462, A2780828 and A2787576); and***

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City
Centre Spatial Plan

2. **Accepts the following late feedback (A2780828) on Te Ara ō Whakatū – Nelson City Centre Spatial Plan:**
 - ***JR Elkington and Trevor duFeu; and***
3. **Adopts the updated Te Ara ō Whakatū – Nelson City Centre Spatial Plan (A2786233); and**
4. **Agrees that the Mayor, Chair of Urban Development Subcommittee and Group Manager Environmental Management be delegated to approve any minor editorial changes; and**
5. **Recommends officers create an implementation plan for the first phase of delivery over the next 10 years and bring that back to Council; and**
6. **Notes the adoption of Te Ara ō Whakatū – Nelson City Centre Spatial Plan is a strategy that builds on and updates previous city centre strategies e.g., Heart of Nelson.**

4. Background

4.1 On 29 June 2021 Council adopted the Long Term Plan (LTP) 2021-31. One of Council's key priorities in the LTP is the Nelson city centre.

4.2 On 26 August 2021, Council resolved as follows:

Approves the Draft Te Ara ō Whakatū – Nelson City Centre Spatial Plan for public feedback

Approves the consultation approach (set out in paragraphs 4.3 and 4.4 of this report (R25919) and agrees:

- (a) *The approach includes sufficient steps to ensure the Draft Te Ara ō Whakatū- Nelson City Centre Spatial Plan will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and*
- (b) *The approach will result in the Draft Te Ara ō Whakatū- Nelson City Centre Spatial Plan being as widely publicised as reasonably practicable as a basis for consultation.*

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan



Communications and Media

- 4.3 Council sought public feedback on the proposal from the 30 August 2021 to 1 October 2021 (extended by one week due to COVID-19 lockdown) through a range of means including:
- 4.3.1 Delivery of 21,000 summaries to homes in Nelson, around cafes/bars/libraries/vaccination centre, and the Suter once Nelson came out of lockdown.
 - 4.3.2 A video animation with over 20,000 views online through Facebook and Youtube channels.
 - 4.3.3 7 stories featured in Our Nelson.
 - 4.3.4 External media coverage through stories in the Nelson Mail, Nelson Weekly and Nelson Magazine.
 - 4.3.5 An eight-page summary sent to most households in Nelson as part of the Our Nelson publication.
 - 4.3.6 Media releases and interviews with the Deputy Mayor in the two week lead up to 24 August.
 - 4.3.7 Promoted on Council's social media channels and Council's website (Shape Nelson) with the feedback document linked.
 - 4.3.8 Our Nelson feature including notice of the opportunity to provide feedback.
 - 4.3.9 Advertising with local media on radio and in electronic print form.
 - 4.3.10 An opinion piece from the Deputy Mayor in The Nelson Mail.

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan

4.3.11 Antenno app alerts via Nelson Weekly.

4.3.12 Print adverts.

4.3.13 Zoom webinar presentation for the Chamber of Commerce.

COVID-19 Level 4 Alert Level and engagement

4.4 Due to COVID-19 lockdown restrictions the following engagement methods, which were part of the original engagement strategy, were unable to be undertaken:

4.4.1 Under Alert Level 4, hard copies of the public feedback document were unable to be made available at all libraries and the Council Customer Service Centre. Hard copy materials were made available at Civic House, Elma Turner Library and Stoke Library during Alert Levels 3 and 2.

4.4.2 The public expo scheduled for 3 and 4 of September 2021.

4.5 The public was able to provide feedback using Council's website and/or online submission form in Shape Nelson, via email, or by phoning in to the customer service centre to have comments recorded.

Engagement with Iwi

4.6 An update report on Te Ara ō Whakatū went to the Iwi Managers Meeting on 28 September 2021. Officers and Waka Group attended the meeting. Officers provided an update on progress. Iwi supported the work and use of Te Aranga Principles as a framework going forward. Those iwi present, provided feedback on the spatial plan noting there was discussion and support on specific actions in the report (particularly greening measures and cultural expression - specifically with the cultural laneway linking to Albion Square).

Urban Development Subcommittee

4.9 On 26 October 2021, the Urban Development Subcommittee received a briefing on the results of the five-week consultation period.

Previous Engagement

4.10 In addition, to the above public feedback period, targeted community pre-engagement was also undertaken from March to June across 81 meetings with over 250 attendees from over 40 community sectors.

5. Discussion

5.1 Public feedback sought the views of the public on:

5.1.1 Whether or not the proposal was supported; and

5.1.2 The reasons for those views.

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan

- 5.2 The feedback document outlined two options that the Council had considered, and the advantages, disadvantages, and risks of those. The two options were:

Option 1: *"Purposely Excellent" - Adopt Te Ara ō Whakatū – Nelson City Centre Spatial Plan*

- Creates investment certainty
- City centre strategy in place to guide decision makers
- Supports housing intensification
- Creates a more climate and economically resilient future

Option 2: *"Accidentally Great" - No city centre strategy - Not adopt Te Ara ō Whakatū – Nelson City Centre Spatial Plan*

- Ad hoc changes
- No certainty
- Does not leverage business or investment certainty

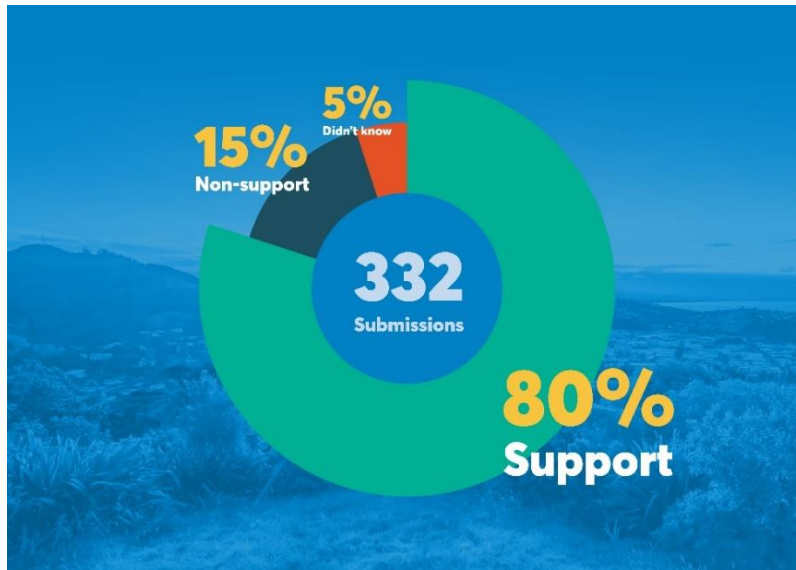
- 5.3 Reports and engagement materials stated that the Council's preferred option was Option 1.

- 5.4 A total of 332 submissions were received. 70% responded 'yes' in support of Te Ara ō Whakatū as a people focused, place-based 30-year vision for Nelson's city centre. 12% responded 'no' and did not support Te Ara ō Whakatū; 4% said they did not know if they supported it or not and 14% did not state any preference. Two late submissions were received (A2780828) but did not change the overall analysis of the public feedback.

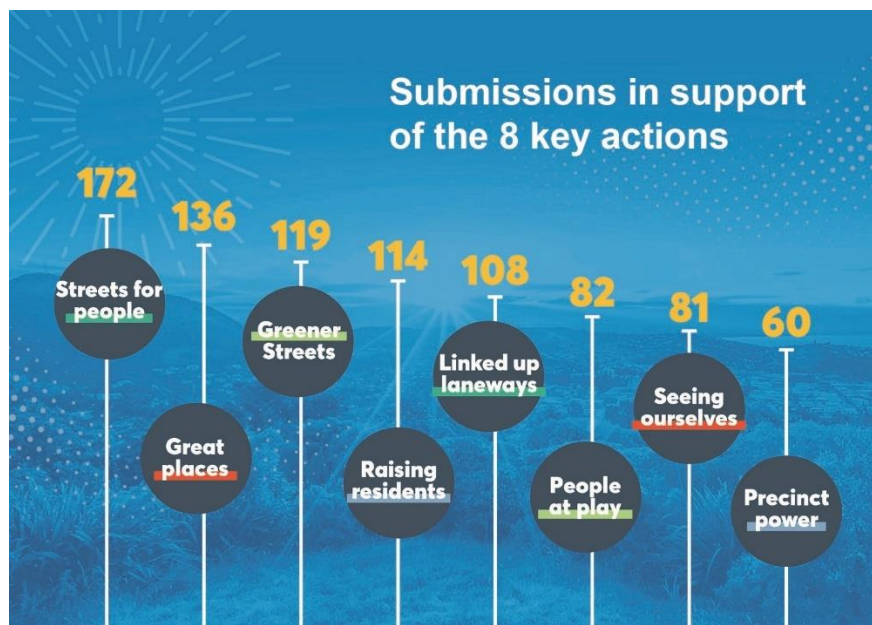
- All of the Te Ara ō Whakatū feedback that was received and analysed for this report has been collated into two documents and are available on Shape Nelson. (Please see links for the documents - [A2768209 - Te Ara ō Whakatū - Combined Feedback - Part 1 - Nov2021](#) and [A2768213 - Te Ara ō Whakatū - Combined Feedback - Part 2 - Nov2021](#)). The documents are very lengthy and too large to include in the Agenda as attachments.

- 5.5 47 submissions (14%) did not state any preference. Many of these submissions were in the form of submission attachments, emails or other formats that did not provide a 'yes' or 'no' response. Upon qualitative review of these submissions, 30 were evaluated as being supportive of Te Ara ō Whakatū, 10 were not supportive and 5 were evaluated as being as did not know. If submission analysis is adjusted following qualitative analysis of the submissions not stating a preference, then 80% of submissions were supportive, 15% not supportive, and 5% did not know.

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- 5.6 Feedback on the proposal to sell 69 to 101 Achilles Avenue and/or 42 Rutherford Street to Kāinga Ora for social and affordable housing was sought by Council at the same time as this consultation. This enabled the community to consider both related proposals in conjunction with one another. Many respondents provided feedback on both consultations. 14% of respondents that supported Option 1 of the Kāinga Ora proposal believed having more people living in the city centre was a significant factor in activating Nelson's city centre.



- 5.7 Eight actions underpin Te Ara ō Whakatū to enable a people-focused, place-based destination. A transformed Nelson city centre where more people live, work, shop, dine, socialise, and play. A place that attracts visitors and talent supporting Nelson as a smart little city. Support for

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan

each of the actions is shown in the graphic above and are summarised in further detail in Attachment 2 (A2783462).

- 5.8 The 4-month pre-engagement period saw general positivity and support for Te Ara ō Whakatū. Some attendees raised issues (climate change) and single topic points (potential loss of parking). However, pre-engagement generally had an 80/10/10 breakdown around support/non-support issues/non-support single topic points. This result is generally consistent with the public submission results. No surprises were noted week to week during pre-engagement. Plans were developed iteratively with attendees over the final 3 months of meetings. No anomalies were encountered with developing the final product.
- 5.9 The majority (80%) of submissions support a future Nelson city centre that is focused on people. Submitters see Nelson as a destination and accept positive change is needed. These submitters highly desire a city centre with better streetscapes, more spaces to sit, more trees/shade, great public spaces and pedestrian amenities.
- 5.10 38 submissions (14%) in support of Te Ara ō Whakatū raised concerns that the effects of climate change need further and longer-term consideration in a vision for Nelson's city centre. The majority of these submitters generally regard Te Ara ō Whakatū as moving in the right direction toward reaching Council commitments with greenhouse gas emission reduction by 2050.
- 5.11 Four submissions were not supportive of Te Ara ō Whakatū specifically because of a stated desire to see greater resilience in the plan with a more comprehensive approach on climate strategy.
- 5.12 Many submissions expressed concerns about specific themes that could affect the ability to deliver the 8 key actions. The theme receiving the most feedback was parking with 93 submissions (28% of all submissions). In relation to parking, 57 (17% of all) submissions supported less priority on car parking to achieve the vision of Te Ara ō Whakatū. 36 submissions (72% of all non-supporting submissions) stated a preference for the current parking approach.
- 5.13 40% of all submissions raised parking and/or climate change as a consideration with Te Ara ō Whakatū. Completion of the Nelson Parking Strategy and further development of Council's climate change strategic direction (including the Climate Action Plan) are seen by many in the public as crucial and will help provide better certainty with two of the biggest concerns raised in response to Te Ara ō Whakatū.
- 5.14 Council received feedback on a wide range of other themes on Te Ara ō Whakatū, including:
- Regional Transport 55 submissions (17%)
 - Social/affordable Housing 38 submissions (11%)

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan

- Cost (implementation) 20 submissions (6%)
- Design and detail 20 submissions (6%)
- Timing (implement sooner) 19 submissions (6%)
- Wider influence of plan 17 submissions (5%)
- Built scale and height 14 submissions (4%)

refer Attachment 2 (A2783462)

- 5.15 The response on regional transport, climate change, parking, building heights, and well-managed social housing to the success of Nelson city centre indicate an ecosystem of public-facing activities that, in some cases, raise concerns regarding a perceived lack of information and coordination between these activities. As a result of Te Ara ō Whakatū being relatively early in Council's city centre strategic framework, it has attracted some comments best addressed through Council's other strategic work.
- 5.16 In response to submissions that desire more certainty and delivery sooner, a more articulated programme of city centre projects over the first decade has been developed in response (refer Section 8 of this report).
- 5.17 As a result of the feedback received; Officers recommend Te Ara ō Whakatū for adoption by Council with minor refinements as outlined below in 5.18.
- 5.18 The Draft Te Ara ō Whakatū document has been modified to reflect the following changes as a result of clarifying the Nelson Public Life Survey data and the public feedback. Refer Attachment 4 (A2787576):
- Updates to renders to reflect feedback from accessibility advocates (e.g., seats with backs and armrests)
 - Clarification of *Our City Centre at a glance* data on pages 14-15 to accurately reflect that Trafalgar Street represents half of Nelson city centre's pedestrian *movements*, not activity
 - Clarification of Public Life survey data on page 73 to accurately reflect an *average* of pedestrian movements in the city centre on weekdays and weekends, not the sum of daily winter and summer movements
 - Further detail on the first decade Delivery programme on pages 82-83 of the Te Ara ō Whakatū main document, including potential tactical urbanism trials and capital projects
 - Removal of 'Draft' from Te Ara ō Whakatū document title and page footers

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- 5.19 These changes to the Draft Te Ara ō Whakatū document were undertaken with input from the Chair of the Urban Development Subcommittee and Group Manager Environmental Management.

Te Ara ō Whakatū in conjunction with other Council strategies

- 5.20 Feedback from the public raised several themes, most prominently climate change response and regional transport. Te Ara ō Whakatū will continue to coordinate with the relevant Council environmental, and climate change strategic direction, including Draft Whakamahere Whakatū Nelson Plan. Te Ara ō Whakatū will also continue to work closely with the transport team regarding city centre access, public transport network, active mode network and parking strategy development.
- 5.21 Te Ara ō Whakatū will be a 'living document' that will require a refresh at least once a decade, or as directed by Council. Refreshing Te Ara ō Whakatū will enable the city centre vision to evolve and adapt with Council priorities and strategies.
- 5.22 Looking ahead, as part of future design considerations for any future design, Council will incorporate best practice response to key environmental factors such as:
- sustainability
 - waste minimisation
 - urban greening

6. Options

- 6.1 The options are to approve Te Ara ō Whakatū or not approve. Officers recommend approval.

Option 1: Approve an amended Te Ara ō Whakatū – Nelson City Centre Spatial Plan for adoption (Recommended Option)	
Advantages	<ul style="list-style-type: none">• Has received overwhelming support through feedback from the community (80%).• Will provide the city with a 30-year strategy to go forward.• Specific actions will require separate sign-off from Council which enables subsequent Council strategies and relevant government policies such as the Nelson Parking Strategy to be incorporated.

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan

	<ul style="list-style-type: none"> A 'living document' means Te Ara ō Whakatū has resiliency and can be refreshed to adapt with new Council and Government strategies
Risks and Disadvantages	<ul style="list-style-type: none"> Te Ara ō Whakatū release is ahead of other strategies, such as on climate change strategic direction and the Nelson Parking Strategy. This is mitigated by integrating the proposed actions of Te Ara ō Whakatū across Council's other city centre strategies. Uncertainty around delivery of the plan that might be perceived as too far into the future.
Option 2: Do not Approve the Te Ara ō Whakatū – Nelson City Centre Spatial Plan for adoption	
Advantages	<ul style="list-style-type: none"> Council officer resources available to focus on other business (NB mostly on ad hoc implementation of city centre projects, so not a true advantage)
Risks and Disadvantages	<ul style="list-style-type: none"> No 30-year strategy for Nelson's city centre. Continues to promote <i>ad hoc</i> decision-making processes to direct the development of Nelson city centre. Could impact potential Government funding of capital projects through application to the Infrastructure Acceleration Fund. Impacts attraction of new business, development and talent to align with Nelson as a smart little city. Not supported by the community given the feedback received. Reputational damage to Council given the high public support for the strategy. Furtheres perceptions regarding consultation fatigue and might discourage future engagement with the public on the city centre.

7. Conclusion

- 7.1 There has been a very high level of support. 80% of respondents have submitted in support of Te Ara ō Whakatū. Officers recommend that the Final Te Ara ō Whakatū – Nelson City Centre Spatial Plan document be adopted subject to minor amendments.

8. Next Steps

8.1 If the recommendations in this report are approved the following would be the next steps:

8.1.1 Following adoption of Te Ara ō Whakatū, Council will bring forward projects to implement in the future. Initial projects will include temporary tactical works already budgeted under Council's Streets for People capital works programme to pilot smaller projects in the city centre that reflect the Te Ara ō Whakatū vision. Once identified, these projects will come back to Council for consideration.

8.1.2 As a 30-year plan, Te Ara ō Whakatū will require budgeting over many years to achieve the vision. Consideration for capital projects delivered in the city centre in the first few years will include:

- Current projects prioritised in the Long Term Plan (LTP):
 - Bridge Street Linear Park as part of the current Infrastructure Acceleration Fund. If the application is successful, this will include design options, business case development and further stakeholder engagement.
 - Play in Nelson city centre is identified in Council's current LTP. Further investigation on integrating play and potential play spaces in the city centre will be undertaken in coordination with Council Parks Team.
 - Renewals in the city centre (e.g., paving, trees and planting, waste and recycling, seating, lighting and amenity).

8.1.3 Preparation of an implementation and delivery plan for the first 10 years that recognises the Long-Term Plan outcomes, Activity Management Plans and Kāinga Ora housing options.

Author: **Alan Gray, City Centre Development Programme Lead**

Attachments

Attachment 1: A2786233 - Final Te Ara ō Whakatū Main Document - Nov2021
(Circulated separately) ➡

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City
Centre Spatial Plan

- Attachment 2: A2783462 – Final Te Ara ō Whakatū Public Feedback Summary
- Oct2021 (*Circulated separately*) [↗](#)
- Attachment 3: A2780828 – Final Te Ara ō Whakatū - Late Feedback -
Submission - JR Elkington and Trevor duFeu - 17Nov2021 [↓](#)
- Attachment 4: A2787576 - Te Ara ō Whakatū - Document Revisions made
after feedback consultation - Nov2021 [↓](#)

Important considerations for decision making

1. Fit with Purpose of Local Government

Decisions in this report allow Council to adopt Te Ara ō Whakatū- Nelson City Centre Spatial Plan. This will allow Council to make decisions on behalf of the community to promote its social, environmental, economic, and cultural well-being that are consistent with the purpose of the Local Government Act.

2. Consistency with Community Outcomes and Council Policy

Te Ara ō Whakatū- Nelson City Centre Spatial Plan is consistent with Nelson's urban development strategies. It aligns with Council's Long-Term Plan, the Draft Whakamahere Whakatū Nelson Plan, Future Development Strategy, key Transport Strategies, including Nelson Future Access Strategy (Waka Kotahi), modal shift (walk and cycle), bus public transport and the Nelson Parking Strategy (in development).

3. Risk

While there was no specific obligation on Council to consult on adopting Te Ara ō Whakatū – Nelson City Centre Spatial Plan, there was a risk that Council's reputation may be impacted if a draft of the plan was not circulated for community feedback. A public feedback process was undertaken over a five-week period to address this risk.

As the plan is long-term and aspirational, there is a likely risk that some in the community will consider the plan too ambitious. Others in the community might express a view the plan should be even bolder.

Despite an extensive community engagement process over four months, speaking with people holding diverse viewpoints, it is likely not everyone will consider that their views and comments are reflected in the plan. These perspectives were reflected in the public feedback process.

Risk exists concerning delays in the delivery of the projects in the plan. Risks exist with high expectations from the public. These risks will require proper process undertaking on-going engagement with the community.

4. Financial impact

1. Council has already committed funding for the development of Te Ara ō Whakatū and \$14m allocated for the city centre in the approved 2021-2031 Long Term Plan for the following:

- Initiate tactical pilot projects over the next 2-3 years to test and trial potential city centre outcomes consistent with the City Centre Spatial Plan

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial Plan

- Business case options for major capital projects to leverage delivery outcomes consistent with the City Centre Spatial Plan

Te Ara ō Whakatū- Nelson City Centre Spatial Plan will be part of strategic Government funding opportunities in Whakatū Nelson to potentially leverage funding as part of the Infrastructure Acceleration Fund application.

5. Degree of significance and level of engagement

While a high level of public interest exists for Nelson's city centre, Te Ara ō Whakatū- Nelson City Centre Spatial Plan is considered of low to moderate significance when considered against all criteria in Council's Significance and Engagement Policy. It does not require a Special Consultative Process (SCP) as it does not impact on levels of service provided by Council, degree of impact on Council's debt or the level of rates it charges and that decisions related to Te Ara ō Whakatū are not irreversible.

Council has determined an appropriate process for Principles of Engagement. An extensive pre-engagement process has been undertaken over the past 4 months meeting with over 40 community sectors with over 275 representative attendees representing more than 200 hours of discussion over four weeklong sessions with a wide range of stakeholders inputting into the 30-year vision for Te Ara ō Whakatū – Nelson City Centre Spatial Plan.

The purpose of public feedback on Te Ara ō Whakatū was to seek the public's view on the plan. The official public engagement process, consistent with the requirements of the Local Government Act 2002 (LGA02), section 82 Principles of Consultation, began on 30 August 2021. This process had the support of NCC's Communications team to ensure a high profile in the community and across all media channels (online and physical). Residents were encouraged to engage with the Draft document and provide Council with their feedback via Shape Nelson or hardcopy public feedback form. This process closed on 1 October 2021 (5 weeks total duration).

It is not proposed that there would be a hearing (having regard to s82(1)(d) of the LGA and the assessment of significance).

Public feedback was sought on the Draft Te Ara ō Whakatū- Nelson City Centre Spatial Plan during a 20-working day period (30 August – 24 September 2021). This period was extended by one week because of COVID-19. A public Expo was scheduled for 3 and 4 September 2021 but cancelled due to COVID-19 Alert Level 4 lockdown.

6. Climate Impact

The strategic vision of Te Ara ō Whakatū – Nelson City Centre Spatial Plan acknowledges climate change is a risk facing the city and region. Te Ara ō Whakatū is consistent with the necessary initial steps over 30 years to provide a robust response for the City Centre to climate impact. Te Ara ō Whakatū will promote intensified city centre living (with reduced reliance

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City
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on private vehicles), modal shift, lowered carbon emissions, increased stormwater capacity and urban greening measures.

7. Inclusion of Māori in the decision making process

An early version of Te Ara ō Whakatū – Nelson City Centre Spatial Plan came to the iwi Managers Forum in March 2020.

The Draft Te Ara ō Whakatū was discussed at the iwi Managers Forum again on 28 September 2021.

8. Delegations

The Urban Development Subcommittee (UDS) has delegations for the Te Ara ō Whakatū – Nelson City Centre Spatial Plan. However, in accordance with section 5.2.2 of the Delegations Register, matters within the area of responsibility of a particular committee, subcommittee or subordinate decision-making body may be considered directly by Council instead on the recommendation of the Chief Executive and with the agreement of the Chair of the subcommittee and the Mayor. This has occurred in this case, and the Chair of UDS will report to the following meeting of the subcommittee regarding the reason for doing so, and the outcome of the matter at the Council meeting, in accordance with the Delegations Register.



Late Feedback



Te Ara ō Whakatū - the pathways of Nelson Form Submission

ID #	
Name	JR Elkington
Organisation	K.W Services
Position	
Suburb / City	Waimea
Postcode	

Do you support Te Ara ō Whakatū as a people focused, place-based 30-year vision for Nelson’s city centre serving as a guide for future development?

Yes	
No	
Don’t Know	
Didn’t Answer	1

Why do you support this vision?

Why don't you support this vision?

Why did you select this option?

Is there anything else that you would like to add?

Please see attached



Your feedback

The objective of this proposal is to provide a people-focused, place-based vision for Whakatū Nelson over the next 30 years.

Council adopted the Six Key Moves of the City Centre Programme Plan in 2019 and over the past six months has undertaken extensive targeted community pre-engagement on this strategy. Council has a good range of views from that pre-engagement process. However, community views on this specific proposal for Te Ara ō Whakatū a 30-year vision for Nelson's city centre are now being sought.

We want to know what you think:

Do you support Te Ara ō Whakatū as a people-focused, place-based 30-year vision for Nelson's city centre serving as a guide for future development? What are the reasons for your view?

Name: JA Elkington
 Organisation represented: (if applicable) K. W. Services
 Address: Wainea, Te Wai Pounamu, Aotearoa (11)
 Email: [REDACTED] (NO SPACES)
 Phone: Please Refer 2 email.

Feedback: Awesome mahi N.C.C, PLEASE KEEP
up the good work, unity in ALL walks of
life is entirely necessary in these troublesome
times, thank you, mayor of .N. & putting in
the hard yards.
onwards & upwards

Public Information: All submissions (including the names and contact details of submitters) are public information and will be available to the public and media in various reports and formats including on the Nelson City Council website. Personal information will also be used for administration relating to the subject matter of submissions. Submitters have the right to access and correct any personal information included in any reports, information or submissions.



Te Ara ō Whakatū - the pathways of Nelson Form Submission

ID #	
Name	Trevor duFeu
Organisation	
Position	
Suburb / City	Wakatū
Postcode	

Do you support Te Ara ō Whakatū as a people focused, place-based 30-year vision for Nelson’s city centre serving as a guide for future development?

Yes	
No	
Don’t Know	
Didn’t Answer	1

Why do you support this vision?

Why don't you support this vision?

Why did you select this option?

Is there anything else that you would like to add?

Please see attached

Item 12: Deliberations on public feedback to Te Ara ō Whakatū - Nelson City Centre Spatial
Plan: Attachment 3

From: Trevor duFeu [REDACTED]
Sent: Saturday, 13 November 2021 9:55 am
To: Submissions <submissions@ncc.govt.nz>
Subject: Te Ara o Whakatu

CAUTION: External email.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

A suggestion for Te ara o Whakatu

I see Bridge street being one way from Rutherford street to Collingwood street,
and Hardy street being one way from Collingwood street to Rutherford street.

Kia ora no tatou
Na Trevor

Trevor duFeu
DSM. NZTC. NZRRS. NZRES. NCVP.

[REDACTED]
Wakatu
Nelson
New Zealand. 7011

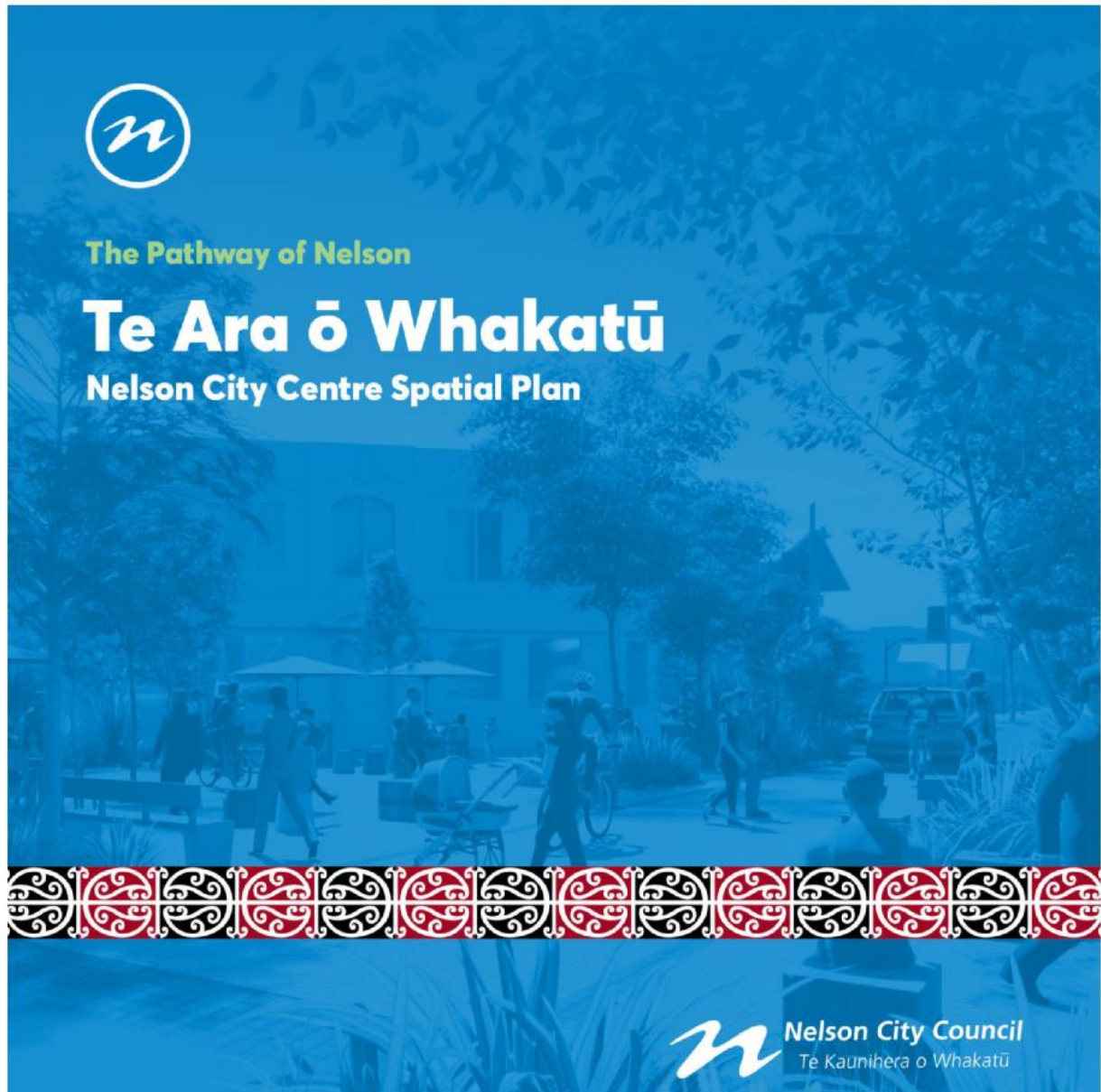
Email [REDACTED]

Ph. [REDACTED]

Cell. [REDACTED]

Document Revisions - Te Ara ō Whakatū

9 December Council Deliberations Report



9 December Revised Document

- removal of 'Draft' from document title and page footers
- updated renders to indicate seating with backs, armrests, etc

A2787576

Document Revisions - Te Ara ō Whakatū

Pages 14-15



24 August Draft Document



9 December Revised Document - clarification of PLS data

Document Revisions - Te Ara ō Whakatū

Pages 72-73



24 August Draft Document



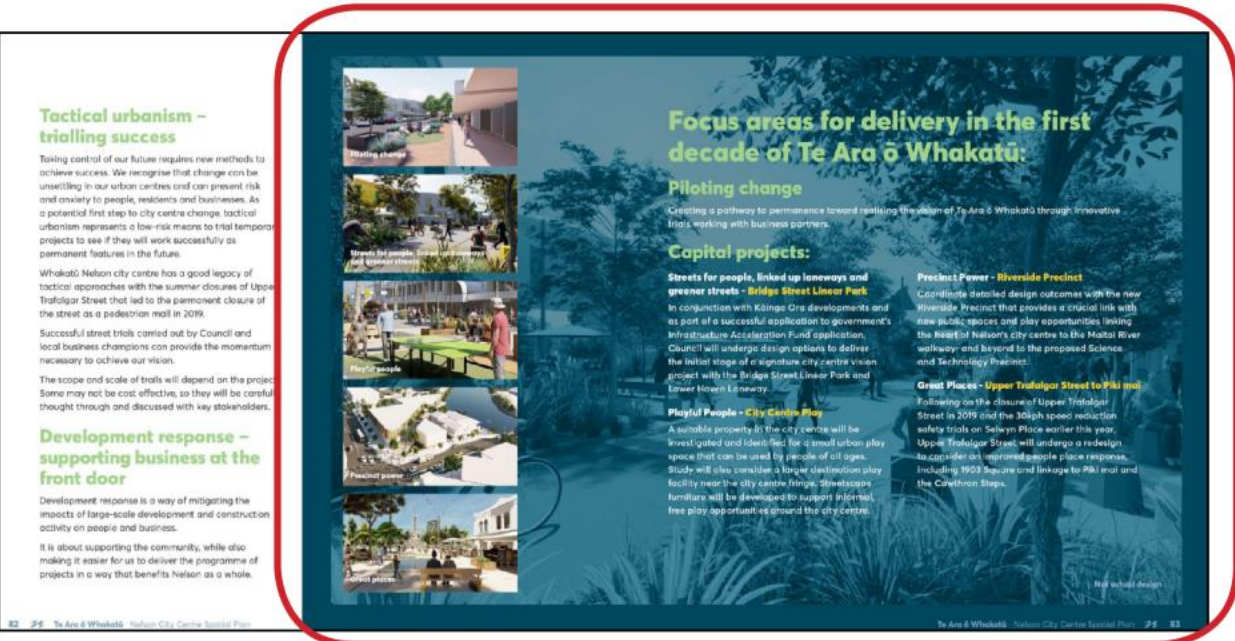
9 December Revised Document - clarification of PLS data

Document Revisions - Te Ara ō Whakatū

Pages 82-83



24 August Draft Document



9 December Revised Document - addition of first decade projects

REPORT R26340

Infrastructure Acceleration Fund: Request for Proposals

1. Purpose of Report

- 1.1 To advise Council of the outcome of Council led Expressions of Interest (EOIs) to the Infrastructure Acceleration Fund (IAF), and to outline next steps with respect to Request for Proposals (RFPs).
- 1.2 To note relative priorities of the RFP's.

2. Summary

- 2.1 On 22 June 2021 the Government announced at least \$1 billion of grant funding for infrastructure projects to unlock housing development in the short to medium-term. This funding is under the IAF and administered by Kāinga Ora. Council submitted five EOIs working closely with four developers.
- 2.2 Council received notification on 15 October 2021 that four EOI's were shortlisted to proceed to the next stage of submitting Request for Proposals (RFPs). Those RFPs are due on 17 December 2021. The RFP requirements are appended as Attachment 1 (A2772290).
- 2.3 As resolved by Council on 12 August 2021, further information was to be brought to Council following the outcome of the EOI process. At this stage it would be premature to move budgets around and change project priorities until certainty is known following Kāinga Ora's assessment of the RFPs. Once that outcome is known and before any negotiations are advanced with central government, officers will bring back a report to identify the potential impacts on Council's approved LTP work programme and officers' ability to deliver additional work for any approved RFPs.
- 2.4 This report also proposes relative priorities of each RFP as required by Kāinga Ora.

3. Recommendation

That the Council

1. ***Receives the report Infrastructure Acceleration Fund: Request for Proposals (R26340) and its attachments (A2772290 and A2797854); and***
2. ***Notes that officers will be progressing the Requests for Proposal of the following projects, noting that this in no way fetters any future Council decision making in relation to the proposals, including in its regulatory capacity:***
 - a. ***Achilles Avenue/Rutherford Street Affordable Housing development;***
 - b. ***Solitaire Investments Limited/Marsden Park Limited (Marsden Valley);***
 - c. ***Wakatū Incorporation (Horoirangi); and***
3. ***Notes that the Maitai Development Co "Mahitahi" (Kaka Valley) developer has deemed that there are other options that better suit their goals and vision for this development which they are actively pursuing instead of the Infrastructure Acceleration Fund; and***
4. ***Notes the priority ratings allocated to the developments, as required by Kāinga Ora, as part of the Request for Proposal submission process, namely:***
 - a. ***Priority 1 - Achilles Avenue/Rutherford Street Affordable Housing development;***
 - b. ***Priority 2 - Solitaire Investments/Marsden Park Limited (Marsden Valley);***
 - c. ***Priority 3 - Wakatū Incorporation (Horoirangi); and***
5. ***Notes that a further report will be brought to Council once Kāinga Ora has decided which, if any, of Council's Request for Proposals are successfully through to the negotiation stage, detailing:***
 - a. ***The required level of Council investment in infrastructure to support each qualifying development; and***
 - b. ***Whether or not this funding is included in the Long-Term Plan 2021-31 and which year(s); and***

- c. 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;***
- d. Any developers' agreements required to progress the negotiations; and***
- e. The capacity of Council to deliver multiple additional infrastructure projects within the required timeframe.***

4. Background

4.1 The 12 August 2021 Council report provides the necessary background and is not replicated here. Please refer to the pages 64 – 136 at the following link for reference:
http://meetings.nelson.govt.nz/Open/2021/08/CL_20210812_AGN_3414_AT.PDF. Please note that the recommendation changed during this meeting, this has been attached for your information (A2797854).

4.2 RFPs are to be submitted by 17 December 2021, with notification of the outcome expected by the end of April 2022. Successful proposals will progress to negotiation prior to Ministers' final funding decisions expected by October 2022.

4.3 Council resolved on 12 August 2021 as follows:

"Includes the following developer Expressions of Interest as part of the Council's application to the Kainga Ora administered Infrastructure Development Fund, noting that this decision is 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 "Maitahi" (Kaka Valley, A2716113); and*
- c. Stoke Valley Holdings Limited/Solitaire Investments Limited/Marsden Park Limited (Ngawhatu Valley/Marsden Valley, A2720023); and*
- d. Gibbons (Bishopdale, A2713299)*

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*

Item 14: Infrastructure Acceleration Fund: Request for Proposals

- *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”.*

4.4 Council also submitted an EOI to the IAF for 69 to 101 Achilles Avenue under Public Excluded (since released into public) and resolved on 12 August 2021 as follows:

“Approves Nelson City Council’s Expression of Interest to the Infrastructure Acceleration Fund for infrastructure projects to enable residential capacity within the city centre, noting that Council has yet to consult on or make a decision on the sale of 69 to 101 Achilles Avenue and 42 Rutherford Street to Kāinga Ora (A2721398 of Report R26071); and

Notes that a further report will be brought to Council once Kāinga Ora has decided if this Expression of Interest will be invited to respond to a Request for Proposals process detailing:

- *The required level of Council investment in infrastructure to support the 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”*

5. Discussion

5.1 Council received notification on 15 October 2021 that of its five EOI applications four were approved to proceed to the next stage as shown below, with one application (Bishopdale) declined:

5.1.1 Achilles Avenue/Rutherford Street affordable housing;

5.1.2 Marsden Valley/Ngawhatu Valley development area;

5.1.3 Maitahi Village; and

5.1.4 Horoirangi Phase 1.

Item 14: Infrastructure Acceleration Fund: Request for Proposals

- 5.2 Officers are working with the developers to complete all RFPs to achieve the very tight submission date of 17 December 2021 and Council has engaged external assistance to co-ordinate and manage the RFPs. The RFPs are not included in this report as they are not yet finalised.
- 5.3 Kāinga Ora has advised that two of the proposals (Maitahi Village and Horoirangi Phase 1) could also be submitted (as separate stand-alone applications by the developers) to the Māori Infrastructure Fund (MIF) – which is a \$750 million fund separate to the IAF. Proposals can be submitted both to the IAF and MIF. The decision to submit to the MIF is a decision for the two developers to make and if they decide to do so will be led by each developer with no Council input.
- 5.4 The RFP submission requirements are substantial. Key information sought by Kāinga Ora includes:
 - 5.4.1 Greater degree of accuracy on costs, noting that scope increases since the EOIs were submitted are not eligible. Kāinga Ora have also advised that they are busy working through COVID-19 supply chain additional costs implications and that RFPs do not need to cater for these;
 - 5.4.2 Greater clarity on each party's fair share contribution to each proposal;
 - 5.4.3 Greater thought on what infrastructure may be required to facilitate future growth in addition to the proposals but noting that applying for more funding in this matter is not eligible;
 - 5.4.4 Commitment to affordable housing; and
 - 5.4.5 Evidence to support housing demand, technical infrastructure reports, risk analysis, gantt charts for delivery programmes for both the infrastructure projects and the housing developments, market analysis and sales strategies.
- 5.5 Kāinga Ora have also advised that:
 - 5.5.1 The fund is to support Council's to get infrastructure to growth areas faster;
 - 5.5.2 The fund is not to support internal developer costs;
 - 5.5.3 No fast-track process is being considered by Kāinga Ora for resource consenting;
 - 5.5.4 The fund will provide grants for the level of service and renewals components of the infrastructure projects, and a loan for the portion of those projects required to support growth. Council will be responsible for collecting development contributions in order to repay the loan for the growth portion or developers fair share;

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- 5.5.5 Councils would be responsible for all cost overruns beyond any funding they receive if successful;
- 5.5.6 The fund will only pay 50% pre-construction costs with costs beyond this to be fully co-funded; and
- 5.5.7 Council will be responsible for negotiating with developers and ensuring that they deliver.

6. Developer Feedback

- 6.1 Following further discussions with the developers, the following observations are noted:
 - 6.1.1 That with respect to the Marsden Valley/Ngawhatu Valley development proposal (a joint proposal between three private developers), one developer has decided not to proceed to the RFP stage. The application will be led by Solitaire Holdings/Marsden Park and Kāinga Ora are happy with this approach.
 - 6.1.2 The Mahitahi developer has advised Council that they have deemed that there are other options that better suit their goals and vision for this development which they are actively pursuing instead of the Infrastructure Acceleration Fund. Council will therefore not be pursuing this RFP application.

7. Relative priorities

- 7.1 Kāinga Ora has also asked that the Council prioritise all applications to aid their decision making, specifically noting:

An Applicant with multiple Proposals should indicate their prioritisation of Proposals. <i>Note: the agreed prioritisation of Programme Path Applicants and other joined up Applicants will be sought separately.</i>	1	Click or tap here to enter text.
	2	Click or tap here to enter text.
	3	Click or tap here to enter text.
	4	

- 7.2 This is somewhat complicated by the fact that all EOIs and hence RFPs are Council led applications with key inputs from different developers with different drivers.
- 7.3 In the absence of formal Kāinga Ora criteria, officers have applied the following criteria to guide that priority setting:

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- 7.3.1 Priority 1 – Developments that address Council priorities (infrastructure, city centre, housing affordability and intensification sustainable transport culture).
- 7.3.2 Priority 2 – Housing yield.
- 7.3.3 Priority 3 – Readiness of applications.
- 7.4 Applying these criteria, officers have arrived at the following priorities (with reasons):

Priority	Development	Reasons
1	Achilles/Rutherford	Meets all of Council's priorities, proposal provides for yield across the City Centre to be realised not just KO development, land is zoned.
2	Marsden	Highest yield per dollar spent on infrastructure & no plan change required
3	Horoirangi Phase 1	Plan change required & not yet commenced

8. LTP, Council Priorities and Resourcing

- 8.1 As noted to and agreed by Council on 12 August 2021, Council's support for the EOIs was a strong signal that it supports further investigating provision of infrastructure to enable development to proceed and that success at the RFP stage is likely to require a re-phasing of the capital programme to allow construction to meet the timelines of the IAF.
- 8.2 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.
- 8.3 RFPs are phase two of a process and any decision on the RFPs are expected to be made in April 2022, with successful proposals proceeding to negotiations with central government. It would be premature to move budgets and change project priorities until certainty is known.
- 8.4 The negotiation involves two contracts - a contract between Council and the Crown for the funding and a second Housing Outcomes Agreement between the Crown, Council, and the developer.
- 8.5 Officers will provide further advice on the timing of any consultation in the next report that will be presented back to Council (expected June 2022) once Kāinga Ora has decided which, if any, of Council's RFPs are successfully through to the negotiation stage. That report will also identify other risks and impacts of any rephasing of the capital programme and the ability of Council to assist in delivering these works.

9. Options

RFP's

- 9.1 There are no decisions to be made now with respect to the RFPs, other than noting that officers will be working with developers to progress all the RFPs to meet the 17 December 2021 deadline. Councils 12 August 2021 support for submitting the EOIs is premised on proceeding to RFP stage and that its support was considered to be a strong signal that it is willing to further investigate providing the supporting infrastructure to enable development to proceed.

Relative priorities

- 9.2 There are no decisions to be made in this matter. Officers have applied a criteria in determining relative priorities for the RFPs to fulfil the requirement from Kainga Ora.

10. Conclusion

- 10.1 Council submitted five EOI applications to the IAF of which four were approved to proceed to the RFP stage. Officers are working with developers to achieve the RFP deadline of 17 December 2021.

11. Next Steps

- 11.1 Kāinga Ora will assess each RFP with feedback expected in April 2022.
- 11.2 Officers will report to Council at that time on the outcome of the RFP process (expected June 2022) and will:
- 11.2.1 Provide Council with information on the impacts of those projects on Council's capital works programme as set out in the LTP and what consultation needs to be undertaken; and
 - 11.2.2 Identify what additional resource is required to finalise negotiations, and the implication for the current year's work programme.
- 11.3 Between May and October 2022 Kāinga Ora will be negotiating with Council for funding and delivery of any proposals that are approved. A separate agreement is required between the Crown, Council, and the developers, through a Funding Housing Agreement, to address affordable housing requirements.

Author: **Alec Louverdis, Group Manager Infrastructure**

Attachments

- Attachment 1: A2772290 - IAF RFP Annexure B - Evaluation Criteria and Supporting Material [↓](#)
- Attachment 2: A2797854 - 12 August IAF recommendation update [↓](#)

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/RFP process. Affordable housing development is supported by good quality local infrastructure which 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 with four of the five submissions approved to proceed to the RFP stage. There is no guarantee that any RFP submitted or supported by Council will be successful. There is substantial additional officer time required to progress the RFP's and this has required input from the Utilities and Transport teams from Infrastructure and the City Development Team.</p>
<p>4. Financial impact</p> <p>Council has already indicated its strong support for each EOI, which 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 RFP 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 the RFP selection phase.</p> <p>There are significant positive financial impacts if Council is successful in attracting central government funding for its infrastructure programme.</p>

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

Māori have not been consulted on in the writing of this report.

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.

Annexure B - Evaluation Criteria and Supporting Material

Evaluation Criteria

The table below sets out the Evaluation Criteria and what Kāinga Ora is looking for to validate Applicants’ statements made at EOI Stage. The information provided here may assist Applicants to identify areas to provide additional information in their RFP Response Form.

Applicants must provide Supporting Material in relation to their statements made in the RFP Response Form (to the extent this is available given the current Phase of the development). Where relevant, the table below identifies typical Supporting Material that Applicants could provide.

Evaluation Criteria – Housing Outcomes 40%		What we are looking for	Supporting Material
1.1	The number of additional dwellings that the funding will enable relative to demand in that area.	Applicants at EOI Stage provided their indicative view of housing demand in the area of the housing development. Kāinga Ora is looking for assurance that the extent of demand for housing in the area has an evidentiary basis or rationale, and the Eligible Infrastructure Project(s) can support that demand.	<p>Applicants should provide:</p> <ul style="list-style-type: none">• market analysis to demonstrate how the Proposal responds to housing demand (in the short, medium and long term) in the area and any assumptions and uncertainty associated with that analysis, together with any input from consultants where available.• supporting evidence from any relevant Housing Development Capacity Assessments released by councils under the National Policy Statement on Urban Development 2021; and• Statistics New Zealand and/or NIDEA projections of population changes and what this means in terms of housing demand. <p>Kāinga Ora will also conduct due diligence for assurance that the scale of the housing development is in fact, realistic in the context of the Proposal. Applicants should provide details of how the Proposal is consistent with relevant Council planning documents which plan for growth (for example Council-led growth or spatial plans, plan changes or structure plans).</p>

Evaluation Criteria – Housing Outcomes 40%		What we are looking for	Supporting Material
1.2	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).	<p>Kāinga Ora is looking for Applicants to demonstrate the lower-cost housing outcomes of the housing development are feasible.</p> <p>Applicants should provide information such as:</p> <ul style="list-style-type: none"> typology of the housing development – housing type (e.g., standalone, apartments or terraced housing), typical lot size, indicative gross floor area, number of bedrooms; expected price point by typology; and the extent of developer commitment to achieve lower-cost housing outcomes, e.g., letters of support from developers.¹ 	<p>Relevant information that will enable evaluation of Applicants' Proposals against this Sub-criteria include:</p> <ul style="list-style-type: none"> cross references to housing density in any planning documents (e.g., Master Plans); sales strategy/plan for meeting the First Home Grant price cap (by region)²; any agreements to supply at specified price points and/or lower cost housing co-funding agreements/grants; evidence from developers that they have provided information to their bank/lender regarding housing price outcomes or price caps; and that they have accounted for any price caps in the development numbers in feasibility/business case material provided.
1.3	The extent to which the location where housing will be enabled has unmet demand and provides access to amenity and opportunity.	<p>Applicants should:</p> <ul style="list-style-type: none"> describe the nature of the housing market in the particular location (i.e., within the wider context) and how the proposed approach 	<p>Relevant information that will enable evaluation of Applicants' Proposals against this Sub-criteria includes:</p> <ul style="list-style-type: none"> evidence of the methodology for assessing demand in the particular location; evidence of the status of any planned amenities (e.g., a letter from the Ministry of Education regarding the planning status of a new school); and planning documents such as spatial, master and structure plans which demonstrate the housing development integrates with wider amenity by walking, cycling, frequent

¹ Where developers are unknown, Applicants should comment on what is likely to be achievable with developers in the area.

² [Check property criteria :: https://kaingaora.govt.nz/home-ownership/first-home-grant/check-property-criteria/](https://kaingaora.govt.nz/home-ownership/first-home-grant/check-property-criteria/)

Evaluation Criteria – Housing Outcomes 40%		What we are looking for	Supporting Material
		<p>addresses localised housing demand;³ and</p> <ul style="list-style-type: none">• demonstrate how the housing development is both proximate and provides ease of access to amenities such as employment, education, and community amenities.	<p>public transport and private vehicles (including an assessment of the transport impacts of the housing development).</p>
1.4	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).	<p>The National Policy Statement on Urban Development (NPS-UD) directs local authorities to enable intensification through regional policy statements and district plans.⁴ Kāinga Ora is looking for Applicants to describe how their Proposal demonstrates good urban form.</p>	<p>Applicants should:</p> <ul style="list-style-type: none">• cross refer to the typology described in response to Sub-criteria 1.2, noting how their Proposal adheres to the NPS-UD; and• describe any District Plan changes giving effect to policies under the NPS-UD, or council plans to implement these changes.

³ By reference to their market analysis of housing demand, as suggested in Sub-criteria 1.1.

⁴ See in particular Policies 3 and 5 of the [National Policy Statement on Urban Development 2020](#).

Evaluation Criteria – Housing Outcomes 40%		What we are looking for	Supporting Material
1.5	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.	<p>Kāinga Ora is looking to verify that Proposals support development on land held by Māori, where this has been stated to be the case. This support could be direct (i.e., the housing development is on land owned by Māori), or indirect (i.e., land owned by Māori indirectly benefits from the Eligible Infrastructure Project(s)).</p> <p>In respect of the second component of this Sub-criteria, Kāinga Ora is looking for Applicants to demonstrate their approach for involving Mana Whenua in planning and progressing the housing development.</p> <p>Where applicable, this goes beyond targeted consultation with Mana Whenua and contemplates Mana Whenua being involved at a governance level in the development of the Proposal as partners.</p>	<p>Applicants should provide:</p> <ul style="list-style-type: none"> • Certificates of Title evidencing Māori land ownership in the areas that benefit from the enabling infrastructure, and/or beneficiary analysis demonstrating how the Eligible Infrastructure Project(s) is linked to housing development on land owned by Māori; and • evidence of early engagement with Mana Whenua, such as letters of support from Mana Whenua for the Proposal, the status of discussions with Mana Whenua (or planned discussions with Mana Whenua). <p>Relevant information that will enable evaluation of Applicants' Proposals against this Sub-criteria include:</p> <ul style="list-style-type: none"> • governance documentation evidencing a partnering approach between relevant parties and Mana Whenua (e.g., Memorandums of Understanding); and • evidence of Mana Whenua representation on a governance group, or plans to implement this in the future.

Evaluation Criteria – Housing Outcomes 40%		What we are looking for	Supporting Material
1.6	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.	Kāinga Ora is looking for Applicants to demonstrate that the housing development supports environmentally sustainable outcomes.	<p>Applicants should provide:</p> <ul style="list-style-type: none">• evidence that the housing development is within walking catchment areas to public transport, and via off-road walkway and cycleway links, and enables the housing population to use these modes of transport;• evidence of investment in complementary environmental benefits (e.g., mitigation on flood risks, or protection of wetland areas);• details of any planned accreditation or rating system in respect of the housing outcomes referred to in the Proposal (e.g., Homestar and NABERS);• any environmental management plan, or mitigation plans etc., or outline the approach for achieving these in the future; and• letters of support evidencing developer commitment to environmental benefits.

Evaluation Criteria – Impact of funding 20%		What we are looking for	Supporting Material
2.1	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.	<p>Kāinga Ora is seeking information to verify that IAF funding will be truly impactful and either unlocks additional housing or accelerates expected housing supply.</p> <p>The verification process will involve due diligence on how IAF funding is critical to the delivery of Eligible Infrastructure Project(s) and the housing development.</p>	<p>Applicants should provide:</p> <ul style="list-style-type: none">• evidence of the need for upgraded or new Eligible Infrastructure Project(s) to enable the housing development (e.g. technical consultant reports);• cash flow forecasts for the net costs of the Eligible Infrastructure Project(s) and the housing development (taking into account the quantum and timing of the co-funding stipulated in Sub-criteria 3.2 below);⁵• evidence that funding requested is critical for timely delivery of the Eligible Infrastructure Project(s), such as by reference to any particular sections of council planning documents (i.e., without the funding, the infrastructure and housing delivery will not proceed); and• in cases where housing supply is accelerated, evidence that the accelerated timeframes are realistic and achievable.

⁵ Cash flows may be incorporated/ referenced in Supporting Material such as business cases and feasibility studies.

Evaluation Criteria – Impact of funding 20%		What we are looking for	Supporting Material
2.2	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.	<p>Kāinga Ora is looking for Applicants to set out their analysis of the alternative funding options, and the basis upon which they have elected to seek IAF funding.</p> <p>In particular, Applicants should provide evidence of a demonstrable funding gap and that relevant parties are not able to pay for the Eligible Infrastructure Project(s) themselves.</p>	<p>Applicants should provide information and/or financial analysis including (but not limited to):</p> <ul style="list-style-type: none"> analysis of the options to fund the Proposal by other means (for example, analysis demonstrating why funding through a development agreement solution is not considered feasible or why an IFF solution has not been pursued); and analysis of why the Territorial Authority cannot fully fund the Eligible Infrastructure Project(s). For example, what that would mean in terms of <ul style="list-style-type: none"> available debt headroom of the TA, such as debt to revenue forecasts;⁶ and/or rate increases.⁷ <p>Developer/ Māori Applicants</p> <ul style="list-style-type: none"> Applicants should provide evidence (e.g., letters of support) which validates statements at EOI Stage regarding the extent of council co-investment in the Eligible Infrastructure Project(s) enabling the particular housing development.

⁶ Developer and Māori Applicants should only describe this to the best of their ability.

⁷ Developer and Māori Applicants should only describe this to the best of their ability.

Evaluation Criteria Cost and co-funding 20%		What we are looking for	Supporting Material
3.1	The average whole-of-government cost per dwelling expected to be enabled by the Eligible Infrastructure Project(s).	<p>Kāinga Ora is looking to conduct due diligence on the expected cost to government and funding sources for the entire infrastructure requirements of the housing development. A key aspect of this process will be assessing the cost estimates for Eligible Infrastructure Project(s) and the certainty of the other funding sources identified in Schedules 1 and 2 of the RFP Response Form.</p> <p>Applicants should note that they will take all cost escalation and timing risk associated with delivery of the Proposals. Nevertheless, Kāinga Ora is looking to understand the extent of the risk that these present to the Applicant and the potential that the Proposal does not proceed should these risks materialise. In completing the Schedules to the RFP Response Form Applicants are requested to build inflation and contingency into their cost forecasts. Supporting Material should clearly demonstrate what escalation/inflation has been applied to cost estimates and also identify contingencies that are included in cost estimates.</p> <p>Similarly, where other funding sources are yet to be confirmed, Applicants should comment on how this is expected to be secured when completing Schedule 2 (Cost and funding tables) of the RFP Response Form.</p>	<p>Applicants should provide:</p> <ul style="list-style-type: none"> evidence of contingency and probability value estimate of costs, together with any evidence of escalation and contingency applied to these costs (if applicable);⁸ technical consultant reports on cost estimates, including engineering reports and peer review;⁹ confirmation that, should costs increase, evidence that the Applicant has the capacity to fund those cost increases; and letters of support from other funders¹⁰. If funding sources have not been secured, evidence of the status of those discussions.

⁸ Kāinga Ora understands that cost estimation confidence will likely depend on the Phase of the particular Proposal.

⁹ The extent of detail provided by Applicants should reflect the scale of the particular Proposal, and should be referred to when completing Schedule 1 (Eligible and Ineligible Infrastructure)

¹⁰ For example, where National Land Transport Programme funding has been secured for an Eligible Infrastructure Project, this confirmation is provided as Supporting Material.

Evaluation Criteria Cost and co-funding 20%		What we are looking for	Supporting Material
3.2	Alignment with co-funding principles for the Fund. ¹¹	<p>Kāinga Ora is looking for information which demonstrates that relevant parties have been identified and are willing to pay their “fair share” of the Eligible Infrastructure Project(s) costs, as identified in Schedules 1 and 2 of the RFP Response Form.</p> <p>Following evaluation of Proposals at EOI Stage, a number of Applicants have not considered how the landowners’ fair share applies to their Proposal.¹²</p> <p>At the RFP Stage, Kāinga Ora is looking for assurance that parties are committed to contributing their portion of the total cost of the Eligible Infrastructure Project(s), meaning:</p> <ul style="list-style-type: none"> parties are willing to work towards payment mechanisms that ensure landowners are paying their “fair share”, being the reasonable growth portion of the Eligible Infrastructure Project(s); and Territorial Authorities are co-investing to the maximum extent possible (without displacing LTP funding). 	<p>Applicants must provide a clear statement indicating that landowners are willing to pay their fair share of the total cost of the Eligible Infrastructure Project(s), such as through letters of support.</p> <p>Applicants should provide:</p> <ul style="list-style-type: none"> their assessment of the landowner’s fair share; the basis upon which the “fair share” is calculated (e.g. with reference to the development contributions policy for the relevant council area and the total cost of the Eligible Infrastructure Project(s)); any preference between payment mechanisms for recovering the landowners’ fair share of the cost of Eligible Infrastructure Project(s), noting the various options set out in the RFP Guidance document; and any development agreements, IFAs, IFF levies as applicable to the Eligible Infrastructure

¹¹ Key principles of the IAF are:

- *developers and landowners should be paying a similar share of the costs of the infrastructure as would be the case if the Eligible Infrastructure Project(s) 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 without displacing LTP funding.*

¹² For example they have applied for IAF funding for the element that would traditionally be recovered from development contributions.

Evaluation Criteria		What we are looking for	Supporting Material
Cost and co-funding 20%			<p>Project(s), or evidence of discussions on these arrangements (or planned discussions).</p> <p>Developer/ Māori Applicants</p> <ul style="list-style-type: none">Letters of support from any relevant Territorial Authority in regards to the quantum of their co-investment in the Eligible Infrastructure Project(s).

Evaluation Criteria – Capability and readiness 20%		What we are looking for	Supporting Material
4.1	The extent to which there are other barriers to the housing development that the Eligible Infrastructure Project(s) will serve (and how they will be removed if funding is approved).	<p>Kāinga Ora is looking to understand any other constraints holding back the housing development, and how Applicants are managing any dependencies in regards to their Proposal.</p> <p>Kāinga Ora is looking for assurance that there is a clear plan to deliver the housing development, the total infrastructure required to enable the housing development, and that risks have been assessed and can be removed or mitigated.</p>	<p>Applicants must complete Schedule 3 (Status of Eligible Infrastructure Projects) of the RFP Response Form and the separate Risk Register, as provided in Annexure A – Risk Register Template.</p> <p>To the extent practicable, Applicants should provide the following:</p> <ul style="list-style-type: none"> • clear statements confirming that relevant parties (if known) will be responsible for the cost and delivery of “local” Infrastructure and other ineligible infrastructure; • where those parties are not yet known, a clear plan to identify them and obtain commitments to progress the Proposal; • key risk timeline; • land acquisition strategy; • procurement strategy; and • schedule of consents¹³ and approvals secured to date for the Proposal, and pathways for future consents and approvals identified (implications of which should also be reflected in the programme referred to in Sub-criteria 4.4 below).¹⁴

¹³ Such as land use consents for each Eligible Infrastructure Project, and plan changes, subdivision and land use consents for the housing development.

¹⁴ Applicants should only provide this where additional information is required to support and explain that which is already provided in Schedule 3 (Status of Eligible Infrastructure Project(s)) and in the programme.

Evaluation Criteria – Capability and readiness 20%		What we are looking for	Supporting Material
4.2	The degree of developer commitment or interest in building housing quickly.	<p>Kāinga Ora is looking to understand Applicants’ strategy with developers to deliver the housing outcomes set out in their Proposal.</p> <p>Kāinga Ora is expecting known developers to evidence their level of commitment to the housing outcomes set out in the Proposal. Where developers are unknown at RFP Stage, Kāinga Ora is looking for Applicants to provide a clear plan to engage willing developers to deliver the outcomes set out in their Proposal.</p>	<p>Applicants should provide:</p> <ul style="list-style-type: none">• their developer strategy, such as the status of discussions with developers and landowners to secure commitment to the programme of delivery for sections and housing; and• evidence of developer commitment including:<ul style="list-style-type: none">○ letters of commitment; and○ actions by the developer to date, such as investment, consenting actions, sales strategies and plans.

Evaluation Criteria – Capability and readiness 20%		What we are looking for	Supporting Material
4.3	Demonstrated alignment between all parties including Territorial Authorities, Regional Councils, Mana Whenua and developers needed to advance the housing development.	Kāinga Ora is looking for Applicants to demonstrate a strategic approach with delivery partners, where there is strong local leadership and joint working to achieve the housing outcomes in the Proposal.	<p>Applicants should provide:</p> <ul style="list-style-type: none">• letters of support (if these were not provided at EOI Stage);• feasibility analysis/business cases which consider alignment between parties for costing and delivering the housing development (including ineligible infrastructure requirements);• governance arrangements which evidence:<ul style="list-style-type: none">○ streamlined decision-making authority in respect of the Proposal; and○ effective joint workings between parties (e.g., memorandums of understanding); and• evidence of stakeholder engagement and consultation with the community, or plans for this to occur.

4.4	Confidence in the ability of all parties to deliver the Eligible Infrastructure Project(s) and housing development as proposed.	Kāinga Ora is looking for Applicants to demonstrate and describe the key strategies to ensure the housing development is commercially viable and how the market will be engaged to deliver it.	<p>Applicants should provide:</p> <ul style="list-style-type: none"> • a structure chart identifying the key parties involved in the delivering the Proposal including the Territorial Authority, the developers / landowners, subcontractors delivering all infrastructure required to deliver the Proposal, Iwi/Māori and co-funders; • the names of directors / trustees or other governors / shareholders / key management of all relevant parties; • reference details for the prior examples identified at EOI Stage; • structure chart of the project team to deliver the Proposal, with descriptions of key personnel roles (including CVs with details on previous experience); • programme of delivery for the housing development and its infrastructure requirements in logic linked Gantt Chart in MS Project (or equivalent) which shows all activities, dependencies and critical path, key milestones by Phase (with indicative IAF funding amounts paid at those Phases), and constraints across the lifecycle and Phases of the housing development; • risk allocation matrix and delivery responsibilities reflected in the above structure chart and programme; • where applicable and to the extent available, development and construction methodology statements for the housing development and infrastructure requirements, which must: <ul style="list-style-type: none"> ○ outline the approach to land development, including staging and subcontractors; ○ outline the construction methodology, including staging (including delivery across multiple work sites); ○ description of the construction supply chain, including procurement and management of subcontractors; and ○ demonstrate how the programme targets will be met;
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Evaluation Criteria – Capability and readiness 20%		What we are looking for	Supporting Material
			<ul style="list-style-type: none">• explanation and evidence of how each of the relevant parties have the commercial and financial capacity to successfully undertake their role in respect of the Proposal. For example: for Territorial Authority Applicants:¹⁵<ul style="list-style-type: none">○ confirmation that they have reviewed or will review information such as financial statements and/or statements of available funds from developers and subcontractors (where known) to satisfy themselves that all of the relevant parties have the commercial and financial capacity to complete their role in respect of the Proposal;○ their subcontractor procurement policy;○ explanation of the nature of bonding / security that will be required of key subcontractors; and○ how they will ensure that developers / landowners can and will pay their fair share as outlined in Sub-criteria 3.2; andfor Māori/ Developer Applicants:<ul style="list-style-type: none">○ confirmation and evidence to confirm all of the relevant parties have the commercial and financial capacity to complete their role in respect of their Proposal. For example a statement of availability of funds (e.g., letter from external lender(s)) and details of current committed projects (\$ and durations) and projects currently bidding on.Kāinga Ora reserve the right to require Applicants, as a condition of advancing to Negotiation, to confirm the commercial and financial capacity of all relevant parties. This might include a review of each parties’;

¹⁵ Kāinga Ora reminds Applicants to provide commercial and financial information commensurate with the scale of their Proposal.

Evaluation Criteria – Capability and readiness 20%		What we are looking for	Supporting Material
			<ul style="list-style-type: none">○ statements of availability of funds and/or support from external financiers;○ audited and latest interim financial statements (profit and loss, balance sheet and cashflow);○ the nature of support that is/will be provided by the parent company (if relevant); and○ other information considered relevant.

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

Document number R26027, agenda pages 64 - 136 refer.

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,~~ *Includes the following developer Expressions of Interest as part of the Council's application to the Kainga Ora administered Infrastructure Development Fund, noting that these letters are this decision is 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 "Maitahi" (Kaka Valley, A2716113); and*
 - c. *Stoke Valley Holdings Limited/Solitaire Investments Limited/Marsden Park Limited (Ngawhatu Valley/Marsden Valley, A2720023); and*
 - d. *Gibbons (Bishopdale, A2713299)*
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)~~
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.*

A2797854

REPORT R26389

Three Waters Reform Update and submission on Three Waters Economic Regulator discussion document

1. Purpose of Report

- 1.1 To provide an update on the Government's Three Waters Reform programme, including outlining next steps on public engagement.
- 1.2 To approve the submission on the Economic Regulation and Consumer Protection for Three Water Services in New Zealand.

2. Summary

- 2.1 On 27 October 2021, the Minister for Local Government, Hon Nanaia Mahuta announced the Government will create four publicly owned water entities with legislation mandating an 'all in approach' to be introduced to Parliament this year.
- 2.2 The Government has released a Discussion paper, *Economic Regulation and Consumer Protection for Three Waters Services in New Zealand*, with submissions closing on 20 December 2021.
- 2.3 This report also outlines Council's next steps on engaging with our community and major water users on the new Water Services Entities Bill that will be released for consultation by central government in mid-December.

3. Recommendation

That the Council

- 1. Receives the report Three Waters Reform Update and submission on Three Waters Economic Regulator discussion document (R26389) and its attachments (A2788174, A2786106, A2786027); and***
- 2. Approves the draft Council submission (A2786027) to the Ministry of Business, Innovation and Employment***

***on the Economic Regulation and Consumer Protection
for Three Waters Services in New Zealand; and***

- 3. Agrees that the Mayor, Infrastructure Committee Chair and Chief Executive be delegated authority to approve minor editorial amendments to the Council submission (A2786027); and***
- 4. Notes the Government will introduce legislation to Parliament where Council and the public will have the opportunity to submit on the Water Services Entities Bill and subsequently the Water Services Entities (Implementation Bill); and***
- 5. Agrees to community engagement to be undertaken prior to Council submitting on the draft legislation as detailed in Report R26389; and***
- 6. Notes a submission on the Water Services Entities Bill will be prepared once the Bill is introduced to Parliament and will be brought back to Council for approval including community feedback; and***
- 7. Notes that the Chief Executive will report back once staff have received further information and guidance from the Government on the next steps and how these should be managed.***

4. Background

- 4.1 Over the past four years central and local government have been considering the issues and opportunities facing the system for regulating and managing the three waters (drinking water, wastewater, and stormwater). On 27 October 2021, The Government publicly announced the next steps in the reform programme.
- 4.2 On 23 September 2021, Council resolved the Chief Executive will report back once staff had received further information and guidance from the Government on the next steps in the reform programme and how these should be managed ([23 September Council Agenda, page 174](#)). Council resolved the following:

"Notes that Council would need to gain an understanding of the community's views once Council has further information from the Government on the next steps in the reform process"

5. Discussion

Taumata Arowai legislation has passed

- 5.1 A water services regulator has been established, Taumata Arowai, which will enforce existing standards, with significant penalties proposed, including fines and criminal proceedings.
- 5.2 The Water Services Act is now law and introduces significant new regulation for water services, which will apply however water services are delivered, such as:
 - 5.2.1 stringent compliance with current drinking water safety standards. Complying with these standards may require infrastructure investment. But councils will not be able to defer crucial upgrades on the grounds of cost; and
 - 5.2.2 working alongside Regional (and Unitary) Council regulators to provide national oversight on the performance of wastewater and stormwater networks.

The Government has released more information on reform programme

- 5.3 On 27 October 2021, a suite of information was released by the Government on the next steps of the Three Waters reform programme. This announcement included confirmation the Government will create four publicly owned water entities to manage drinking water, wastewater and stormwater infrastructure and services. The decision-making has been removed from councils, with all councils being mandated to join an Entity. Nelson City Council has been placed in Water Service Entity C.
- 5.4 The Government announced that the Water Services Entities Bill, will be introduced to Parliament in 2021 to progress the establishment of the entities. This would include a select committee process to provide an opportunity to get public feedback on the reforms. This will be followed by a Water Services Entities (Implementation) Bill in 2022.
- 5.5 The Department of Internal Affairs (DIA) released a Three Waters Reform Programme Update on 5 November 2021, which included additional information on the next stages in the reform programme. The Government announced the establishment of three working groups to work through outstanding issues. More information on these working groups is outlined in paragraph 5.18.
- 5.6 The Government has also established the National Transition Unit (NTU), for executing the Government's decisions on Three Waters reform. The DIA has announced that from November 2021 to 1 July 2024, the transition from the current system to the new one will take place and the NTU will ensure the transition is efficient, effective and minimises disruption to communities and consumers. The NTU has been tasked with working with the local government sector, iwi, water industry and other

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stakeholders on the transition to the new arrangements. In 2022, the NTU will set up four local establishment entities (LEEs), which will support the local transition in their area. More information on the NTU is attached (Attachment One: A2788174) The DIA has advised future updates on the transition process are likely later this year.

Timeline on Three Waters reform outlines process to new entities

- 5.7 The Government's Three Waters reform timeline indicated the Water Services Entities Bill will be introduced to Parliament, referred to Select Committee and submissions called for by the end of 2021. The timeline indicates the Select Committee process, including public submissions and hearings, will occur in early 2022, with the Bill being enacted later in 2022. This timeline is attached (Attachment Two: A2786106).
- 5.8 Other key milestones in the timeline include:
- 5.8.1 Water Service Entities (Implementation Bill) – July 2022
 - 5.8.2 First \$500 million of 'better off' funding available – July 2022
 - 5.8.3 Economic Regulation (Water Services) Bill (TBC) – January 2023
 - 5.8.4 Water Services Entities operational – 1 July 2024
 - 5.8.5 Reminder \$2 billion of 'better off' funding available – July 2024

Ability for the public to engage in the process

- 5.9 Council resolved on 23 September 2021 that Council would need to gain an understanding of the community's views once Council has further information from the Government on the next steps in the reform process.
- 5.10 Council outlined in its feedback to Government that there is significant public commentary around the need for consultation with the community, considering the significance of the reforms. Council informed the Minister for Local Government that it had received feedback requesting a referendum, or full public consultation, prior to implementation of the reforms. Council sought clarification from the Government on the next steps and intentions for consultation.
- 5.11 The Government's announcement included ensuring local participation is evident in the next phase of the reforms and that the public will have an opportunity to provide feedback. The public will be invited to submit on the Water Service Entities Bill when the Select Committee submission process opens in December. Additionally, the public can be involved in the discussion document on the economic regulation and consumer protection. The Government's timeline indicates further submission opportunities will occur on the Water Services Entities (Implementation) Bill and the to be confirmed Economic Regulation (Water Services) Bill.

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Council can promote these opportunities to the public and provide information on how the public can have their say directly to Parliament.

Council-led engagement and consultation to take place on the Water Service Entities Bill

5.12 At the time of writing this report, the Water Service Entities Bill has not yet been introduced to Parliament or made publicly available. Therefore, it is difficult to know what the Bill contains, and what the public will be asked to submit on. Once the Bill is released, officers will need to review it prior to drafting a submission on behalf of Council and to prepare engagement material for the public to guide Council's submission.

5.13 Council has limited time to undertake engagement with the public prior to drafting Council's submission on the Bill. Public engagement will be used to inform Council's submission, with analysis of the public feedback coming back to Council for discussion prior to finalising Council's submission. The Communications Plan will include:

5.13.1 Stage one – Bill released

- Council media release announcing details of the Parliamentary engagement process once known
- Council to engage with stakeholders directly to encourage submissions to Parliament

5.13.2 Stage two – Engagement opens

- Council media release and advertising detailing how the public can engage with Council to help inform Council's submission through local and social media

5.13.3 Stage three – Council submission

- Council media release on details of Council's submission once it is made public
- Release Council's submission to Parliament through web site, social media, and Our Nelson
- Mayor's Message closest to submission deadline to focus on Three Waters and governance.

5.14 Based on Parliamentary procedure a Select Committee cannot call for submissions in anticipation of a bill being referred to it, therefore Council will not know the timeframes for submissions until after the Bill has had its first reading in Parliament. The standard time for opening of submissions is four to six weeks, however the Select Committee may set a longer period for submissions and Council understands this is likely to

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be the case. Council's draft submission will be brought to the first Council meeting in 2022 for approval.

Economic regulation and consumer protection feedback sought by the Government

- 5.15 On 27 October 2021, the Minister of Commerce and Consumer Affairs, Hon Dr David Clark, released a [discussion paper](#) on the options for economic regulation and consumer protections within the Three Waters services. It outlines consideration of mechanisms to give consumers and communities a voice in the three waters regulatory system to ensure it is responsive and accountable. It provides a range of options on issues without ruling out any option.
- 5.16 Officers have drafted a response (Attachment Three: A2786027) which has been circulated to elected members previously. The draft submission focuses on public engagement with economic regulation and consumer protection in the three waters regulatory regime. Additionally, the draft submission focuses on how the economic and consumer protection regulation should interact with other aspects of the three waters regulation, such as Taumata Arowai, and governance.
- 5.17 Council has not engaged the public in the development of this submission. This is due to timings, with submissions required by 20 December 2021. The next stage of the economic regulation and consumer protection part of the Three Waters reforms is likely to include legislation. At this stage Council could undertake public engagement prior to making a submission on that Bill. The DIA indicative timeline indicates this Bill will occur in 2023.

Three working groups are being established

- 5.18 The Government has announced the establishment of three working groups to complement the work of the Joint Central-Local Government Steering Committee. The three working groups are:
- 5.18.1 Representation, governance and accountability of new water service entities group
- To respond to feedback received from the local government sector on arrangements including the number of layers in the governance structures, the size of the Representative Governance Group, the lack of direct influence over the appointments and removal of entity board members and concerns about a lack of accountability
 - On 10 November, it was announced Mayor Rachel Reese has been appointed as a member of this Working Group
- 5.18.2 Planning Technical Advisory Group

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- To provide advice on the interface with the resource management system and local government planning to ensure the water service entities, councils and other infrastructure providers can work effectively together

5.18.3 Rural Supplies Technical Advisory Group

- To build on existing work focused on ensuring that there is a clear pathway and support for the transition of small, rural suppliers into regulatory system

6. Options

- 6.1 Two options are presented for consideration. Approve or not approve the draft submission (A2786027) on the Economic Regulation and Consumer Protection for Three Waters Services in New Zealand discussion paper.

Option 1: Approve the Economic regulation and consumer protection discussion document submission (Recommended)	
Advantages	<ul style="list-style-type: none">• Provides feedback to the Government on Council's perspective of economic regulation and consumer protections for Three Water services• Enables the Government to potentially make changes to the proposals that improve the economic regulation and consumer protection regimes
Risks and Disadvantages	<ul style="list-style-type: none">• Submission does not fully accord with views of Council
Option 2: Do not approve the Economic regulation and consumer protection discussion document submission	
Advantages	<ul style="list-style-type: none">• Council not committed by submission content
Risks and Disadvantages	<ul style="list-style-type: none">• Feedback not raised with the Government

7. Conclusion

- 7.1 The Government has mandated the Three Waters reform programme, with Nelson City Council in Water Service Entity C and announced legislation will be introduced in late 2021. The Water Service Entities will be operational on 1 July 2024.
- 7.2 Council has a role to engage the public on the next steps in the reform programme. The public consultation process on the Water Services

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Entities Bill will be led by the Parliamentary Select Committee. Council, and the public, will have the ability to submit as part of this process.

8. Next Steps

- 8.1 Following the introduction of the Water Services Entities Bill, Officers will prepare a submission for Council.
- 8.2 The Chief Executive will keep Council informed on the next steps of the Three Waters reform programme when more information is known, including implications for Council and transition arrangements. The Mayor will report back on the representation, governance and accountability Working Group.

Author: Pat Dougherty, Chief Executive

Attachments

- Attachment 1: A2788174 - National Transition Unit Overview - Provided by DIA
(Circulated separately) [⇒](#)
- Attachment 2: A2786106 - Three Waters Reform Timeline - Provided by DIA
(Circulated separately) [⇒](#)
- Attachment 3: A2786027 - Draft submission on economic regulation and consumer protection for three water services in New Zealand
(Circulated separately) [⇒](#)

<p>Important considerations for decision making</p>
<p>1. Fit with Purpose of Local Government</p> <p>Central governments objectives of improvement to the provision of water services supports the social, economic, environmental and cultural wellbeing of the community.</p>
<p>2. Consistency with Community Outcomes and Council Policy</p> <p>This report's content supports the following community outcomes:</p> <ul style="list-style-type: none"> • Our Council provides leadership and fosters partnerships, regional perspective and community engagement
<p>3. Risk</p> <p>There are organisational risks to Council in transitioning to a new Water Service Entity. These were outlined in the 23 September Council Report. However, the Government has mandated the reform programme. The Chief Executive will keep Council informed on the next steps of the transition arrangements once more information is known.</p>
<p>4. Financial impact</p> <p>There are significant long-term financial impacts relating to the transfer of three water assets and management to a new Water Services Entity.</p>
<p>5. Degree of significance and level of engagement</p> <p>The future of water services delivery is a significant issue which will be of interest to a wide range of community members and groups. This report outlines the Government's mandate and that no decision is being requested by Council. As such, the significance of this report, as assessed against Council's Significance and Engagement Policy, is low to medium. Council has worked to increase public understanding of the Government's proposal and how the public can be involved in the reform programme.</p>
<p>6. Climate Impact</p> <p>Climate mitigation and adaptation, resilience and environmental impacts are drivers of the reform process. There are no specific impacts arising from this report.</p>
<p>7. Inclusion of Māori in the decision making process</p> <p>The Crown is leading the engagement with iwi/Māori and mana whenua.</p>
<p>8. Delegations</p>

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This is a matter for Council.

Annual Report 2020/21

1. Purpose of Report

- 1.1 To adopt the Annual Report for the year ending 30 June 2021 in accordance with section 98 of the Local Government Act 2002.

2. Summary

- 2.1 The Local Government Act usually requires Council to adopt the final Annual Report within four months of the end of the financial year (31 October). Due to the impacts of COVID-19, the Government has extended the adoption deadline to 31 December for the 2020/21 and 2021/22 annual reports.
- 2.2 Audit has completed its review of the non-financial sections of the draft Annual Report 2020/21, and the financial sections are still being audited, with no major issues identified at this stage. An unmodified audit report is expected. Further minor editorial adjustments may be required as part of the final proofing process. A designed version of the Annual Report for publication will be tabled at the meeting.
- 2.3 Audit New Zealand commenced auditing of the draft Annual Report 2020/21 in September 2021, and audit work is still underway. Although the Council audit is almost completed, audit on the Nelson City Council group has not been finalised, due to delays in finalising Nelson Airport Limited's financial statements. No significant issues were found during the audit and Audit New Zealand is expecting to issue an unmodified audit report. Audit has indicated that audit work will be completed in time to adopt the Annual Report at the Council meeting on 9 December 2021.
- 2.4 The Annual Report 2020/21 presents a positive picture of the financial performance of the Council over the previous year. Council recorded an accounting surplus before revaluations for the year ended 30 June 2021 of \$9.0 million which was \$2.1 million more than budget. Borrowings net of cash and deposits were \$87.7 million, compared to a budget of \$115.7 million.

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- 2.5 Progress was made across a range of projects in line with Council's priorities of infrastructure, environment, central city development, and lifting Council performance. Council achieved 53 out of 80 performance measures in a year that was again impacted by COVID-19.
- 2.6 Changes made to the document during the audit process are highlighted for your reference (Attachment 1).
- 2.7 The draft Audit opinion is not yet available and will be attached to this report prior to the adoption date (9 December 2021).

3. Recommendation

That the Council

- 1. ***Receives the report Annual Report 2020/21 (R26237) and its attachments (A2791731 and A tbc); and***
- 2. ***Adopts the Annual Report for the year ended 30 June 2021 (A2593052) in accordance with s98 of the Local Government Act 2002; and***
- 3. ***Receives the draft Audit New Zealand Opinion (A tbc); and***
- 4. ***Delegates the Mayor and Chief Executive authority to approve minor editorial changes to the Annual Report 2020/21 (A2791731), as necessary.***

4. Background

- 4.1 The purpose of the Annual Report is to compare the actual activities and performance of the local authority with those set out in the applicable Long Term Plan or Annual Plan (the Annual Report 2019/20 compares performance against the 2019/20 Annual Plan). It also aims to promote the local authority's accountability to the community for the decisions made throughout the year. An Annual Report is required under section 98 of the Local Government Act 2002.
- 4.2 An initial draft of the Annual Report 2020/21 was presented to the Audit, Risk and Finance Subcommittee on 14 September 2021. Feedback from the Subcommittee was used to inform the content of the final Annual Report 2020/21 (Attachment One).
- 4.3 Audit New Zealand commenced auditing of the draft Annual Report 2020/21 in September 2021 and concluded its work in December 2021. Audit is expected to issue a final unmodified audit report. A draft audit report has been prepared and is attached (Attachment Two). The final audit report will be issued once Council has adopted the Annual Report.

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- 4.4 The Annual Report includes both the parent (Nelson City Council) and the Nelson City Council Group – which consists of Nelson City Council, its subsidiaries (Nelmac Limited, Nelson Civic Trust, Bishop Suter Trust, Nelson Regional Development Agency) and its associates and joint ventures.
- 4.5 As Council does not have a controlling interest in its associates (Nelson Airport Limited, Tasman Bays Heritage Trust and Port Nelson Limited) these are equity accounted. Nelson Regional Sewerage Business Unit, Nelson Tasman Regional Landfill Business Unit, and Nelson Tasman Combined Civil Defence Organisation are proportionately consolidated as these are not separate legal entities. Further detail of the accounting treatment is included in Note 1 to the accounts.

5. Discussion

Highlights for 2020/21

Climate Change

- 5.1 Council set emissions reduction targets for the organisation, committing to achieving net zero emissions of all greenhouse gases (excluding biogenic methane) by 2050, and reducing biogenic methane emissions by 24-47% by 2050. Emissions were measured and Council's carbon footprint was successfully audited. Council also began conducting energy audits of its key buildings.

Community Housing

- 5.2 Council's 142 community housing units were sold to Kāinga Ora in 2021 for \$19.8 million, creating a \$12 million Housing Reserve to support affordable and social housing projects in Nelson. From the balance, \$5.1 million was held in a reserve for retrofitting, renewal and consents for redevelopment of the units, \$1.5 million was paid back to Kāinga Ora for required maintenance and healthy homes work and the balance was used to repay the Local Government Housing Fund Loan (\$1.2 million) with Housing New Zealand Corporation.

Governance

- 5.3 A review and restructure of Council's committee and subcommittee arrangements was completed, and Council voted to establish a Māori ward for the 2022 local elections.
- 5.4 The Long Term Plan 2021-31 was consulted on and adopted, setting Council's vision and work programme for 'Nelson – A Smart Little City' for the next ten years. Over 660 submissions were received and 136 people spoke at the hearings. The Infrastructure Strategy for 2021-2051 was also adopted, and activity management plans prepared.

Economic Development

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- 5.5 Implementation of Project Kōkiri (the Nelson Tasman region's post-COVID-19 economic recovery plan) continued, and the project moved from the 'survival and response' phase into 'restart and recovery'. Work by the NRDA included: supporting local businesses, delivering the 'We've Got This – Kei a Tātou' campaign, launching the Pick Nelson Tasman campaign, promoting events to support the economy, and launching new action-oriented workstreams such as 'Skills & Workforce Development'. Council invested \$250,000 in this project in 2020/21, and Tasman District Council contributed an additional \$200,000.
- 5.6 Council approved funding of \$5.72 million to support the development of a Science and Technology Precinct by Port Nelson in collaboration with the Cawthron Institute.
- 5.7 \$700,000 of funding was also approved by Council to support the Nelson marine slipway redevelopment and services expansion in 2021/22.

Infrastructure

- 5.8 Council was awarded \$1.23 million from the Provincial Growth Fund, for infrastructure projects to help our region recover from the COVID-19 pandemic by providing local jobs. Projects undertaken using this funding included the Beach Road raised table and Maitai riverside path widening.
- 5.9 Council agreed to participate in the initial stage of the Three Waters Reform Programme and signed a Memorandum of Understanding with the Department of Internal Affairs. As part of this agreement Council received initial grant funding of \$5.72 million, to support Three Waters service delivery and aid economic recovery from COVID-19 through job creation. This was allocated towards a variety of projects and programmes, including Awatea Wastewater Pump Station Upgrade and Beach Road Pump Station and Wastewater Storage Tanks upgrade.
- 5.10 A grant of \$7.5 million was received from central government's COVID-19 Response and Recovery Fund, for Saxton Creek Upgrade Stage 4 (\$1 million of which was used in 2020/21).

Sustainable Transport

- 5.11 A total of 2.8 km of new shared or separated paths were built, including the Anzac Park to Maitai Shared Path. Stage 2 of the Tāhunanui Pathways project was completed, which has improved cycle safety for residents, commuters, and students of the local school. Council also invested in an underpass on the Railway Reserve.
- 5.12 The Bee Card was launched in August 2020. Users have embraced this new technology, with 88% of bus journeys now paid for using the card.
- 5.13 Council's Innovative Streets for People trial project in Nelson South began. Traffic speeds were monitored before and after the trial changes were made, and there have been significant reductions in speed. The project received the 3M Traffic Safety Innovation Award.

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Three Waters and Flood Protection

- 5.14 6,000 new residential water meters were installed and watermains were upgraded and renewed in several locations around the city, including Hardy Street and Melrose Terrace, to maintain a reliable water supply and allow for future residential and business growth, and intensification.
- 5.15 Council continued to invest in improved wastewater infrastructure to improve resilience and capacity, and minimise the risk of overflows to the environment. Several major works were completed, including the Gracefield Sewer Diversion, planning for the new Awatea Pump Station, and installation of the Beach Road Storage Tank.
- 5.16 Stormwater upgrades were made to reduce the risk of flooding and to improve capacity for future development. Council's flood protection investment in upgrading Saxton Creek continued, with Stage 3 near completion at the close of 2020/21. Flood protection works at Whakatū Drive also approached completion.

Waste Management

- 5.17 Council launched the Rethink Waste programme. Many community-based activities are part of this initiative to empower the community to rethink waste, including new monthly composting workshops, Secondhand Sunday, and repair cafes. A waste minimisation grant trial began, and waste minimisation was incorporated into Council event delivery.
- 5.18 Council began its 12 month trial for kerbside collection of residential kitchen waste. By July 2021 (after 19 weeks of the trial) 8,950kg of kitchen waste had been diverted from landfill. Council also introduced a new construction and demolition waste reduction programme through support for the deconstruction of 23 Halifax Street.

City Centre and Planning

- 5.19 Work on the City Centre Spatial Plan (Te Ara ō Whakatū - The Pathway of Nelson) continued in 2020/21. Targeted community pre-engagement was undertaken, with 81 meetings held with more than 40 community sectors, and over 250 attendees participating. Engagement was also undertaken on the draft Whakamahere Whakatū Nelson Plan.
- 5.20 A 'Pop-up Park' opened on the banks of the Maitai/Mahitahi River in September 2020, and is now a popular space for young people to play in the City Centre. Council also approved a location and completed the design for a Youth Park, to be developed in the Marsden Recreation Reserve next to the Stoke Memorial Hall.

Biodiversity

- 5.21 Project Mahitahi is a government-funded ecological restoration project, with \$3.7 million funding granted over 5 years. It is a Kotahitanga mō te Taiao Alliance project, co-designed and co-governed by Council, Iwi partners (Ngāti Koata, Ngāti Rārua, and Te Ātiawa) and the Department

of Conservation. The project was launched in October 2020, and since its inception has employed 33 people across a range of projects, planted 15,000 trees, held five community planting events, and removed pest animals and plants from the Maitai catchment.

Community Facilities

- 5.22 Direction on the Central Library Development was determined through the Long Term Plan 2021-31 process. The current Elma Turner Library is located in a converted space, and is too small to deliver the range of services expected from a modern library. There are insufficient bookable spaces for groups and events, and the building itself would require substantial investment over time to maintain the status quo. The construction of a new library will bring it into the 21st century, allowing broadening of the scope of services and opportunities within a larger, purpose-built building and surrounding precinct.

Non-financial performance

- 5.23 Council measures its non-financial success against performance measures that are set through the Long Term Plan. The Long Term Plan 2018-28 established 80 performance measures across Council's 11 activity areas. The measures are recorded as 'achieved', 'not achieved', or 'not measured' (where insufficient data is available to determine a result) at the end of the year.
- 5.24 Council achieved 53 of its non-financial performance measures (66.25%) in 2020/21, which is equal to its performance in 2019/20. Commentary on all measures is provided in the activity sections of Attachment 1.
- 5.25 As was the case in the previous year, Council's ability to achieve many of its performance measures was impacted by COVID-19. In 2020/21 Nelson was fortunate to stay at Alert Level 1 for the majority of the year, with some relatively short periods at Level 2. However, the uncertainty and socioeconomic impacts of COVID-19, particularly the lack of international visitors and cancellation/scaling down of events, have affected the achievement of some targets. This is particularly notable in the social activity, which has many events-based measures, but also across other areas too, such as bus patronage.
- 5.26 As annual reporting was undertaken over the period of the Long Term Plan 2018-28, several of the measures set in 2018 no longer align with changing data collection methods and legislated performance requirements (e.g. required inspection of licenced premises). Those measures are listed as 'not achieved' against the targets set in 2018, which does not accurately reflect Council's actual achievements in these areas.
- 5.27 Similarly, numerous measures selected in 2018 relate to the performance of other organisations (such as the Theatre Royal and Suter Art Gallery), which Council has little control over. It also has limited influence on overarching measures such as Nelson's GDP. To address this, Council's performance measures were revised in the Long Term Plan

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2021-31, to give a more accurate, relevant picture of Council's non-financial performance over the next three years.

Surplus

- 5.28 The Annual Report shows that Council recorded a net surplus before revaluations for the year ended 30 June 2021 of \$9.0 million which was \$2.1 million more than budget. The surplus was \$7.2 million for the 2019/20 financial year. More detail for the variance is explained in the Annual Report Note 40, however the reasons for this variance are mainly due to:
- 5.28.1 Fees and charges are \$2.5 million greater than budget, this is mainly due to the Building Consent activity income being \$927,000 over budget. The driver behind higher income is increased levels of activity in the building sector during the recovery from COVID-19 compared with budgeted estimates which were conservative. Also, the Nelson Tasman Regional Landfill Business Unit (NTRLBU) fees and charges income is \$931,000 greater than budget due to a higher tonnage of waste received compared with budget.
- 5.28.2 Subsidies and grants are \$2.7 million greater than budget mainly due to unbudgeted grants received from Central Government largely to offset the economic effects in the community caused by COVID-19 which are offset by additional expenditure. Some examples of this include:
- Waka Kotahi provided \$565,000 for the Public Transport COVID-19 response;
 - Ministry for the Environment and Department of Conservation provided \$671,000 for the Ecological Restoration Programme;
 - Waka Kotahi provided \$852,000 in operating and capital grants for Kawai Street Innovative Streets.
- 5.28.3 Other revenue is \$2.5 million under budget mainly due to vested assets being \$3.5 million under budget. The timing of vested asset receipts is dependent on the development cycle of individual developers.
- 5.28.4 Other gains/losses are greater than budget by \$6.1 million due to below reasons:
- Gain on derivatives are \$5.7 million greater than budget due to movement in interest rates;
 - Gain on sale of Community Housing of \$2.6 million;
 - Loss on Disposal on Infrastructure assets of \$1.8 million with some assets removed from the network earlier than anticipated in conjunction with our work programme.

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5.28.5 Depreciation is greater than budget by \$3.1 million mainly due to depreciation on Three Waters assets being \$2.3 million greater than budget due to an increase in replacement values at 30 June 2020. Water supply assets increased by an average of 13%, wastewater assets increased by an average of 25%, and stormwater assets increased by an average of 29% when compared with values at 1 July 2019.

5.28.6 Other Expenses are \$3.1 million greater than budget mainly due to the unbudgeted expenditure incurred due to the additional income received, including:

- Expenditure for the Champion Road connection to Saxton Field was \$774,000 greater than budget. This was recovered from Tasman District Council for their half share of the project costs.
- Operating expenditure for the unbudgeted Kawai Innovative Streets project of \$657,000 has partially been offset by operating grant income received.
- Community Housing expenditure is greater than budget by \$610,000 due to the settlement happening later than assumed, and includes the repayment of previously recognised income from the suspensory loan.
- The NTRLBU expenditure is greater than budget due to the increased provision for post closure costs of \$149,000, impairment of landfill infrastructure of \$133,000, Emissions Trading Scheme expenditure of \$105,000, management expenditure of \$104,000, and consultancy expenditure of \$86,000. This is offset by additional revenue.

5.28.7 Land and Infrastructure Revaluations were \$48.7 million over budget;

- Infrastructure assets are revalued every year to smooth out the large fluctuations and accounted for \$23.9 million of the overall revaluation. This was against a budget of \$20.2 million.
- Land is revalued every five years or when its fair value diverges materially from the carrying value. There were material movements in the 2020/21 year and the revaluation at 30 June 2021 resulted in a total increase in land value of \$45.0 million. As this was not budgeted to be a land revaluation year, this movement was against a nil budget.

External Debt

5.29 At 30 June 2021 Council's borrowings, net of deposits, cash and LGFA borrower notes were \$86.1 million compared to a budget of \$114.6 million. This variance from the budget is mainly due to following reasons;

- Borrowings were lower due to Capital Expenditure not reaching the full programme and ending less than forecasted by \$10.0 million against the Annual Plan budget. This is due to a combination of reasons

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including savings, timing and carry forwards to future years. Detail relating to variances in the Capital Programme can be seen in the section of "Summary of Capital Expenditure over \$100,000".

- Net proceeds received from selling community housing were \$17.0 million against a budget of \$8.0 million, with \$5.1 million of this required to be held in a reserve for potential use by Kāinga Ora.

Rating Deficit

- 5.30 The rates deficit is \$2.55 million against an Annual Plan budget of \$2.57 million.

Variances to budget

- 5.31 Please see Note 40 "Explanation of major variances against budget" to the financial statements for major variances.

Financial prudence results

- 5.32 Council is required to include information on financial performance in relation to various benchmarks in the Annual Report.
- 5.33 The balanced budget benchmark has not been achieved. The Council meets this benchmark if its revenue equals or is greater than its operating expenses and Council planned to not meet this benchmark in 2020/21. This is due to having a 0% rates increase and the debt funded \$5 million contribution paid to Tasman District Council for the Waimea Dam, which has been designated as an operating expense rather than capital expenditure for Council.
- 5.34 A summary of this information in the Annual Report is included in the following table:

Measure	Result	Benchmark	
Rates (income) affordability	\$ 77.9	<\$105m	Achieved
Rates (increases) affordability	0.0%	<4.3%	Achieved
Balanced budget (revenue:expenditure)	97%	>100%	Not Achieved
Debt affordability (% of revenue)	68%	<150%	Achieved
Essential services (capital expenditure:depreciation)	178%	>100%	Achieved
Debt servicing (interest:revenue)	2.79%	<10%	Achieved
Debt Control (actual:budget)	79%	<100%	Achieved
Operational control (actual:budget net cashflow from operations)	146%	>100%	Achieved

Material differences from the draft Annual Report presented to the Audit and Risk Subcommittee

- 5.35 The draft Annual Report went to the Audit and Risk Subcommittee on 14 September. Since that time, the audit has been completed.
- 5.36 There have been no material changes to the draft Annual Report presented. There have been some minor changes to the results in the statement of comprehensive revenue and expense for the valuation and in the balance sheet (and associated notes).

Options

- 5.37 Option 1 is the recommended option.

Option 1: Adopt the Annual Report 2020/21 and accept the supporting recommendations	
Advantages	<ul style="list-style-type: none">• Meets statutory timeframes.• Allows timely production and distribution of the Annual Report.
Risks and Disadvantages	<ul style="list-style-type: none">• There will be no further opportunity for Council to review any minor amendments prior to publishing.
Option 2: Not accept the recommendations	
Advantages	<ul style="list-style-type: none">• None.
Risks and Disadvantages	<ul style="list-style-type: none">• Adoption of the Annual Report will not meet statutory timeframes.• The Annual Report will not be available to the public in a timely manner.• Not meeting statutory timeframes may be a consideration by Standard and Poor's for the Council credit rating.

6. Conclusion

- 6.1 It is recommended that Council adopt the Annual Report for the 2020/21 year.

7. Next Steps

- 7.1 Following adoption by Council the Annual Report 2020/21 will be made available online, and printed copies provided for reference at Council's public libraries and the Customer Service Centre. A designed version will be completed and replace these copies in the week after adoption. An article on the Annual Report will be included in an upcoming edition of Our Nelson.

Item 16: Annual Report 2020/21

- 7.2 Council is required to make publicly available a summary of the information contained in the Annual Report within one month of its adoption. An audited Summary Annual Report 2020/21 will be designed and made available online, as well as at Council's public libraries and the Customer Service Centre.

Author: Nicky McDonald, Group Manager Strategy and Communications
Nikki Harrison, Group Manager Corporate Services

Attachments

Attachment 1: A2791731 - Annual Report 2020/21 (*Circulated separately*) [⇒](#)

Attachment 2: Axxxxxx - Draft Audit Opinion - Annual Report 2020/21 [↓](#)

Important considerations for decision making
1. Fit with Purpose of Local Government The Annual Report 2020/21 is a requirement of the Local Government Act 2002 and fits the purpose of local government by providing information about Council's performance during 2020/21 – this contributes to democratic local decision-making.
2. Consistency with Community Outcomes and Council Policy The decision to adopt the Annual Report aligns with the following community outcome: Our Council provides leadership and fosters partnerships, a regional perspective and community engagement.
3. Risk The content of the Annual Report is prescribed by statute so there is a very low risk that it will not achieve the required outcome. The Local Government Act 2002 normally requires Council to adopt the final Annual Report within four months of the end of the financial year (31 October). Under the Annual Reporting and Audit Time Frames Extensions Legislation Bill 2021, the new date for councils to meet reporting timeframes is 31 December 2021. There is low risk that the Annual Report will not be adopted by this date.
4. Financial impact There is no immediate financial impact from this decision - preparation and publication of the Annual Report can be achieved within existing budgets. If Council does not adopt the Annual Report before the statutory deadline of 31 December 2021, it may be a consideration for Standard and Poor's in its annual credit rating assessment. The Annual Report itself outlines the financial position of Council at the end of the 2020/21 financial year.
5. Degree of significance and level of engagement This decision is of low significance and does not require engagement.
6. Climate Impact The Annual Report (Attachment 1) contains a summary of Council's climate change actions in 2020/21, promoting awareness of Council's work in this area.
7. Inclusion of Māori in the decision making process No engagement with Māori has been undertaken in preparing this report.

8. Delegations

The adoption of the Annual Report is a decision of Council.

Placeholder for Attachment 2

Annual Report 2020/21

Axxxxxxx - Draft Audit Opinion - Annual Report
2020/21

Residents' Survey 2020/21

1. Purpose of Report

- 1.1 To present the results of the 2020/21 Residents' Survey.

2. Recommendation

That the Council

- 1. Receives the report Residents' Survey 2020/21 (R26030) and its attachment (A2724461); and***
- 2. Notes that the Residents' Survey 2020/21 will be made available to the public on the Council website; and***
- 3. Notes the three focus areas for improvement in response to the Residents' Survey results are:***
 - a. Managing expectations by clearly explaining Council priorities and expenditure; and***
 - b. Improving clarity on decision making and how community feedback contributes; and***
 - c. Telling our story positively and consistently.***

3. Background

- 3.1 Nelson City Council has undertaken a survey of residents' views on Council services regularly since 1997. The survey's purpose is to provide Council with impartial and representative information on resident satisfaction levels. The results are used to inform service delivery.
- 3.2 Six questions in the 2020/21 survey relate to performance measures set in the Long Term Plan 2018-28. Results of these performance measures are included in the Annual Report 2020/21.

Council uses a telephone survey format

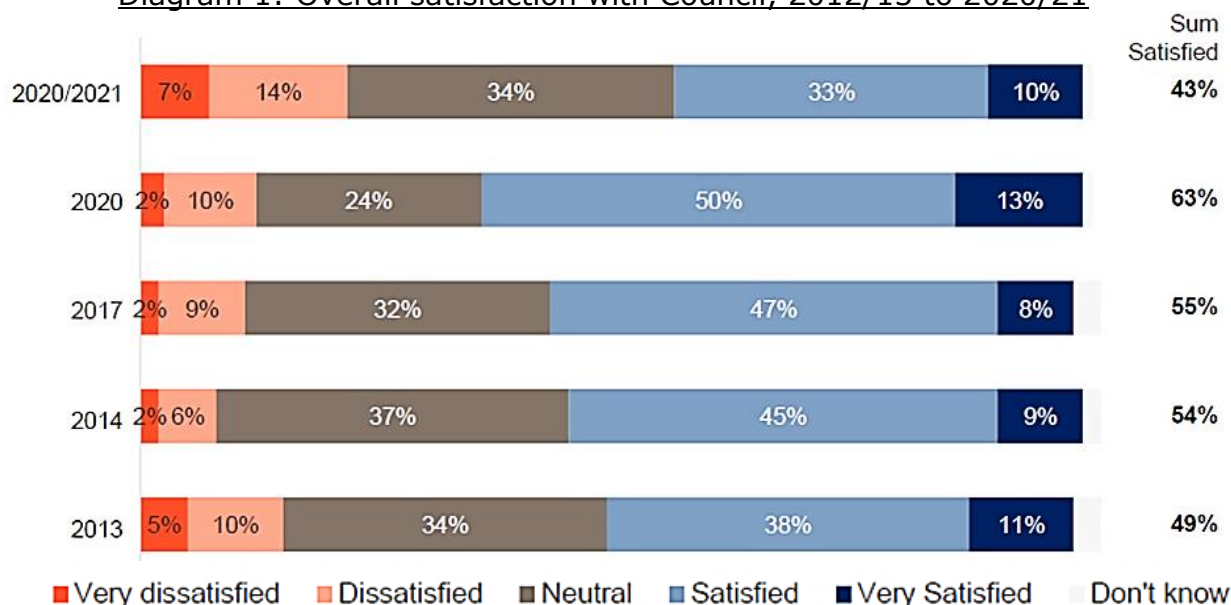
- 3.3 In 2020/21, a 10 minute telephone survey of a representative sample of 401 Nelson residents was conducted. The survey has a margin of error of +/- 4.9% at the 95% confidence level. The majority of questions were based on a five point level of satisfaction scale, with some open-ended questions to provide additional context.
- 3.4 A 'quota system' was used to ensure the sample was representative of Nelson's population by gender, age and area. The survey provider aims to survey a sample that is representative by ethnicity, but it was not achieved in 2020/21. This is because of increased difficulties, and the resulting cost and time required, in reaching representative proportions for all ethnicities using a telephone survey.
- 3.5 The survey was split across four time periods ('waves') to reduce the chance that a single event or issue could skew the results. In 2020/21 a randomised mobile phone database (21% of respondents) was also used to reduce bias in the sample towards those with landlines.
- 3.6 Survey results were discussed at Council workshops on 7 September and 5 October 2021. Elected members indicated that they would like staff to develop focus areas in response to the main survey results themes.

4. Discussion

There was a fall in residents' satisfaction with Council's performance after the highs of the previous year

- 4.1 Overall satisfaction with Council's performance fell significantly in 2020/21. 43% of those sampled were "satisfied or highly satisfied" compared to 63% the year before (see diagram 1 for more details). This drop in satisfaction is linked to decreased satisfaction with Council operations across several areas, discussed in more detail below.

Diagram 1: Overall satisfaction with Council, 2012/13 to 2020/21



Item 17: Residents' Survey 2020/21

- 4.2 Satisfaction levels were higher than usual in 2019/20 across all areas. This was potentially due to high satisfaction with the public sector's response to COVID-19 – many councils reported increases in levels of satisfaction that year.
- 4.3 In the latter part of 2019/20 Council's work programme (and communications) focused on infrastructure projects which would support recovery from the first COVID-19 lockdown. Also, it was signalled that there would be a net zero rates increase for 2020/21. This may have helped boost satisfaction amongst members of the community.

A more controversial decision making context negatively impacted satisfaction levels results in 2020/21

- 4.4 Council's work programme in 2020/21 required decisions on highly visible projects that were polarising to our community.
- 4.5 Perceptions of inappropriate spending and Council not listening to the public when making decisions were key drivers of dissatisfaction. This included concerns that Council was spending on lower priority areas at the expense of more important activities, such as infrastructure. This was at odds with the content of the 2020/21 Annual Plan, where 73% of capital expenditure and 46% of operating expenditure focused on core infrastructure (transport, three waters and solid waste).
- 4.6 Specific comments were made expressing dissatisfaction with the central library development, Nelson South street trial, cycle lanes, and public art. Commentary on certain topics, such as transport and public art, are recurring in resident feedback where the topic might have overall community benefit but is not supported by all members of the community.

Council performance measures results were mixed

- 4.7 Long Term Plan 2018-28 performance measures that were met include satisfaction levels for the library (91%), Suter Art Gallery (87%), and parks and recreation (80%). Composting targets have also been met (73%). These levels remain stable and high over time.
- 4.8 Overall level of satisfaction with transport was down (39%), following a high score in 2019/20 (54%). This may have been in part due to an increase in infrastructure projects in the road corridor in 2020/21 that could have led to shorter term frustration for longer term community benefit. There has been an increase in respondents using active transport and a decrease in the percentage of people travelling by motor vehicle. The percentage of journeys to work using active transport was just under Council's target of 21%, at 20%.
- 4.9 Satisfaction with Council interaction/communication has decreased overall. This could be due in part to a change in question wording, which included rating the quality of information about Council decisions (in addition to activities and events). There was also a drop in satisfaction with opportunities to provide feedback to the Council (47%

compared to 54% the year before). These two drops in satisfaction may have been linked to the issues described at paragraphs 4.4 to 4.6.

- 4.10 There have been decreases in satisfaction across environmental management planning and monitoring, economic development and tourism, community organisations and projects, and the way rates are spent on services and facilities.

Council is responding to the survey results

- 4.11 The Long Term Plan 2021-31 sets out Council's priorities and programme of work over the next 10 years. Council regularly reviews its work programmes and seeks continuous improvement in service delivery within a constrained resourcing environment.
- 4.12 Focus areas have been identified from the survey's dissatisfaction themes and workshop discussions with the Council. Actions are grouped around three focus areas, but in practice actions may contribute to more than one focus area.

Focus area one: Managing expectations by clearly explaining Council priorities and expenditure

- 4.13 Considerable effort is put into conveying Council's priorities and expenditure to our community. However, perceptions that infrastructure investment is underprioritised remain. Ensuring Council is clear on its priorities and investment decisions will help manage expectations and may alleviate some dissatisfaction. Also, being clear on Council's role, responsibility, or ability to influence in different situations will help manage expectations and avoid confusion with central government and private sector decisions.
- 4.14 Council will continue to communicate about its work programme, including the extent of infrastructure investment and profiling infrastructure projects. To help explain our priorities to the community, infographics will be developed for each Activity Management Plan and used in a range of communication channels.
- 4.15 For transport specifically, there are central government and Council strategies and projects in varying stages of development that should address some of the transport dissatisfaction. These include the Parking Strategy, Walking and Cycling Strategy, the Nelson Future Access Project led by Waka Kotahi and improved public transport provision from July 2023 when a new public transport contract is awarded for the combined Nelson Tasman region.
- 4.16 However, decisions in this space can be polarising and there will continue to be a need to explain changes or reasons for decisions.

Focus area two: Improving clarity on decision making and how community feedback contributes

- 4.17 It is important we provide clarity to the community on how:

Item 17: Residents' Survey 2020/21

- Council makes decisions
 - engagement contributes to the decision making process.
- 4.18 Staff will develop an explanatory diagram on the Council decision making process. This will cover the range of considerations, including engagement feedback, that Council needs to take into account. The diagram can be promoted in Our Nelson and on the website and used to help set expectations when engaging on specific proposals.
- 4.19 A dedicated 'Closing the loop' section will be introduced in Our Nelson to summarise engagements and their outcome. This will be particularly helpful for smaller scale engagements and conveying back to the community how feedback has been considered and influenced proposals.

Focus area three: Telling our story positively and consistently

- 4.20 Proactive communications that share success stories and are transparent about controversial matters or mistakes are important. A range of channels are used to communicate; from print, websites, social media to the Antenno mobile app. Actions that will contribute to this focus area include:
- Changing the Our Nelson model to include advertising to fund more community content and increase distribution (currently underway and to be completed in first quarter of calendar year 2022).
 - Updating and better integrating Council's websites with improved functionality and usefulness as a communications tool (project underway with final completion by 2023).
 - Promoting opportunities for elected members to 'tell our story' by participating in face-to-face engagement on proposals and sharing Council's social media posts with their online communities.

5. Next Steps

- 5.1 The results of the Residents' Survey 2020/21 will be published on Council's website along with the actions to respond to feedback as outlined in this report. Council actions in response to the results will be progressed within existing budgets as resources allow.
- 5.2 Progress on the focus areas and actions will be monitored and included in subsequent Residents' Survey reporting.

Author: Louis Dalzell, Policy Adviser

Attachments

Attachment 1: A2724461 - Nelson City Council Residents' Survey 2020/21 results (*Circulated separately*) ➡

REPORT R26393

Schedule of meetings 2022

1. Purpose of Report

- 1.1 To adopt a Schedule of Meetings (the Schedule) for 2022, in accordance with Clause 19, Schedule 7 of the Local Government Act 2002.

2. Recommendation

That the Council

- 1. Receives the report Schedule of meetings 2022 (R26393) and its attachment (A2760389); and***
- 2. Adopts the schedule of meetings for the 2022 calendar year as set out in Attachment 1 (A2760389).***

3. Background

- 3.1 Clause 19, Schedule 7 of the Local Government Act 2002 sets out requirements for written notification of meetings to elected members.
- 3.2 It is standard practice for Council to meet these legislative requirements through the adoption of a Schedule of Meetings by resolution.
- 3.3 Adoption of the Schedule provides certainty to elected members and allows planning of other activities around Council business; it assists the efficiency of officers in the preparation and timing of reports to Council and committees and the management of work programmes. It is also helpful to inform members of the public when meetings will be taking place.

4. 2022 Schedule

- 4.1 The proposed Schedule is based on a six weekly cycle for Council and committee meetings, with workshop dates included for ease of reference.

Item 18: Schedule of meetings 2022

- 4.2 As much information has been incorporated into the proposed schedule as is known at this time, including confirmed Joint Committee meeting dates and information for other commitments that elected members may hold as part of their responsibilities (such as liaison roles).
- 4.3 As has been the case with previous meeting schedules, regular “meeting free” weeks have been incorporated over the year to coincide with school holiday breaks. In general, Standing Committees will begin at 9am on the day they are scheduled for, and Mondays and Fridays have been kept free, as much as possible, to allow elected members time to conduct business other than meetings or workshops.
- 4.4 There may be occasions where in order to accommodate Council business the Schedule needs to be amended and/ or additional meetings scheduled. Elected members will be given as much notice as possible of any changes that are necessary.

5. Options

- 5.1 Council can choose to adopt the proposed Schedule for 2022, amend the proposed Schedule, or not adopt the proposed Schedule.
- 5.2 Significant planning has been undertaken in developing the proposed Schedule and the preferred option is that it be adopted.

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

Attachments

Attachment 1: A2760389 - Draft 2022 Meeting Schedule (*Circulated separately*) [⇒](#)

Important considerations for decision making	
1. Fit with Purpose of Local Government	Adopting a schedule of meetings is in accordance with Schedule 7 of the Local Government Act 2002. Adoption of the proposed Schedule of Meetings 2021 assists Council in enabling democratic decision-making as efficiently and effectively as possible.
2. Consistency with Community Outcomes and Council Policy	<p>Adoption of the Schedule supports the community outcome: <i>"Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement."</i></p> <p>It provides everyone with an opportunity to participate in the community's major decisions. By knowing when meetings will be held, residents have the opportunity to attend meetings in person, watch the live streaming or recording of the meetings and access the relevant agendas and minutes.</p>
3. Risk	There is a minor risk associated with adopting an annual schedule as not all information is known at this time and therefore, some changes may still be needed in the future.
4. Financial impact	There are no direct budgetary consequences related to the decision to adopt the Schedule of meetings 2021.
5. Degree of significance and level of engagement	This matter is of low significance. It relates to the adoption of an administrative document detailing when meetings and workshops are proposed. Therefore, no public engagement is required.
6. Climate Impact	This decision will have no impact on the ability of the Council to proactively respond to the impacts of climate change now or in the future.
7. Inclusion of Māori in the decision making process	No engagement with Māori has been undertaken in preparing this report.
8. Delegations	This is a decision for Council.

REPORT R26455

Climate Change Oversight Governance Group Terms of Reference

1. Purpose of Report

- 1.1 To approve the Terms of Reference for the Climate Change Oversight Governance Group.

2. Recommendation

That the Council

- 1. Receives the report Climate Change Oversight Governance Group Terms of Reference (R26455) and its attachment (A2783828); and***
- 2. Approves the Terms of Reference for the Climate Change Oversight Governance Group (A2783828).***

3. Background

- 3.1 At its meeting of 17 November 2021 Council passed the following resolution:

Establishes a Climate Change Governance Oversight Group (CCGOG) consisting of Councillors Fulton (Chairperson), McGurk, Courtney, and O'Neill-Stevens, supported by the Climate Change Manager, to:

- (a) Support development of the strategic framework for climate change;*
- (b) Support engagement with Iwi and other key partners;*
- (c) Support integration of the strategic framework and action plan;*

Item 19: Climate Change Oversight Governance Group Terms of Reference

(d) Provide oversight of climate change operational work; and

Agrees that a Terms of Reference for the Climate Change Governance Oversight Group (CCGOG) will be brought to the 9 December 2021 Council meeting for approval.

- 3.2 Terms of Reference have been drafted and are attached for consideration (see Attachment 1 A2783828)

4. Options

- 4.1 Council has the option of adopting the Terms of Reference, amending them or not adopting them.

Author: Nicky McDonald, Group Manager Strategy and Communications

Attachments

Attachment 1: A2783828 Terms of Reference for the Climate Change Oversight Governance Group [↓](#)

Important considerations for decision making
1. Fit with Purpose of Local Government Establishing a Climate Change Oversight Governance Group will support Council's climate change work programme and benefit the social, economic and environmental wellbeing of the community.
2. Consistency with Community Outcomes and Council Policy The decision in this report supports the following community outcomes: <ul style="list-style-type: none">• Our unique natural environment is healthy and protected• Our rural and urban environmental are sustainable managed• Our communities are healthy, safe, inclusive, and resilient• Our region is supported by an innovative and sustainable economy• Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.
3. Risk As the Group has no powers to decide this is a low risk decision.
4. Financial impact Support for the new Group will be managed within existing resources.
5. Degree of significance and level of engagement This matter is of low significance because the Group has no decision-making powers and will be supporting work already mandated by Council decisions. Therefore, no engagement with the community is required.
6. Climate Impact The Group is a useful tool for Council to further its climate change objectives.
7. Inclusion of Māori in the decision making process No engagement with Māori has been undertaken in preparing this report.
8. Delegations Council resolved that the Terms of Reference be reported to this meeting.



Climate Change Oversight Governance Group Terms of Reference

1. Purpose

The purpose of the Climate Change Oversight Governance Group is to

- (a) Support development of the strategic framework for climate change;
- (b) Support engagement with iwi and other key partners;
- (c) Support integration of the strategic framework and action plan;
- (d) Provide oversight of climate change operational work.

The Group will have no decision-making delegations.

2. Membership

The Group shall comprise the following members:

- Chair of the Environment and Climate Committee (Cr Fulton)
- Deputy Chairs of the Environment and Climate Committee (Crs McGurk and Courtney)
- Cr O'Neill-Stevens

The Group will be chaired by Cr Fulton and in her absence a chair will be elected at the meeting. Meetings shall be called on an as-needed basis, with a minimum of one week's notice.

3. Quorum

Three members must be in attendance for a quorum.

4. Areas of Responsibility

As stated in the purpose above.

5. Powers to decide

None

6. Powers to recommend

None.

Reporting back on issues to the Environment and Climate Committee may be via the quarterly report or the Chair's report if a separate officer report is not required.



7. Role of the Oversight Governance Group

- To provide governance level support for Council's climate change strategic and operational work
- To support engagement with iwi and other partners about Council's climate change work programme
- To be an interface and sounding board between the Environment and Climate Committee and officers, ensuring that officers are adequately prepared and supported before presenting items to the Committee for decisions.

8. Role of the Chair

- To review the agenda and add items as necessary
- To chair meetings according to the agreed agenda
- To facilitate open and respectful discussion of ideas and viewpoints
- To assist the Group to reach consensus on issues and options under discussion
- To act as spokesperson for the media

9. Role of Staff

- To provide advice and support to the Group in its work
- To lead technical discussions on issues under consideration
- To prepare and distribute agendas for Group meetings
- To record key points of discussion from Group meetings

10. Out of Scope

- Changes to any work programme are a matter for Council or the relevant committee

11. Conflicts of Interest

Conflicts of interest should be declared at the start of the first Group meeting and updated every meeting thereafter.

For the avoidance of doubt, the meeting provisions of the Local Government Official Information and Meetings Act 1987 do not apply to the Group meetings, as no decisions are made at these meetings. This means that Group meetings will not be advertised, nor will formal agendas be produced or formal minutes be taken at meetings.

REPORT R26441

Approval of submission on the Government's Emissions Reduction Plan

1. Purpose of Report

2. Recommendation

That the Council

- 1. Receives the report Approval of submission on the Government's Emissions Reduction Plan (R26441) and its attachments (A2769371, A2790131, A2790133); and***
- 2. Approves retrospectively, the submission on the Government's Emissions Reduction Plan (A2769371).***

3. Background

- 3.1 The submission period on the Government's Emissions Reduction Plan closed on 24 November 2021. Timeframes meant that the submission could not be approved in advance and waiting until the first Environment and Climate Committee in 2022 would mean that the submission could not be removed from the process if there were elements Council did not support. Hence the submission is being presented to Council at this meeting for retrospective approval (see Attachment 1).
- 3.2 This plan will set out the policies and strategies needed for New Zealand to meet its first emissions budget targets. The final Plan is due to be published by May 2022.

4. Discussion

- 4.1 Council's submission supports Local Government New Zealand ((refer to Attachment 2 for the LGNZ submission and to Attachment 3 for the Taituarā submission).
- 4.2 Staff were involved in Council Climate Network zoom meetings to share ideas and discuss topics with representatives from LGNZ, Taituarā and other councils. Staff also participated in a series of online webinars for each topic and a local government workshop held by the Ministry of Environment. These discussions helped inform the drafting of the submission.

5. Options

- 5.1 The options are to retrospectively approve, or to not approve. If the Council declines to retrospectively approve the submission, officers will notify the Ministry for the Environment that the submission should be withdrawn from consideration.

Option 1: Retrospectively approve submission (recommended option)	
Advantages	<ul style="list-style-type: none">• Council's views will be considered by the Government as it finalises the draft Plan
Risks and Disadvantages	<ul style="list-style-type: none">• The submission may not fully reflect the views of all the elected members.
Option 2: Do not approve the Council submission	
Advantages	<ul style="list-style-type: none">• None obvious
Risks and Disadvantages	<ul style="list-style-type: none">• The opportunity to endorse the LGNZ and Taituarā submissions and add additional comment from Nelson City Council is lost.

Author: Daniela Ramirez, Climate Change Adaptation Adviser

Attachments

- Attachment 1: A2769371 - NCC Emissions Reduction Plan response [↓](#)
- Attachment 2: A2790131 - LGNZ Emissions Reduction Plan response [↓](#)
- Attachment 3: A2790131 - Taituara Emissions Reduction Plan response [↓](#)

Important considerations for decision making
1. Fit with Purpose of Local Government This report supports Council's ability to influence legislation that will impact on its ability to deliver services to the community and support the community's social, economic and environmental wellbeing.
2. Consistency with Community Outcomes and Council Policy The attached submission supports the following community outcomes: <ul style="list-style-type: none">• Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement• Our unique natural environment is healthy and protected• Our infrastructure is efficient, cost effective and meets current and future needs
3. Risk Retrospective approval of the Council's submission on the Emissions Reduction Plan is low risk because the submission is primarily endorsing the Local Government New Zealand submission, which was made on behalf of the sector.
4. Financial impact The contents of this report do not result in any direct financial impact.
5. Degree of significance and level of engagement This matter is of low significance as it is providing feedback to be considered through a government process, therefore community engagement has not been undertaken.
6. Climate Impact Submitting to the Emissions Reduction Plan demonstrates Council commitment to tackle climate change
7. Inclusion of Māori in the decision making process No engagement with Māori has been undertaken in preparing this report.
8. Delegations The Environment and Climate Committee has the appropriate delegations in consideration of this report and making a recommendation to Council. <i>Areas of Delegations:</i>

Item 20: Approval of submission on the Government's Emissions Reduction Plan

- *Approving submissions to external bodies or organisations, and on legislation and regulatory proposals*

Powers to Recommend to Council:

- *Approval of final versions of strategies, policies and plans*

On the recommendation of the Chair of the Environmental and Climate committee and Mayor, matters within the area of responsibility of a particular committee, subcommittee or subordinate decision-making body may be considered directly by Council instead.



Submission from Nelson City Council on the Emission Reduction Plan

24 November 2021

Introduction

Nelson City Council (Council) thanks the Ministry of Environment (MfE) for the opportunity to make this submission on the draft Emissions Reduction Plan.

Due to timing issues this submission has yet to be approved by Council. The matter will be considered at a Council meeting on 9 December and if it is not approved officers will immediately contact the Ministry to withdraw the submission.

Overall Council supports the LGNZ and Taituarā submissions. The following responses to the questionnaire represent areas of particular interest to our region in relation to which we wish to raise issues/ideas/opportunities.

To reiterate our views, Council has included in this submission some of the concepts already submitted on in the Climate Change Commission draft advice. We are looking forward to achieving our national and local targets through this Plan and invite MfE to work collaboratively with Council in the implementation of the initiatives identified in this Emission Reduction Plan

We have kept the original numbering of the questions from the questionnaire, to assist MfE officials in gathering the feedback.

A2769371

Meeting the net-zero challenge

Making an equitable transition

Equitable Transitions Strategy

14. What additional measures are needed to give effect to the objectives noted by the Climate Change Commission and any other objectives that you think should be included in an Equitable Transitions Strategy?

The Commission suggests that the Equitable Transitions Strategy should be co-designed alongside iwi/Māori, local government, regional economic development agencies, businesses, workers, unions, the disability community and community groups.

It would be beneficial to also include skills from the science and technology sector, scientists and academics, as well as innovation centres. Innovation centres in Nelson include the Mahitahi Colab and the Cawthron Institute. The potential future Nelson Climatorium which is being investigated at present, would be a significant centre of innovation in tackling climate change.

Aligning systems and tools

Planning

35. Are there any other views you wish to share in relation to planning?

We strongly suggest that central government provide direction to local government and collaborate with local government before the final report is prepared. Concerns that are not captured in the final emissions reduction plan, will certainly need to be captured in the upcoming resource management reforms, a point which is also raised in the Taituarā submission.

The recently announced Resource Management (Enabling Housing Supply and Other Matters) Bill is supported by the Council (Council has made a submission on that Bill). The Bill sets up a very real conflict between the desperate need for more affordable housing and achieving climate change outcomes. For example, the Bills allows tier 1 and tier 2 councils to provide for much greater density in all their residential zones. There is not requirement for the denser housing to be in/close to public transport routes. This reinforces the need for private vehicle use. Different parts of government might need to move together to ensure all outcomes are achieved rather than at the potential expense of outcomes for climate change.

We are increasingly seeing homes only a few years old which, while built to the current building code, are performing poorly in both winter and summer, often with adverse effects on the occupant's health and wellbeing. This is requiring more energy consumption to heat these homes in winter and cool homes in summer, than would be normally required through better planning and design choices. One common factor is poor design, often heavily influenced by less-than-ideal section layout at the land development stage. There should be controls introduced to require new greenfield subdivisions to provide optimally orientated sections and houses to allow for better orientated houses, which would result in better performing houses with lower operating energy requirements.

Adding to this problem are restrictive covenants imposed by the developer. These often require the construction of a much larger house than the occupants require or desire. This creates a triple whammy of greater carbon emissions from constructing a larger home, increased operating emissions over the life of the building, as well as increasing the affordability problem.

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Research, science and innovation

36. What are the big challenges, particularly around technology, that a mission-based approach could help solve?

The lack of availability of low carbon alternative building materials such as green steel and steel replacements, is a challenge, as is the lack of incentives to move to locally sourced, sustainable building materials that reduce embedded carbon. Central government support in relation to research and development of such materials could assist in solving this.

37. How can the research, science and innovation system better support sectors such as energy, waste or hard-to-abate industries?

For the local government sector, the provision of consistent New Zealand specific science on dealing with emissions from landfills and wastewater plants would be of assistance

39. How can Aotearoa grow frontier firms to have an impact on the global green economy? Are there additional requirements needed to ensure the growth of Māori frontier firms? How can we best support and learn from mātauranga Māori in the science and innovation systems, to lower emissions?

It will be important for central government to partner with Regional Economic Development Agencies to put technical support, funding and infrastructure in place to encourage and grow frontier firms, including Māori frontier firms. Examples include expanding digital infrastructure to allow start-ups from anywhere in the country and developing the skills and knowledge within the RDA network to identify and follow up on opportunities.

40. What are the opportunities for innovation that could generate the greatest reduction in emissions? What emissions reduction could we expect from these innovations, and how could we quantify it?

Choices by individuals, household, businesses and industries are the drivers of change, but low carbon choices will only be taken if the supporting infrastructure is there to make the choice easy. The opportunities for innovation are around identifying the barriers to making low carbon decisions at all levels of society and removing those barriers. Local government can be a key partner in this approach because of the sector's experience with behaviour change but will need central government support to do so.

Another opportunity is in the sequestration operating from wind or tidal energy systems putting carbon into the end-of-life gasfields leading to quantifiable removal of carbon.

41. Are there any other views you wish to share in relation to research, science and innovation?

The local government sector is an important end user of emissions reduction research, science and technology because of the sector's role in influencing communities, through both regulatory and non-regulatory means. The sector also has some specific knowledge and process requirements to enable maximum contribution to emissions reduction. A challenge for the local government sector is accessing new knowledge and having regulatory and non-regulatory support and skills to enable the application of new knowledge in a timely way.

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Knowledge requirements:

1. Up to date low carbon building science and regulatory support through the Building Act, to enable Building Controls Authorities to encourage or require low carbon building
2. Consistent tools for measuring and reporting emissions for local government activities
3. Consistent technical advice, staff training and support funding for emissions reduction related specifically to local government activities such as landfill, wastewater treatment plants, urban planning, transport, land management, building control etc
4. Training for local government staff in emissions reduction science and behaviour change to maximise the influence the sector has on its communities
5. Tools to help communities and households to better identify their carbon emissions profile and make informed decisions
6. Understanding the role animal pest management plays in emissions reduction, to encourage animal pest management programmes which have the added advantages of reducing carbon loss as a result of reduced forest damage and supporting biodiversity

General comments in support of the LGNZ submission

We support more investment in research, science and innovation but need practical tools and resources that support action by local government and communities (eg consistent tools for measuring and reporting emissions; undertaking governance assessments), not only academic studies.

We encourage central government to work with tertiary sector and member bodies to ensure that local government (and central government) has the capability and capacity it needs for this work long-term. (ie having capability and capacity in-house as opposed to always relying on input from external consultants).

While solid research is done in academic institutions, innovation is usually in the private sector when there is a potential reward. The government could establish innovation funds based on 'prizes' rather than contestable funds. The contestable funds take too long to achieve funding. Most of what is funded is not innovative. Innovation projects need to move fast and if funding cannot be accessed quickly, they move out of New Zealand or close down.

Behaviour change

44. Are there other views you wish to share in relation to behaviour change?

Council strongly supports the establishment of a behavioural change fund. It is important that this should be available to support all behaviours that reduce emissions, eg, being explicit about activities such as waste minimisation and transport rather than inadvertently having a narrower emissions focus. The outcomes/performance measures should be qualitative as well as quantitative.

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Transitioning key sectors

Transport

53. Do you support the target to make 30 per cent of the light vehicle fleet zero-emissions vehicles by 2035, and the associated actions?

Council supports the transition from internal combustion engines (ICE) to electric vehicles (EV) and the target, however, we would like to see policies to avoid a flood of low-priced second-hand e-vehicles come into the country that will create an issue in the future in relation to disposal, especially the disposal or reuse of batteries. This may lead to even higher vehicle ownership rates, decreased public transport and active mode use, increased congestion, increased investment in roading capacity, buses stuck in traffic decreasing their attractiveness. It may also lead to even cheaper travel in private vehicles (especially on a per/km basis).

Any policy intervention to support EVs should also consider the embodied carbon of EVs, compared to alternatives, such as e-bikes, and, how low-income households will be supported to make this transition.

There is a risk that increasing the number of EVs could result in an increase in VKT by light EVs above what we currently experience from light ICEs. This may have some effects, particularly congestion, on our transport network.

55. Do you support the target to reduce the emissions intensity of transport fuel by 15 per cent by 2035, and the associated actions?

Regarding maximum CO₂ limits for ICE vehicle imports. The draft Plan states, "highest emitting vehicles tend to be driven more" and that they "tend to be luxury vehicles".

The most popular new vehicles in NZ are 4x4 utes. These are amongst the highest emitting vehicles but are not traditionally classed as luxury vehicles (although many are priced and equipped similar to luxury vehicles). While many utes are used for heavy-duty tasks or for driving on rough terrain, it appears that a large proportion of these vehicles are used primarily for tasks that could comfortably be done with a small car.

56. The Climate Change Commission has recommended setting a time limit on light vehicles with internal combustion engines entering, being manufactured, or assembled in Aotearoa as early as 2030. Do you support this change, and if so, when and how do you think it should take effect?

Regarding the vehicle scrappage scheme and the statement "It could also offer financial incentives for people to opt for low-emission alternatives, such as bicycles, rather than replacing their vehicles". Council considers that the design of this scheme should be given more consideration as it needs to decide priorities (active mode over EVs?).

We also believe that a vehicle scrappage scheme that encourages people to get EV's needs to align with the installation of EV infrastructure across NZ. If there's nowhere to charge an EV along the way, then people will continue using regular cars for long journeys

Furthermore, training and innovation support to promote the conversion of ICE vehicles to EVs would be beneficial.

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57. Are there any other views you wish to share in relation to transport?

Page 56; Overview – Table 6

Focus area 2: Rapidly adopting low- emission vehicles and fuels.

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The review of how the role of Regional Land Transport Plans (RLTP) could be clarified and strengthened further, needs to be a priority and start immediately. Starting this process now will be the only way to inform the 2024-2034 Regional Land Transport Plan.

This action “*introduce measures to avoid New Zealand becoming a dumping ground for high-emitting vehicles rejected by other countries.*” needs to be in budget 1 (2022 – 25) – Vehicles entering the fleet now will be around (and emitting GHGs) for a very long time

Page 66 - Related to the following policies mentioned in Transport:

Providing national direction to deliver a step-change in cycling and walking rates.

- It would be beneficial to define what ‘substantial’ increase in funding looks like in the statement “*substantially increase funding for cycling and walking improvements*”
- Please clarify the statement “*link new funding with clear expectations and funding criteria*”
- In relation to the following statement “*implement Accessible Streets proposals nationwide to support safe walking, cycling/scooting and other active modes*” Please:
 - Clarify who do the Accessible Streets proposals increase safety for?
 - Include what is the target audience of these proposals
 - Clarify/identify what market/user group has the highest potential for mode shift to Active Modes

We urge the ‘delivering’ of active mode improvements. We suggest consulting and addressing arguments in opposition to these improvements before the design is finalized. The designs of active mode infrastructure are quite constrained due to safety/best practice requirements and are explained in the Pedestrian Planning and Design guide and the Cycle Network Guidance, as well as the associated Austroads guidance. Please advise if there are plans to allow deviation from this existing guidance, especially as they relate to the level of service.

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Supporting local government to accelerate widespread street/road reallocation to support public transport, active travel and placemaking.

- Please clarify if there are planned changes to the LGA to achieve “regulatory changes to streamline public consultation requirements”
- Nelson City Council suggests that for ‘trials’ on mode-shift:
 - the period of time is considered carefully as it takes some time to achieve results.
 - Resources and guidelines on how to streamline the ongoing monitoring process for trials is provided (this process can be very expensive and time consuming).
- Regarding the statement “*Work with Waka Kotahi to rapidly change streets nationwide that promote multimodal transport*” – please clarify:
 - If there will be an increase of the capacity of streets to handle multiple modes or
 - If there will be a promotion of public transport and active modes and decrease private vehicle capacity on these streets.
 - What an appropriate ‘mix’ looks like on multimodal streets.
- Regarding the statement “*investigate changes to policy and funding settings to ensure that Waka Kotahi and road controlling authorities maximise opportunities to ‘build back better’*”

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when doing street renewals, to better utilise road space for multimodal transport” – Please also consider this opportunity to increase street amenity, gardens, stormwater flow capture and traffic calming to decrease the attractiveness of private vehicle use.

- Regarding the statement “*give extra support for community programmes promoting street reallocation.*”, please provide clarification over what these ‘community programmes’ are. For example, the upfront costs are much higher for Innovative Street initiatives when co-designing with our communities, which is the best-practice method of street upgrades/changes.
- Regarding the statement “*implement the Tackling Unsafe Speeds programme to reduce speed limits around schools and encourage active travel*”. Please consider [studies](#) that have shown that speeds around schools are generally well complied with. When implementing, please consider school routes and streets slightly further away from schools where many of these journeys to school begin.

Improve access and travel choice for the transport disadvantaged

- The action stated “*improve public transport and active travel networks in low-income or low-socioeconomic areas (where appropriate, based on population size and distribution), and improving safety for walking and cycling*” could make these areas more attractive, pushing up property values and prices, so need to aware of and manage the risk that low-income areas will be established in less desirable areas with poor transport connections.

Reduce public transport fares

The action stated “*The Commission recommends reducing public transport fares, and many submissions on Hīkina te Kohupara called for lower cost public transport to make it more competitive with cars. For low-income people, the cost of public transport is a barrier, along with convenience and accessibility.*”

Council suggests including in this policy some engagement with information on the real cost of cars to help people understand that the cost of running a car is much higher than the cost of petrol.

Waka Kotahi has clearly indicated it will not subsidise services that have free fares so at the moment, without another funding source, the cost is on the ratepayer. Council would suggest if this action goes ahead, it should be cost neutral to Council.

If the trial goes ahead, we suggest that data be collected to understand how many users:

- Would otherwise have travelled by car
- Would have travelled by foot or bike
- Would not have travelled at all

The action stated “*The Government is currently implementing a three-year Community Connect pilot of a 50 per cent concession to Community Services cardholders in Auckland and will consider rolling this pilot out across Aotearoa. The pilot will inform approaches to reducing public transport fares, focusing on low-income groups.*”. Please consider in this assessment if users are changing from walking/cycling to public transport or from cars to public transport.

The action stated “*In the first budget period, we will work with local government to reduce public transport fares, with a particular focus on low-income users*”. The emphasis on low income and transport disadvantaged is a good emphasis, particularly given the likelihood of increased property prices in traditionally more affordable areas. However, it may not necessarily be the most effective way to reduce greenhouse gas emissions.

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There is a risk that this may be perceived as emissions reductions being used to drive a social agenda, which may reduce the plan's acceptability to some sectors of society.

Page 69-Initial actions

Implement community-based solutions to make low-emission vehicles (including e-bikes) more accessible for low-income New Zealanders, and others facing transport disadvantage

On the statement of *"Several submitters on Hikina te Kohupara supported initiatives to make these vehicles (including e-bikes and e-scooters) more accessible to low-income people and communities."* This will need work along the lines of the Accessible Streets package to ensure that providing more options (such as e-bikes and e-scooters) for those who may already have options does not disadvantage those whose only viable option is walking

Page 71-

Determine whether there are legislative barriers to the use of some types of low-emission vehicles

On the statement of *"Globally there are different types of electric light vehicles that might be suitable for short-distance low-speed use, but current regulations do not permit their use on the road here. In the first budget period, we will determine how we can allow these vehicles into the national fleet, without unduly compromising safety or other objectives. This could include making amendments to the Land Transport Act 1998 and several land transport rules"*.

It would be beneficial to include a definition or clarification of the statement "without unduly compromising safety" referring to the threshold that the government is prepared to consider safe (e.g. number of deaths and serious injuries that are prepared to accept). This also may require providing a transport network which is suitable for pedestrians, micro-mobility, conventional motor vehicles and for some sort of lightweight vehicles which sit between micro-mobility and conventional motor vehicles (eg golf carts, Paxters etc)

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Produce a national EV infrastructure plan

We suggest some further discussion is needed on addressing the potential for electricity price increases for existing consumers if the generation / distribution infrastructure needs upgrading to cope with increasing numbers of EVs.

Also, we would like to see more business cases and studies supporting solar generation to charge EVs, or solar generation combined with batteries to charge EVs.

It would be helpful to include information to give confidence that the network can cope with the demand, including evidence to support it such as "xxxx EVs charging would put yyyy demand on the network. There is zzzz excess renewable and clean off-peak generating capacity.", along with reassurance that adding off-peak EV charging would still be less than current peak demand on the network. This is a common topic that keeps coming in the discussions with our community.

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Skills and capability

Council is in favour of new skill sets to support technology. However, there is also a shift in the traditional way of thinking for the transport planning professional. They have tended to concentrate on getting people to and from work in the peak periods because those peak couple of hours are the periods with the largest number of people travelling. However, traffic counts on some local roads indicate that vehicle numbers in the peak hours (07:00 – 09:00 & 16:00 – 18:00 Mon - Fri) make up 12% – 25% of total vehicle numbers. This suggests that a significant number of trips are not typical peak hour commute to work trips

Our traditional approach has been appropriate when our major concern was reducing congestion and getting people to where they wanted to go in a timely fashion. However, now that our primary concern is reducing emissions, we need to consider all travel over the entire day to a variety of destinations for a variety of reasons (including work, shopping, recreation). This will require a significant change in mindset for the profession

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Focus 1 – Reducing reliance on cars and supporting people to walk, cycle and use public transport

It would be beneficial to include a definition for “major urban area” mentioned in the statement “*We will work with local government to implement mode-shift plans for each that include targets to rapidly increase walking, cycling, public and shared transport.*”

Other general comments on Transport section

Car ownership –

We suggest further research be conducted to understand why car ownership rates, especially since 1996, have rocketed. If this reason is not understood, we will fail to achieve mode shift, behaviour change, amenity and liveability improvements, and emissions and congestion reductions. Rising car ownership rates are often attributed to women transitioning to the workforce, urban sprawl and social status factors. However, it doesn't quite stack up considering public transport rates rising, the migration to our urban centres, the rising rates of active mode use (especially for commutes) and the rising cost of fuels. Among the reasons could be second-hand vehicle imports or a change in the social-status/culture of the country. Why has the number of zero car households dropped and the number of two car households increased?

We urge the government to have a fresh look into private vehicle ownership rates which seem to be rising in the face of increased public transport and active mode use and to provide direction for local Road Controlling Authorities and local government on how we can avoid increased car ownership which (as a consequence of the GPS-UD) sees more and more cars being parked, clogging up streets. This direction cannot fall back on ‘increasing access to public transport’ and other techniques we are currently exploring/investing in, as despite these projects, car ownership continues to rise.

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Social effects

This plan will change transport significantly and we believe there needs to be further discussion on how the social effects will be managed.

National Land Transport Fund (NLTF)

The National Land Transport Fund (NLTF) funds most transport infrastructure (100% of Waka Kotahi & 50% of local authority infrastructure). The NLTF is primarily sourced from fuel excise and Road User Charges. Reducing vehicle kms travelled (VKT) and increasing use of zero emission vehicles will drastically reduce the funds available from the NLTF. Changes to infrastructure to encourage active modes and public transport are likely to be capital intensive in the short term, and there is an indication that funding will be available for this work, but neither the quantum of funding required, nor possible sources of that funding have been identified.

Energy and industry

Energy strategy

58. In your view, what are the key priorities, challenges and opportunities that an energy strategy must address to enable a successful and equitable transition of the energy system?

Include the concept of “resilience” in renewable energy sources contributing to the grid. Currently solar panels are not attractive in terms of their contribution to carbon reduction, as the national grid is already clean in terms of percentage of renewables. We suggest including the concept of resilience in business cases for solar panels, as they will support communities in the event of potential power outages.

Additionally, solar panels will help to reduce energy demand during drought season (a climate change weather event that will become more frequent) by avoiding the use of other carbon intensive sources of energy when hydropower station cannot produce at capacity.

For organisations/businesses where the highest source of emissions is not electricity, encouragement to consider energy efficiency from a financial perspective rather than a carbon perspective may be useful. This financial approach will help to get business cases approved, with the ultimate goal of emission reductions.

Council supports the transition of the energy system away from fossil fuels to renewable and less polluting energy sources. One of the options being advanced is using more biomass as an energy source. The new WHO Air Quality Guidelines 2021 suggest that a significant reduction in emissions from combustion will be required to meet proposed air quality targets. It may be better if biomass is used in a more tightly controlled way, such as for electricity generation or to produce high-quality biofuel, instead of at a local level for process heat. This is particularly relevant for jurisdictions with existing air quality issues.

A second point with increasing the use of biomass is that existing productive land should not be converted to growing biomass, as this could risk impacting on food production. Any expansion of biomass production should occur on non-productive or forestry only land.

59. What areas require clear signalling to set a pathway for transition?

That solar and other sources of renewable energy (not only relying in hydro) are well promoted when the energy profile matches the energy generation (schools, community centres, etc)

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Building and construction

82. Are there any other views you wish to share on the role of the building and construction sector in the first emissions reduction plan?

Changes to building in Aotearoa could include the following:

- Establish a single “green star” standard to guide building and consumer choices
- Change towards building smaller houses so they have a low carbon footprint
- Use of low embodied carbon building materials such as locally sourced timber
- Minimise the use of concrete and steel
- Create thermally efficient buildings – the building code is currently minimum standards rather than gold standard
- Use of passive heating – including positioning houses, and living areas within, so they make full use of sun
- Support the use of rainwater tanks - collecting and retaining rainwater as stormwater detention and for garden use.
- Support the installation of solar panels on new dwellings - to provide electricity to buildings and reduce the use of cooling units which would in turn decrease hydropower demand in hot dry summer months when dams are low, and contribute renewable energy to the national grid
- Consider the use of ultra-low emission burners or pellet burners so local biomass waste is used to create energy (heat) versus installing air conditioning/ heat pump units in new houses. Consideration would include the capacity of airsheds, costs, efficiency and thermal efficiency of new dwellings
- Provide guidance on naturally cooling buildings and houses, for example opening windows or installing fans instead of air conditioning. This is important as Aotearoa is expected to experience increasingly hot and dry summers and there is a risk that demand for air conditioning units will increase. The new Nelson airport terminal building is an example of what can be achieved in this area and included a passive heating/cooling regime with innovative solar chimneys and automatic, natural ventilation of public areas
- Determine what role heat pumps/air conditioning units play in new buildings into the future. This would include consideration of the greenhouse gases contained within these units (HFCs), possible leakage and future methods and cost of disposal of these gases. This is important as HFCs are 1000-9000 times more potent in their warming potential than CO₂. Refrigerants cause emissions in production, filling, service, and when they leak. The damage is greatest at the point of disposal unless disposed of properly.

Agriculture

83. How could the Government better support and target farm advisory and extension services to support farmers and growers to reduce their emissions?

Subsidize and provide training opportunities for farm staff as well as advisors in the environmental farming space – incentivise farm staff to take this training or make it mandatory.

Distancing advisory services from the regulatory arm to ensure better outreach.

a. How could the Government support the specific needs of Māori-collective land owners?

Central government should support iwi to build capacity to make these decisions and listen to their values and concerns, before implementing the final policy. In places where land has been returned to iwi, in a particular land use, barriers to changing land use to be more sustainable should be removed – (ETS repayments for example)

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84. What could the Government do to encourage uptake of on-farm mitigation practices, ahead of implementing a pricing mechanism for agricultural emissions?

- Investing in upskilling and education of farm workers and managers.
- Incentivising wetland restoration through carbon credits.
- Incentivising use of regenerative ag and soil conservation practices through tax cuts etc
- Providing more tools to assess land use and making them more accessible for landowners.
- Environmental welfare inspectors for farms – could be rolled into animal welfare inspectors. Increased resourcing for compliance but also non regulatory environmental issues.
- Research into how technology can increase the efficiency of farm monitoring – automated drone flights, hydrology tools, change detection etc.

85. What research and development on mitigations should Government and the sector be supporting?

- Measuring wetland carbon sequestration for different wetland types to be developed into a wetland carbon ETS.
- Offsets could include blue carbon opportunities e.g. saltmarshes, mangroves, and seaweed.
- Regulating treatment wetlands that are also carbon sinks
- Review carbon sequestration rates for different native forest types and different planting density under the ETS – Low ETS rates for natives disincentivises retirement of marginal land into permanent cover natives, favouring fast growing exotics which may be cut down in future. In some instances, in Nelson, dense lowland plantings in the right setting have growth rates that are rivalling, if not outstripping, exotic counterparts and if the density of plantings was taken into consideration it's highly likely that a densely planted patch of natives is sequestering more carbon than space planted exotics. This should be reflected in the ETS.

86. How could the Government help industry and Māori agribusinesses show their environmental credentials for low-emissions food and fibre products to international customers?

Any accreditation scheme in this space needs robust parameters and monitoring. The issue with the FSC certification in its current form is companies operating to the bare minimum standards under the NES PF then including some token gestures like repeating native vegetation surveys and meeting the requirements of FSC without any meaningful change to the environmental impacts of their operations. This needs to be a genuine tool to inform people that the products they are purchasing are more sustainable.

87. How could the Government help reduce barriers to changing land use to lower emissions farming systems and products? What tools and information would be most useful to support decision-making on land use?

Make tools like LUC mapping, soil data, lidar etc more fine scale and accessible to landowners. Offering pathways for landowners to take advantage of tools available to them to really understand their land, the risks and the opportunities would make a significant difference. In Nelson, where we have less economic farming units, and more lifestyle blocks it seems the biggest barrier to sustainable land use change is a lack of understanding of environmental concepts and a tendency to do things the way they've always been done (where economic drivers may be the primary

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influence behind reluctance to change where there are more economic farming units). Education, tools and resourcing has gone a long way in driving land use change in Nelson.

88. Are there any other views you wish to share in relation to agriculture?

Council considers that the use of regenerative agriculture principles and reductions in biogenic methane will make an important contribution towards a resilient and sustainable future for Aotearoa – especially as the co-benefits include local environmental restoration as well.

Regenerative agriculture focuses on using the deep root and fungal systems of plant growth to restore soils and sequester carbon. It promotes no-till and minimising chemical sprays and fertilisers in its approach to horticulture and land use. This approach improves soil structure and decreases soil erosion, runoff and sedimentation. Instead of tilling, it utilises thatching layers and mulching which improves water retention and creates local microclimates. It also promotes composting food and green waste to create biologically living soils, as well as ecologically managed small herd grazing, because composted manure naturally enriches soils. As well as increasing food production, regenerative agriculture can result in increased income potential, and increased nutrient content of food, compared with chemical based intensive farming practices.

Healthy diets: We also support examining how programmes such as ones listed below can be used to promote healthy diets and sustainable (lower emission) food production in Aotearoa:

As part of Aotearoa's commitment to a Zero Carbon future, we should consider healthy food choices, grown restoratively for our planet. Urban community gardens, edible landscaping and food forests are able to play an important role in providing local plant-based food sources.

Improving local food resiliency also creates more connected communities, improves health and wellbeing outcomes, and improves environmental outcomes in our recreational green spaces. It delivers on one of the objectives of Good Food Cities which is to increase the consumption of healthy plant-based foods.

Waste

91. What other policies would support households, communities and businesses to manage the impacts of higher waste disposal costs?

Council considers that residents will generally dispose of waste in the manner which is easiest and cheapest. (if they had to pay for recycling and refuse was free, there would not be very much recycling) . We think if the service is supplied, it will be used.

92. Would you support a proposal to ban the disposal of food, green and paper waste at landfills for all households and businesses by 1 January 2030, if there were alternative ways to recycle this waste instead?

Of these only foodwaste is generally still going to landfill. If an alternative cost-neutral option was available that too would stop prior to 2030.

93. Would you support a proposal to ban all organic materials going to landfills that are unsuitable for capturing methane gas?

A landfill that only accepts non-organic is a cleanfill so the question doesn't apply to them. A landfill capturing gas is still only partially efficient at gas capture. Organic material should be processed in complete gas capture systems such as anaerobic digestors, and then we would only have non-emission cleanfills working alongside organic processing units, not landfills.

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94. Do you support a potential requirement to install landfill gas (LFG) capture systems at landfill sites that are suitable?

If cleanfills were working in coordination with organic processing units then gas capture on the landfill would not be required.

95. Would you support a more standardised approach to collection systems for households and businesses, which prioritises separating recyclables such as fibre (paper and cardboard) and food and garden waste?

No. The complexities, issues and solutions around collection systems differ from one region to the next. Each region should produce its own waste plan taking all emission factors (including transport) into account. It may be counterproductive to collect paper and then transport it 1000 kms. It may produce less emissions to anaerobically digest it within the region. A standardised approach may lead to emission inefficiencies. A holistic approach to waste is required not a single-target plan.

96. Do you think transfer stations should be required to separate and recycle materials, rather than sending them to landfill? This is high labour, high risk (to staff etc) and extremely uneconomical.

Recycling should be diverted before the landfill or transfer station.

97. Do you think that the proposals outlined in this document should also extend to farm dumps?

With improved recycling of plastic farm containers, tyre disposal options etc farm dumps are becoming less relevant. Most of the farm dumps that cause a problem are old dumps, often with chemicals etc. We do not recommend attempting to apply a new process to an old farm dump. The risk of trying to put in a gas capture system may expose more risk than benefit.

99. What other options could significantly reduce landfill waste emissions across Aotearoa?

Presently there is no recognition for emissions reduced by diversion prior to landfill. The measurement for emissions is based on a tonne in = emissions out. But if there is an increase in non-organic material going to landfill and simultaneously an increase in organic material being diverted to a non-emission process the improvement is not recognised. Recognising the diversion (regardless of what goes to landfill) will encourage the establishment of organic processing systems. This may be through subsidies or tax breaks etc.

Increasing the disposal levy is the best way to raise funds for better diversion programs. The focus must be on emissions and diversion. Tools such as the Government's Waste Minimisation Fund should have explicit requirements to reduce emissions as a leading outcome, and provide the necessary platform to partner the public and private sector in creating genuine change.

Product Stewardship will be one of the most valuable tools to reduce emissions, and the ERP should be a primary factor in how these programmes are prioritized and delivered.

Decisions to reduce waste span the entire community and don't sit within the remit of any one group – cohesive behaviour change programmes to develop new norms will be critical to achieve waste emissions reduction.

Waste minimisation should be considered alongside emissions reduction in procurement.

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Forestry

106. Do you think we should look to forestry to provide a buffer in case other sectors of the economy under-deliver reductions, or to increase the ambition of our future international commitments?

Yes, because there is already momentum in afforestation which has taken some time to develop, and it is a low-cost way of offsetting emissions.

107. What do you think the Government could do to support new employment and enable employment transitions in rural communities affected by land-use change into forestry?

First the Government should investigate how large this problem is now and whether it will become larger in the future. If it is a problem, then the Government (central and local) could assist the development of new rural businesses in areas such as forest maintenance and tourism.

108. What's needed to make it more economically viable to establish and maintain native forest through planting or regeneration on private land?

Good advice on methods and costs needs to be made available to landowners. This would best be done at a local level by people who landowners are likely to trust - such as the Farm Forestry Association, local consultants, and farmers who are already successfully doing this.

The cost opportunity to plant native trees on private land needs to be higher than other options (e.g. subdivide the land for future development). Carbon credits created from planting native trees should create profit, considering the ETS cost of registration, verification and cost of maintaining the native forest and the land (rates). The declaration of significant areas in private land, when native forest are planted, doesn't incentivize private owners to plant native trees, as it limits their options of land use.

The most cost-effective way to grow new indigenous forests is to allow hillside pastoral land to revert to indigenous forest by the process of natural regeneration. This has already happened on a large scale beginning in the early 1980s when short-fibre wool markets declined and steep marginal land became unprofitable for sheep farming, and government incentives were removed. However, for pastoral land to revert to indigenous forest some critical factors are required – warm temperatures, good rainfall, a local seed source and landowner decisions to permanently retire pastoral land to forest.

There has been large scale regeneration in inland Taranaki/Wanganui, the East Coast and Northland and there is probably more land in these regions that could also regenerate, but only if the landowners decide to stop grazing and undertake pest control and fencing.

In other colder, drier regions where there is limited local seed source, there are no proven methods of establishing indigenous forest on a large scale. There are numerous small-scale projects (5-50 ha) where trees are planted and maintained but, as the Council is aware from its own work, this is very expensive and can't be scaled up to large blocks. Further research should be undertaken to determine innovative cost-effective ways to support and grow new indigenous forests at scale.

109. What kinds of forests and forestry systems, for example long-rotation alternative exotic species, continuous canopy harvest, exotic to native transition, should the Government encourage and why?

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The Government should encourage those systems that are poorly understood right now. This would best be done at a local level by people who are knowledgeable as well as bringing in subject matter experts.

- a) Do you think limits are needed, for example, on different permanent exotic forest systems, and their location or management? Why or why not?

No, limits are arbitrary. Profitability will determine the right balance. Government can influence this by the level of grants or subsidies that it offers.

- b) What policies are needed to seize the opportunities associated with forestry while managing any negative impacts?

Existing policies, standards and regulatory powers are adequate.

110.If we used more wood and wood residues from our forests to replace high emitting products and energy sources, would you support more afforestation? Why or why not?

The use of wood in this way is just one of the benefits of the current exotic forest resource. Support for further afforestation should be based on the full package of benefits that it brings.

111.What role do you think should be played by:

- a. central and local governments in influencing the location and scale of afforestation through policies such as the resource management system, ETS and investment?

Generally, Central and Local Government should only intervene where there is clear evidence of a failure of the market to deliver the desired outcomes.

- b. the private sector in influencing the location and scale of afforestation?

As much as possible.

112.Pests are a risk to carbon sequestration and storage in new, regenerating and existing forest. How could the Government support pest control/management? -

Central government could prioritise resources for landscape scale pest control operations to reduce pest numbers to low densities. This would allow more natural regeneration in existing forests and would make planting projects more viable in the long term.

If there are any questions about the content of this submission, please contact Daniela Ramirez, Climate Change Adviser at daniela.ramirez@ncc.govt.nz.

Your sincerely



Pat Dougherty

Chief Executive, Nelson City Council

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Te Kāhui Kaunihera ō Aotearoa.



Emissions Reduction Plan

Local Government New Zealand's submission on *Te hau mārohi ki anamata –
Transitioning to a low-emissions and climate-resilient future*

November 2021

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**We are.
LGNZ.**
Te Kāhui Kaunihera o Aotearoa.

We are. LGNZ.

LGNZ is the national organisation of local authorities in New Zealand and all 78 councils are members. We represent the national interests of councils and promote the good governance of councils and communities. LGNZ provides advocacy and policy services, business support, advice and training to our members to assist them to build successful communities. Our purpose is **to be local democracy's vision and voice** and our vision is **to create the most active and inclusive democracy in the world.**

Introduction

Local Government New Zealand (LGNZ) thanks the Ministry for the Environment (MfE) for the opportunity to have input into the development of Aotearoa New Zealand's first Emissions Reduction Plan (ERP).

This submission provides general comments and feedback on a number of the matters raised in MfE's consultation document, *Te hau mārohi ki anamata – Transitioning to a low-emissions and climate resilient future*.

This submission has been developed with input from the Council Climate Network – a network of council officers from across the motu who are committed to working together to prepare their communities for climate change by sharing best practice and knowledge across the local government sector. A number of councils have also had input into this submission.

Climate change is a significant issue for local government. Councils and their communities are already taking action to mitigate and adapt to the impacts of climate change – and are committed to doing more. This submission sets out a number of suggestions for how central government can better partner with and support councils and their communities to address climate change. This is critical given that the impacts of climate change – and the impacts of transitioning to carbon zero – will be felt locally.

LGNZ acknowledges the significant amount of reform that is underway, coupled with the pressure of the ongoing response to the COVID-19 pandemic. However, climate change poses the biggest long-term challenge (and opportunity) to Aotearoa New Zealand's communities. This means that work to mitigate and adapt to the impacts of climate change must be prioritised by the Government as a matter of urgency. We urge the Government to ensure that publication of the first Emissions Reduction Plan is not delayed any further.

Climate Change Commission's advice

LGNZ notes that it isn't clear from the consultation document how the comprehensive Final Advice of the Climate Change Commission has or hasn't been accepted. It would be useful to understand the Government's rationale for accepting or rejecting proposals that were put forward by the Climate Change Commission.

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Local government's role

Central and local government partnership to mitigate climate change

Although the ERP is a national-level plan, local government will play a significant role in Aotearoa New Zealand's transition to carbon zero. A considerable amount of the action needed to reduce emissions will be carried out and have implications at the local level. Many of the actions outlined in the consultation document will be delivered, supported or enabled by local government.

While the consultation document identifies that local government and communities will need to be empowered to support meeting carbon zero goals, we are concerned that this isn't well-reflected throughout the range of options that are identified for supporting the transition to carbon zero. There is little reference throughout the consultation document to the role that local government can and will play, and the support, tools, resources and funding it needs to meaningfully contribute to the Government's emissions reduction goals.

To support necessary action at the local level, the Government should partner – and not just collaborate – with local government. The Heads of Agreement recently entered into between the Crown and LGNZ commits the Crown to extending the partnership-based approach contemplated in the agreement to other areas of reform that significantly impact local government.

The ERP consultation document doesn't reflect the need for partnership with local government as strongly as the Climate Change Commission's Final Advice did. For example, the consultation document doesn't include in its suite of options the Commission's recommendation that by June 2022 the Government publishes an agreement that sets out the mechanism for achieving necessary alignment between central and local government, and by December 2022 publishes a work plan outlining how alignment and funding will be addressed, with milestones for achieving the plan.

We strongly recommend that the final ERP includes these two actions – and that the agreement and plan be developed in partnership with local government.

Working in partnership with local government will help the Government to:

- Understand the level at which various policy levers are best applied – locally, regionally or nationally.
- Drive and influence behaviour change by communities. Local government's proximity to communities means it's well-placed on to advise on how necessary behaviour change can be encouraged and supported.
- Understand some of the inequities communities may face as a result of the transition, and how they can be supported through it.

Tools, guidance and resources

Local government has indicated to the Government for a number of years now that it would benefit from access to a range of tools, guidance and resources to support it (and its communities)

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to contribute to emissions reductions, including:

- Consistent tools for measuring, forecasting and reporting on emissions.
- Guidance on how to set emissions reduction targets for districts/regions, that are aligned with national targets.
- Guidance on regulatory levers that already exist for councils to reduce emissions in their jurisdictions.
- Consistent frameworks for undertaking climate change governance assessments.
- Guidance on how to factor climate change considerations into business cases and investment decisions.
- Best-practice guidance on behaviour-change and communication approaches.

Any tools, guidance and resources for local government should be developed in partnership with councils to ensure that they are workable, practical and cost-effective.

LGNZ and Taituarā – Local Government Professionals Aotearoa are well-placed, as the peak local government sector bodies, to support central government with this mahi. We encourage the Government to partner with us to develop a suite of guidance, resources and tools to support climate change mitigation (and adaptation) action by councils, and to act as conduits between central government agencies and councils. LGNZ and Taituarā can help connect central government agencies with councils who can pilot or support the delivery of particular initiatives to contribute to emissions reductions.

Local government's roles and responsibilities

Councils have indicated to LGNZ (and the Government) for several years now that they would benefit from clearer guidance on the role local government is expected to play in reducing emissions. For example, to what extent will councils be responsible for abating emissions generated by land use change and transport? Will councils be expected to plan, incentivise, and fund changes to infrastructure to achieve emissions reductions? Will councils be required to produce emissions reduction plans?

Notwithstanding the need for central and local government to work together, what that working relationship looks like needs to be clearly defined – by clearly allocating roles and responsibilities. Without this, there is a risk that each party will do nothing while expecting the other to act.

Local government would also benefit from an understanding of central government's expectations on how emission reductions will be regionally distributed. For example, will Wellington and Southland both be expected to reduce carbon emissions or vehicle kilometres travelled at the same rate, or will this differ based on the relative concentration of factors such as urban density and emissions from agriculture?

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National direction

Much stronger national direction will be needed to achieve the Government's proposed emissions reduction targets. To achieve the Government's emissions reduction goals we need every local authority and community moving in a unified direction, at pace, starting as soon as possible. It seems very unlikely that this will happen across 78 separate local authorities without direction from central government.

This could involve central government providing clearer direction to local authorities about the need for, and consistent approaches to developing:

- Regional emissions reduction targets
- Regional VKT reduction targets
- Regional emissions reduction plans
- Required levels of service for public transport and active transport infrastructure

National direction should be developed in partnership with local government and should adequately provide for regional differences – while driving unified progress, at pace.

Local government funding

The Climate Change Commission warned in its Final Advice that cost pressures are likely to grow as councils respond to climate change and expressed a view that local authorities would need central government funding to manage the transition. The Future for Local Government Review Panel has also identified funding climate change action as a significant challenge for local government.

Local government has raised repeatedly the need for funding to be made available to councils to support mitigation action with and by their communities. Earlier this year a number of local government representatives attended MfE-led workshops on the ERP and strongly supported the establishment of a national fund to support local mitigation action. These local government representatives identified a number of factors for the Government to factor into the design of such a fund, including:

- Adequacy of funding is important, but it's also important funding is allocated for appropriate timeframes – including to enable delivery of initiatives.
- The need to balance avoiding a funding 'lolly scramble', while recognising that contestable funding doesn't provide councils with predictability – which is critical to planning.
- Funding allocations should reflect the different starting points that councils and communities will be at.
- A suggestion that a base amount of funding be provided to each council, with contestable top ups available for good business cases.
- The need to strike the right balance between funding for national priorities carried out

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locally versus local priorities.

- Prioritising projects that will generate the most emissions reductions, or support equitable transition outcomes for the most vulnerable communities.

We will wait with interest to see what specific recommendations the Future for Local Government Review Panel makes around changes needed to funding and financing to enable councils to mitigate and adapt to the impacts of climate change. In the meantime, we encourage the Government to continue to ensure its various work programmes are aligned, and to engage with LGNZ and councils on developing solutions to this important issue.

Aotearoa New Zealand's pathway to carbon zero

Vision, purpose and targets

LGNZ broadly agrees with the Government's proposed pathway to carbon zero and agrees that a comprehensive, multi-sector strategy will help us to move towards the 2050 target and improve broader wellbeing.

However, LGNZ is concerned that the consultation document doesn't yet include a comprehensive range of multi-sector options for addressing the issues and opportunities that exist. So far it appears that there is only a comprehensive range of options for reducing emissions from transport.

LGNZ is also concerned that the consultation document lacks detail on how each of the options identified for reducing emissions would be delivered – including by whom. Local government is prepared to work with the Government to identify the role it can play in progressing preferred options, and the support that local government will need to do that.

Our ultimate concern is the need for substantially greater investment by the Government to ensure Aotearoa New Zealand meets its carbon zero goals. We are concerned that the consultation document fails to identify how each of the actions it suggests will be funded. This must be addressed as a matter of priority. The Government will need to invest heavily in transformations that significantly reduce emissions and ensure that these are delivered. Otherwise there is a risk that investment will be spread too thin and that action will lack impact.

While LGNZ acknowledges the need for a range of policy tools to support emissions reductions, any new policy needs to complement the New Zealand Emissions Trading Scheme (ETS). Market-based rules are more likely to drive the real change that is needed, as opposed to rules-based approaches which can be changed at the whim of politics.

Finally, LGNZ also encourages the Government to better reflect in its proposed vision the need for resilient communities, given the inter-relationship between climate change mitigation and adaptation.

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Aligning the transition to carbon zero with other priorities

It is critical that work on the ERP aligns with other related central government led reform and policy work programmes, including the reform of the resource management system, Three Waters reform, the review into the Future for Local Government, the NPS-Urban Development and NPS-Freshwater Management and development of the National Adaptation Plan, to name but a few.

We make some specific suggestions on areas where the Government needs to ensure there is alignment throughout this submission.

LGNZ's view is that it's vital that work to reduce emissions aligns with work to build communities' resilience to the impacts of climate change – particularly given that these impacts are being felt by communities now. For this reason, we welcome the work that we understand the Government is doing to think about how revenues from the ETS can be recycled and allocated to adaptation action. These revenues could also be used to support a just transition for Aotearoa New Zealand's communities to carbon zero.

We encourage the Government to continue this work, and to think about the institutional arrangements that could be put in place to ensure that ETS revenues are allocated towards these purposes – and are safeguarded from being allocated to other priorities. We encourage the Government to align this thinking with the work we understand it is doing around the design of a national adaptation fund, as part of its work on the proposed Climate Change Adaptation Act.

Principles for transition

LGNZ agrees that a just transition is critical and broadly supports the principles for transition that are identified in the consultation document.

As noted above, local government's proximity to its communities means it's well-placed to support the Government to understand the impacts the policy decisions it makes will have on communities, and how communities can be supported through the transition.

We support the inclusion of the principle that the Government's decisions be guided by an evidence-based approach. However, we are concerned that a number of the proposals in the consultation document haven't yet been quantified. The document itself identifies that a number of proposals need further assessment for effectiveness, value for money and implications for other Government priorities. This suggests that the Government will need to build its capability and capacity in respect of taking an evidence-based approach to climate change policy making going forward.

We recommend that the Government includes a principle that specifically addresses the need to identify the appropriate scale at which action is taken – whether that be local, regional or national. There must be consideration of how national policy trickles down into local action, and what the implications of national-level decisions are for local and regional communities.

We also recommend that the Government includes a principle on working in partnership with local

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government, including by making decisions that are guided by local perspectives, aspirations and objectives. This will help the Government to ensure that urban and rural communities are empowered to transition in line with local objectives and aspirations – which the consultation document identifies as one of the Government's goals.

We also recommend that the Government adopts a principle that any new policy to achieve carbon zero is supported with appropriate national level funding, and an analysis of the funding that will be required at regional and local levels to support implementation.

Working with Te Tiriti partners

Māori have considerable indigenous knowledge of ways of doing things to protect, enhance and restore the natural environment, and living without use of fossil fuels, that Aotearoa New Zealand can learn from. LGNZ strongly encourages the Government to support Māori to share that knowledge so it can be considered in forming our unique cultural response to the climate crisis.

Further, we agree that it is critical that the Government understands how the changes it is proposing will affect iwi/Māori. Local government's proximity to, and pre-existing relationships with iwi and hapū mean it is well-placed to support the Government with this. We encourage the Government to work in partnership with local government to support its work with Treaty partners at the local level.

We agree that iwi/Māori will need financial support from the Government to build their capability and capacity to contribute to Aotearoa New Zealand's transition to carbon zero. As the Treaty partner, the Crown should also support local government to build its capability and capacity to work closely with iwi/Māori on climate change mitigation action.

For example, we note that the consultation document recommends that the Government supports iwi/Māori to develop emissions profiles. While we support this, the Government could support iwi/Māori and local government to develop emissions profiles in partnership. This would enable iwi/Māori and local government to draw on their respective capabilities and knowledge and avoid unnecessary duplication of work at the local level – particularly given the significant amount of change and reform that both iwi/Māori and local government are currently grappling with.

Aligning systems and tools

LGNZ agrees that aligning systems and tools will be critical to achieving the Government's carbon zero goals. Below are a number of suggestions for areas where alignment will be critical, and ways the Government can achieve alignment:

- LGNZ agrees that reforming the resource management system presents an opportunity to better support councils and communities to contribute to emissions reductions through resource allocation and land use planning decisions. We make further comments on the

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role of planning in enabling emissions reductions further below. If the Government is to achieve its objective of better mitigating emissions contributing to climate change through the reform of the resource management system, it will need to continue to partner closely with local government. We are pleased that the Government has established a Local Government Resource Management Reform Steering Group to support this. Ongoing engagement with the sector more broadly will also be critical.

- LGNZ agrees that behaviour change will be critical to achieving New Zealand's emissions reduction goals. While individual behaviour change will be important, most of the change that is needed is systemic change that will need to be driven by the Government and large organisations with sufficient reach and economies of scale. An interdepartmental board of Chief Executives, as provided for under the Public Service Act, could help to ensure that there is strategic oversight across the system.
- Introducing Vote Climate Change (as recommended by the Climate Change Commission in its Final Advice) is one way that the Government could ensure there is coordination of, and accountability, for its work programmes.
- As noted above, the Government needs to do considerably more work to identify how the actions it will take to reduce emissions will be funded. This must align with the work that the Future for Local Government Review Panel is doing to look at funding and financing options for local government – particularly given that the Panel's Interim Report identifies funding climate change action as a significant challenge for local government.
- We agree that there is a need to build central government capability and capacity in the climate change mitigation space. The same is true for local government. We encourage the Government to work closely with the tertiary sector, LGNZ, Taituarā and other member bodies (such as the New Zealand Planning Institute) to develop a comprehensive plan to support this.
- Coordinated central government consultations with local government, iwi/Māori, the private sector and communities would be helpful. Throughout 2021 alone we've seen several consultations on various work programmes that have emissions reduction focused goals, including consultations on the Transport Emissions Reduction Plan, the Infrastructure Strategy and updates to the Building Code, to name but a few. It is critical that all these work programmes are aligning – and ultimately align with the final ERP. Inconsistencies across programmes will be unhelpful and difficult for councils to reconcile.
- A joined-up approach by central government agencies will be critical for achieving New Zealand's carbon zero goals, but cross-party support is equally critical. This will help to ensure that the ERP is enduring. However, we add the caveat that a lack of cross-party support shouldn't defer the critical action on climate mitigation that is needed, now.
- More regular communications updates from the Government would help communities to understand progress on emissions reduction goals, and provide a means for communities to hold the Government to account on its progress. Real-time or frequently updated visual

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data, that is easy to understand and accessible, showing shifts towards achieving a successful transition would help both with accountability, and empowering all sectors of the community to see where progress is at and make contributions.

Planning

LGNZ agrees that planning decisions can help to drive emissions reductions. LGNZ also welcomes the Government's objective of reforming the resource management system to, in part, better mitigate the emissions that contribute to climate change.

If the Government is to achieve that objective, it will be critical that the ERP aligns with the proposed new National Planning Framework. That should include providing clear direction on how emissions reductions can be achieved through planning decisions. In addition to direction, the Government will need to work with councils and communities to develop tools that support integrating consideration of emissions into planning decisions.

The new planning system will also need to provide clear direction on how trade-offs should be managed. The exposure draft of the Natural and Built Environments Act set out 18 unprioritised outcomes for the natural and built environments – many of which are competing. While we acknowledge the inevitability of some competition between outcomes for the natural and built environments, clear guidance in the Act itself, or the National Planning Framework, on how trade-offs should be managed will be critical – particularly if the Government wants to meet its carbon zero goals.

We understand the Government is proposing to introduce a requirement for regions to prepare regional spatial strategies (RSSs) under the Spatial Planning Act. The RSSs are proposed to be long-term in focus (30 years) and identify areas that are suitable for development, need to be protected, require infrastructure and/or are vulnerable to climate change effects and natural hazards. RSSs will integrate with the Local Government Act 2002 and Land Transport Management Act 2003.

We understand the Government's current thinking is that RSSs will not be operative, but rather will guide NBA plans and coordinate investment from the public and private sector. We also understand that thought is being given to whether implementation agreements are a mechanism that could be used to commit partners to deliver investment. If RSSs are to actually deliver investments that contribute to emissions reductions, thought is going to need to be given to ways to secure their implementation. This may be particularly challenging if not all local authorities in a region are represented on the RSS joint committee. We encourage the Government to continue to work with local government on this.

There are some concerns within the local government sector that the scale of the reform proposed to the resource management system is so significant that, given capability and capacity constraints within the planning system, there is potential for the reform to not have the transformational impact the Government is hoping for. To ensure that the transition to the new system is successful and carefully planned – and doesn't result in unintended consequences – the Government will

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need to continue to work in close partnership with local government. We also encourage the Government to think about setting up a National Transition Unit to oversee and manage an effective transition to the new system.

LGNZ makes the following further points:

- Local government agrees that greater high to medium-density housing is a way to contribute to emissions reductions. However, local government needs significantly more funding and financing tools from the Government to support it to deliver the infrastructure that is needed to enable intensification of brownfields areas, and to deliver infrastructure projects that support zero carbon goals.
- Given strong signals we will head down a path of needing to factor emissions into planning decisions, councils and their communities will need consistent, easy to use tools that support them to do this. The development of these tools should be funded by central government, to ensure consistency and equity of access to them, but must be developed in partnership with local government.
- The tools that are developed to support the Government, councils and communities to understand the emissions associated with urban development decisions should incorporate the likely lifetime emissions of transport and energy use that would be enabled under different scenarios, and embodied emissions in buildings and infrastructure.
- The Government will also need to work with local government on the issue of how the costs of carrying out emissions assessments associated with urban developments and associated transport options are met.

Transport

It is apparent from the consultation document that this is the sector for which there is the most comprehensive range of options for reducing emissions. However, we reiterate our earlier comments about our concern at the lack of detail about how each of the options would be delivered, by whom, and how they would be funded.

LGNZ welcomed the Climate Change Commission's recommendation that the Government provides local government with greater support to reduce communities' reliance on cars, including through legislation, removing regulatory barriers, and providing increased and targeted funding. We also welcomed the Commission's recommendation that the Government works with local government to set targets and implement plans to substantially increase walking, cycling, public transport and shared transport by the end of 2022.

LGNZ agrees that the Government must partner with iwi/Māori to co-design and develop solutions to reduce transport emissions. However, it must do the same with local government – since councils play a critical role in planning, funding and delivering transport networks and options, and play a key role in integrating land-use, urban development and transport planning. The relationship

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with local government must be more than just strong collaboration: it needs to be a partnership. Solutions need to be co-designed and co-developed.

In respect of the various options set out for reducing emissions from transport, we make the following comments:

- Any review of Regional Land Transport Plans needs to be done in partnership with local government. Thought needs to be given how a review of these plans aligns with changes to other planning processes that are being worked through as part of the reform of the resource management system.
- Greater funding and funding/financing tools will be needed to support the development of infrastructure and transport options that support emissions reductions. For example, in our submission on the Climate Change Commission's Draft Advice we expressed support for more funding from the National Land Transport Fund to support public and active mobility.
- Local government would welcome financial support from the Government to make public transport cheaper, and in appropriate cases free – which we know a number of communities and community leaders are advocating for. Any review of the principles for planning and funding public transport, and review of the Public Transport Operating Model, needs to happen in partnership with local government. Any funding implications for councils of reducing public transport fares will need to be worked through.
- We agree in principle with the proposal to make changes to regulation to make it easier for local government to reallocate road and street space rapidly for public transport, walking, cycling and shared mobility in urban areas. The Government must work in partnership with local government to ensure that regulations designed don't deliver unintended consequences. Funding to support changes to and development of infrastructure will be critical.
- Any investigation of ways to raise revenue for transport in the future, including replacing the land transport funding system, needs to happen in partnership with local government.
- Price alone isn't going to generate the mode shifts that are needed. The public transport network also needs to be convenient for users. That's why integrated land use and transport planning is important. The proposed Spatial Planning Act could help with this. That's why it's critical there's alignment between the ERP and the reform of the resource management system, and in particular the development of the National Planning Framework and consideration of the implications for emissions reduction goals of decisions made around implementation of RSSs.
- Mode-shift plans for urban areas need to be developed with councils. Although these plans will need to align across the motu, they will differ based on local and regional circumstances. Funding the delivery of these plans is going to be a critical issue – local government will likely need considerably more funding from central government.

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- Development of a national EV infrastructure plan should include local government, given the need for implementation across the country.

Congestion pricing/road user charging

While LGNZ welcomes the recommendation around “*enabling congestion pricing and investigate how we can use other pricing tools to reduce emissions*” this recommendation lacks ambition. Road pricing tools should be enabled and not just investigated further. Local government has been calling for road user charging for some time now – including as far back as 1993 in a joint Local Government New Zealand/Automobile Association/Road Transport Forum submission on Land Transport Funding.

Road pricing appears only under serious consideration for Auckland – acknowledging there is some signalling in the consultation document that it could be looked at for Wellington. We encourage the Government to work closely with other metropolitan councils on introducing road pricing elsewhere.

The Taituarā submission on the ERP consultation document makes a number of points around road tolling. We endorse these points and agree that making tolling, of new and existing roads, easier should be explored. Section 46 of the Land Transport Management Act could be amended to permit tolling of existing road use subject to consultation with the public. We agree with Taituarā that tolling new and existing roads could be a useful intermediate step to full road pricing.

Buildings

In principle LGNZ is supportive of initiatives to reduce emissions from buildings – both operational and embodied emissions. However, the transition needs to be equitable and consistent with the Government’s objectives around housing availability and affordability.

The Government must ensure that the ERP aligns with the Building Code. That should include alignment with the proposed updates to the Building Code that MBIE has recently consulted on around energy efficiency in buildings. We support the Taituarā submission on these proposed changes. We encourage the Government to further explore whether additional changes could be made to the Building Code to lift the energy efficiency of new buildings.

Agriculture

There is broad acceptance within the local government sector that agricultural emissions need to reduce and that bringing agricultural emissions into the ETS is one way in which this could be achieved. However, the transition for rural and provincial communities needs to be carefully managed. This must include engaging early with rural and provincial communities on the changes needed. Local government can support this. It’s also important that the Government understands and carefully manages the cumulative effects that a raft of Government-led changes are having on

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rural and provincial communities.

Signalling that unavoidable pricing mechanisms are coming soon is one way that the Government could incentivise action by those in the agricultural sector before pricing kicks in. Re-establishing the Projects to Reduce Emissions Scheme, instead of offsetting using only forestry, is one way that innovation could be encouraged across farming (and also other sectors).

While forestry can be used to both offset residual emissions in hard to abate sectors, and increase our international commitments, LGNZ's view is that gross emissions reductions across all sectors should be the first priority. Carbon forestry should not be seen as a way to avoid or delay moves to decarbonise the economy.

Increases in carbon prices and the ability to fully offset emissions through the ETS are influencing forestry investment decisions and subsequent land-use change. Unintended consequences of greater forestry planting will need to be carefully managed, so that they are not irreversibly locked in – including impacts on biosecurity, fire risk, rural community resilience, export revenues and employment.

LGNZ also recommends that the Government should find ways to incentivise planting of permanent indigenous forests, as these provide multiple benefits, can be delivered at scale and are more aligned to our climate and ecological emergency. A carbon price differential between pine and native forestry is one way the Government could incentivise more permanent native forests. There should be some limits on the scale of exotic plantations in areas where permanent native forests would be more desirable.

Waste

LGNZ broadly agrees with the consultation document's proposals around reducing emissions from waste. Partnering with local government on any initiatives to reduce emissions from waste is critical. We encourage the Government to work closely with the WasteMINZ Territorial Authorities Officers' Forum on progressing any options for reducing emissions from waste. This Forum is, for example, actively working on a standardised solution for kerbside collections across the country.

We also note that the Ministry is currently consulting on a proposed waste strategy and new waste legislation. This work must align with the ERP. Given multiple work programmes underway, care needs to be taken to ensure there are not inconsistencies between the proposed strategy and legislation and the ERP. Inconsistencies will create unnecessary complexity for local government.

Other points

LGNZ makes the following further points:

- We support the need for more investment in research, science and innovation. However, it is critical that this investment supports the development and roll-out of practical tools that will support councils and their communities to take action. The need for action, now,

Item 20: Approval of submission on the Government's Emissions Reduction Plan: Attachment 2

SUBMISSION

**We are.
LGNZ.**
Te Kāhui Kaunihera o Aotearoa.

means we need more than just ongoing academic studies.

- More support needs to be provided to small and medium sized businesses to ensure that they are not left behind in getting to know their emissions profile and supporting New Zealand's transition to a low carbon economy – especially after the major stress that has been caused by the COVID-19 pandemic. Small and medium sized businesses influence New Zealand's culture significantly and will be critical to the transition.
- Local government has, for a number of years now, called for a national campaign to drive emissions reduction behaviour change – similar to national road safety and smoke free campaigns, for example. Such a campaign would need to drive positive change and align with local aspirations and objectives. Local government is well-placed to support the Government with the development of behaviour change campaigns.
- The Government should further explore how it can support councils to work directly with schools to demonstrate and encourage sustainable practice.
- In principle we support the establishment of a behavioural change fund. This fund should be accessible by local government, so it is able to support and drive behaviour change with local communities. However, what isn't clear and needs to be worked through is the mechanism by which income for the behaviour change fund is generated.



Te hau mārohi ki anamata **Transitioning to a low emissions and** **climate-resilient future**

Submission to the Ministry for the Environment in respect to the
Emissions Reduction Plan

November 2021

A2790131



Draft for discussion - not Taituara policy or views

What is Taituarā?

Taituarā — Local Government Professionals Aotearoa thanks the Ministry for the Environment (the Ministry) for the opportunity to submit on *Te hau mārohi ki animate: Transitioning to a low-emissions and climate-resilient future* (the emissions plan).

Taituarā (formerly the NZ Society of Local Government Managers) is an incorporated society of almost 1000 members¹ drawn from local government chief executives, senior managers, and council staff with significant policy or operational responsibilities. We are an apolitical organisation. Our contribution lies in our wealth of knowledge of the local government sector and of the technical, practical, and managerial implications of legislation.

Our vision is:

Professional local government management, leading staff and enabling communities to shape their future.

Our primary role is to help local authorities perform their roles and responsibilities as effectively and efficiently as possible. We have an interest in all aspects of the management of local authorities from the provision of advice to elected members, to the planning and delivery of services, to the less glamorous but equally important supporting activities such as election management and the collection of rates.

Climate change is a global issue, but the impacts are local. Local authorities have an important role in readying communities for the impact of climate change, and helping the community adapt. This goes beyond what might be termed the direct impacts (e.g., the need to move or protect the council's own infrastructure) to the wider impacts on the community (for example the so-called managed retreat and conversations).

We are not experts in climate science so we will not enter the debate about the adequacy of the plan in meeting the emissions targets. We focus on the recommendations and their merits as public policy tools based on our knowledge of the local government sector and local communities.

General Comments

Central government's policy settings send mixed signals about the importance of emissions reduction vis-à-vis other objectives

¹ As of 31 October 2021

There are many policy reviews underway at the present time. The emissions reduction plan is progressing alongside the development of the National Adaptation Plan in the climate policy space. Climate policy is at the forefront of the development of the trio of Bills being developed to give effect to the Resource Management Act reforms, as well as various policy statements and, among other things, emissions reduction objectives are linked to the New Zealand Infrastructure Strategy, the Waste Management Strategy and the so-called "Building for Change" initiatives.

Some of these developments have the potential to conflict with emission reduction objectives. For example, direction in policy statements on transport and urban development support a degree of building "up and out" thus enabling greenfield development in advance of public transport links being put in, creating further emissions and congestion. The recent set of amendments to allow three story construction anywhere in the city will create some element of opportunistic intensification driven by who can access finance when, with urban planning factors a distant second.

Local government looks to central government for greater support to achieve emissions reduction/climate change objectives

Most local authorities would agree that the procurement, investment, and planning decisions they make have and will have impacts on future emissions. This is particularly true of decisions made around transport planning and provision, urban planning, wastewater, and solid waste, but might apply even in such matters as building choice for community centres. Many would also agree that local government has a role as a leader for emissions reduction within their local community.

Section 5ZN(c) establishes that the 2050 target and the emissions reduction plan are permissive considerations that public bodies may consider when performing public functions under any Act. A plan that is not clear or detailed enough in its coverage of the local government role in implementing the plan may mean local authorities may have difficulty taking the plan into account. More guidance is needed.

Local government will be crucial to the successful implementation of many the proposed policies and actions in the document, especially the transportation, urban planning, and waste sections. It also has policy and service delivery tools to be able to influence the forestry and transitions sections (or at least could have). We join with the members of the Climate Action Network in call for enabling national legislation which would enable Councils greater flexibility to introduce policies locally (including things like pricing, congestion charges), to help address emissions in a way that

would work for our communities. As we shall see later that will require some amendment to the Land Transport Management Act and potentially some local government system legislation (the Local Government Act 2002 and 1974).

The upcoming Climate Change Adaptation Bill (CCA) is expected sometime towards the end of 2022 (calendar). This is the opportunity to approach all the outstanding matters from the environmental and land-use planning aspects that have emissions effects.

The cost of adaptation is probably the largest single ongoing funding issue facing the sector. Commentators such as the Productivity Commission and the Climate Change Commission have also noted that the CCA is an opportunity to legislate for the proposed Climate Change Adaptation Fund.

It appears that the funding of climate change adaptation is every bit the public policy challenge that is posed by say, the funding of national superannuation and the other costs of an aging population. There is the same need to incentivise good decision-making (for example, ensuring there is no new development in areas that are at risk of sea level rise, coastal erosion etc) while taking account and managing the effects of the decisions that have gone before.

Any future climate change adaptation mechanisms should be designed in such a way as to minimise the long-run costs of adaptation and would include incentives to avoid activity that would add to these costs. In addition, like should be treated alike, albeit that there is a need to ensure that the outcomes delivered for individual communities are equitable and take account of, need, ability to pay, and responsibility.

There is a strong economic case to support some degree of pre-funding the costs of adaptation. First, the notion of exacerbator pays suggests that those responsible for harm or damage (in this case the emission of gases that have created climate change) should contribute towards the cost of adaptation.

Second, with the right design, the mechanism for contribution could be used to send at least some signal about the cost of activities that gave rise to climate change or avoid locating in areas at risk etc. Further tax on automotive energy and/or other fossil fuel use would be one example. "Pricing" in this way should avoid sending disincentives for actions that support adaptation or internalise some cost, for example funding by a levy on insurance would be as good an example what **not** to do.

Funds raised in this way might then be invested for future use once the heavy-duty adaptation expense begins – in much the same way as the present-day New Zealand Superannuation Fund operates.

Recommendations

- 1. That the emissions reduction plan be amended to clearly state the expected role of the local government sector in emissions reduction.**
- 2. That the emissions reduction plan included expedited introduction of a Climate Change Adaptation Fund, with funding available for projects that support emissions reduction.**

Transport

Taituarā agrees with the suite of recommendations that the Ministry has made. We have queries about the prioritisation afforded to each, and some questions about the importance of each in the overall suite.

Road Pricing

The draft recommends the *"enabling congestion pricing and investigate how we can use other pricing tools to reduce transport emissions."* We have long advocated for the use of road pricing. Done well road pricing can promote modal shift, either between high emission and lower emission vehicles and between the private car and other modes such as passenger transport. Of course, this is predicated on the availability of other options.

This recommendation is soundly based in the principles of orthodox economics which holds that when users of a service face the true costs of their demand, they demand only what they value. It is little different from the principles underpinning policy instruments such as the New Zealand Emissions Trading Scheme (NZETS).

The economist's dream is 24/7 road pricing that uses transponder technology to set a price for road use that is based on time of day, type of vehicle, location (even down to the road traversed) and time of year. For example, a journey in Auckland at 8.30am during the so-called "March madness" period might cost more than a journey at 6am on Christmas Day. It is not just a case of transport emissions coming on/from the congested routes and at peak times – any vehicle is emitting GHGs at any time. This is the first best solution.

Taituarā considers that this recommendation lacks ambition, and should support enabling of pricing tools in general, not just further investigation. Road pricing and tolling have been on policy agendas since the original Land Transport Pricing Study undertaken a generation ago.² We are aware of at least five published studies on road pricing in the last 20 years, not counting various consultations (such as *The Congestion Question*).

The technology to enable road pricing is available and has been tested and proven reliable for road pricing purposes (at least on a city or regional basis) in overseas jurisdictions and as the basis for tolling on at least two of the three toll roads in this country. Research undertaken by D'Artagnan Consulting has concluded that "*Automatic Number Plate Recognition (ANPR) technology has lowered in cost and become much more reliable*".³ Further, it notes that Global Navigation Satellite System (GNSS) technology has matured to the point where it is being trialled for use to administer time, location, and distance-based pricing in Singapore from 2020 and potentially in London soon after that.

We agree that the introduction of road pricing will raise challenging policy questions. For example, at the present time it appears road pricing is only under thoughtful consideration as a tool for managing demand in Auckland, but there is a case for introducing the tool elsewhere either on a limited basis or more generally.

We accept that true 24/7 road pricing will have and is intended to have a major impact on the microeconomy of road transport, and through that, impacts on modal choice and land use (both urban and rural). It is time to remove this policy 'blockage' and bring this work to a conclusion.

There are interim steps that can be taken. One is in road tolling. There are three toll roads in operation in New Zealand: the Northern Gateway Toll Road north of Auckland, and the Tauranga Eastern Link Toll Road and the Takitimu Drive Toll Road, both in Tauranga. Historic use of tolling has been confined almost exclusively for bridges and has been characterised by political interference.⁴

Section 46 of the Land Transport Management Act 2003 provides for road-tolling schemes on issuance of an order-in-council by the Governor-General (on the

² One of the four volumes in the study, *Environmental Externalities*, specifically recognised and attempted to cost the environmental impacts of road use. The discussion shows that an analytical framework already exists to provide some basis for further debate.

³ D'Artagnan Consulting (2018), page 99.

⁴ For example, the toll on Tauranga Harbour Bridge was removed as part of negotiations following the 2005 general election as the one of the conditions of a confidence and supply agreement.

recommendation of the Minister of Transport). This means that road-controlling authorities can only toll a road if central government agrees to the proposal to toll.

The Minister is expressly authorised to decline proposals, amend proposals, or place any condition on a proposal – as the Minister sees fit. Tolling is only permitted on new roads – and is expressly prohibited in most other circumstances.⁵ For example, a local authority could not toll to fund an increased level of service, such as a capacity extension, on an existing road. And last, but by no means least the Minister must be satisfied there is a feasible alternate route to the tolled road.

This is a stringent set of criteria to meet, coming on top of public consultation. It is no surprise that no local authority has ever managed to complete the process. Given that these schemes can easily become politicised even after operating for some years they can be a fiscal risk.

Tolling of new and existing roads could be a useful intermediate step to full road pricing as both a revenue raising tool and a demand management tool. The main barrier to tolling an existing road is public acceptance – concerns that the road user has “already paid for the road” do not recognise either the full-life cycle of the roading asset or the full economic costs of road use. A 2018 Review of International Road Pricing Schemes, Previous Reports and Technologies undertaken for the Ministry of Transport concluded that clarity on use of revenues is critical to public acceptance.⁶ A publicly accepted plan will overcome many of the public objections to tolling.

Even with road pricing some variants of tolling might be worth retaining. For example, cordon-tolling of the form used in cities such as London might be a better option in cities with only a limited number of access routes (such as Wellington).

The legislative amendments are not complicated (it is an amendment to a small number of legislative provisions). As with road pricing, all that is required is the decision to proceed.

The soundest of economic theories can be undone in practice, and road pricing is no different. For road pricing to produce the modal shifts necessary to meet demand

⁵ Section 46 of the Land Transport Management Act allows tolling of an existing road only where the Minister is satisfied that the existing road or part is located near, and is physically or operationally integral to, the new road in respect of which the tolling revenue will be applied.

⁶ D'Artagan Consulting (2018), *Review of International Road Pricing Schemes, Previous Reports and Technologies – review undertaken for the Ministry of Transport*, page 131.

management objectives, viable alternatives to private motor vehicle must exist. This includes initiatives such as passenger transport (which need not only be passenger rail!), cycle and walking facilities, and more laterally such as teleworking (in the very long run distributed manufacturing such as 3-d printing/scanning of some items may add further to this).

We welcome the recent recommendations of the Climate Change Commission that the Government provides local government with greater support to reduce communities' reliance on cars (including through legislation, removing regulatory barriers, and providing increased and targeted funding), and works with local government to set targets and implement plans to substantially increase walking, cycling, public transport and shared transport by the end of 2022.

The introduction of road pricing etc, raises potential issues regarding equality of access for the low income and the potential to exacerbate transport disadvantage. It also underscores the need to have alternative modes of transport in place to coincide with these measures. We therefore welcome the Climate Change Commission's recent suggestions around the Government increasing its share of funding dedicated to active and public transport infrastructure and changing the cost recovery model for public transport (which currently requires 50 percent of costs to be recovered through fares) to allow public transport fares to be reduced.

We recently submitted to both the Climate Change Commission (on its draft advice) and the Infrastructure Commission in favour of a transition plan. That plan needs to set out the path to the implementation of road pricing, including a plan for developing or extending alternatives to roading. It also needs to take steps to ensure that the appropriate legislative and regulatory protections are in place (for example economic regulation or other consumer protection, and appropriate protection of privacy). And appropriate protections for transport-disadvantaged communities are a 'must have' from an early point in the process.

Recommendations: Road Pricing

- 3. That New Zealand commence the move to road pricing as soon as practicable.**
- 4. That the Land Transport Management Act be amended *as soon as practicable* to empower road-tolling on any road.**

5. **That any transition plan to road pricing include a specific 'go-live' date and plans for the provision of alternatives to private road use.**
6. **That the transition plan includes explicit consideration of equity of access for the transport-disadvantaged.**

The Clean Vehicle Discount

Earlier in the year the Government announced it would introduce a substantial 'feebate' for electric and hybrid vehicles. We support this decision.

The Climate Change Commission has also recommended that the Government adopt a policy that supports EV leasing, purchasing, and sharing schemes to improve equitable access, particularly for Iwi/Māori, those with low incomes and vulnerable communities. We agree with these recommendations.

There is also the potential for central government to extend the discount to other clean transport for example e-bikes. It appears the cheaper to mid-range options cost between \$800 - \$1500, which is a significant outlay for someone on the minimum or living wage. Central government might include a feebate element or even consider some form of micro-finance scheme to cover loans for purchase of an e-bike and to be recovered from the tax system.

Recommendation: Clean Vehicle Discounts

7. **That a feebate or microloan scheme be developed to support take-up of electric bikes.**

Tax Treatment of Low Emissions Vehicles

The draft plan recommends that the Government investigate the potential for use of the tax system to avoid disadvantaging low emissions transport. We concur and have previously suggested there are four areas that could be further considered.

The first, and most obvious is the taxation of automotive energy (i.e., petrol and diesel at present). The economics behind this are simple and compelling, increase the cost of one form of road use, leads to modal shifts at the margin. Increases in passenger transport patronage during the last spike in petrol prices is a good

example. This might also be a transitional 'proxy' for road pricing – although incentives may be blunted by improvements in fuel efficiency.

Of course, the primary barrier to implementing a further increase in fuel tax is a political one. The incumbent Prime Minister has ruled out increases in fuel tax in the tenure of the current government. That makes taxation of automotive energy an option for the medium term.

The second is the tariff. Our limited investigation suggests that tariffs apply to all motor vehicles whether driven by the combustion engine or not, and that any discrimination applies to the country of origin (that is countries with free trade agreements may be partially or wholly exempt). Our research suggests the main manufacturers of EVs are in Japan, the United States, Germany, and Italy, where as far as we know no such agreements are in place.

There is no local assembly industry to speak of, eliminating one of the main arguments for tariff protection. A review of tariff policy is one such opportunity with little negative distortionary impacts on the wider economy.

A third option is to amend the rates of GST to provide a favourable differential for low emissions vehicles. GST is a tax that is (bluntly) set for revenue generation purposes alone. One of the big factors in the success of GST as a tax is its broad base. Reducing the rate of GST on low emissions vehicles (or zero rating) might offer a substantial reduction in the upfront cost, but raises equivalence or boundary issues (for example, could GST on bus/rail fares, bicycles, or even athletic shoes be reduced). It would also set a precedent for using differential rates of GST for other objectives e.g., removal of GST on fresh fruit and vegetables to support healthy eating. Our sense is that the implications of such a change would be too broad reaching for any government to pursue.

Recommendations: Taxation of Low Emissions Vehicles

- 8. That the plan recommends an increase in the price of higher emissions forms of automotive energy.**
- 9. That the plan recommend priority be given to further work on the removal of tariffs on low emissions vehicles.**

Passenger Transport Fares

The draft plan recommends “considering options that reduce passenger transport fares” citing a recent pilot that reducing passenger transport fares for community service card holders in Auckland as an example.

One of the key pieces of information that policymakers must consider when developing subsidy schemes with demand objectives is the likely responsiveness of demand to price (price elasticity of demand or ϵ). A low ϵ suggests that a change in fares would not stimulate much of a change in demand.

We have searched but have been unable to find any recent studies attempting to estimate ϵ in New Zealand. The last study we can find (by the former Transfund) cites evidence dating from 1990 suggesting elasticities of around -0.4 (that is a fare reduction of 10 percent would increase travel 4 percent).⁷ The last study we can find anywhere refers to the so-called *Simpson-Curtin* rule that is a 3 percent reduction in fares necessary to boost demand 1 percent. Also estimates we have seen based on an average of -0.43 for off-peak fares and -0.23 for peak fares.⁸

In short, use of public transport is not that responsive to price. This result is probably what readers would have expected. Price on its own is but one factor, the convenience of public and private transport (route design, service frequency, availability of early morning and night services etc) are also a factor.

A substantial shift in price would be needed to generate the modal shifts discussed in the draft plan. Anecdotally we are aware of a substantial increase in patronage of passenger transport in Palmerston North when passenger transport was made free for tertiary students.

Discussion of the Auckland pilot in the draft does not mention any evaluation having been done of the demand effect. That would seem to be critical to determining how far to take this recommendation (especially as Community Service Card holders may be overrepresented in off-peak travel).

In short, while some reduction in fares may help, the degree of impact needs to balance against other initiatives such as improvements in the frequency of passenger transport services, and initiatives that increase the cost of using private transport.

⁷ See <https://www.nzta.govt.nz/assets/resources/research/reports/248/248-Review-of-passenger-transport-demand-elasticities.pdf>

⁸ Litman (2020), Transit Price Elasticities and Cross-Elasticities report for the Victoria Transport Policy Institute available at <https://www.vtpi.org/tranelas.pdf>, last retrieved on 29 October 2021.

Recommendations: Passenger Transport Fares

That the Ministry of Transport and NZTA:

10. complete an evaluation of the Auckland fare reduction pilot programme

11. commission research to fill the evidence gap regarding the price elasticity of demand for passenger transport services.

Hyper-Local Hubs

We agree that support for teleworking is an option worthy of further pursuit in the policy context. Of course, there is a trade-off between the emissions 'lost' from reduced transport and higher emissions depending on forms of home heating (and over time these would be reduced as we transition to cleaner heat). Working from home is socially isolating.

There is an opportunity here for local authorities to create or encourage networks of community hubs and hyper-local micro hubs for shared and communal working. This would support changing away from current high emissions patterns of commuting from suburbs to city centres, build social connections and strengthen communities. Creating this infrastructure would ideally be supported by increased funding from central government.

Recommendations: Hyper local hubs

12. That the Ministry and the Ministry of Transport conduct an analysis of the net benefit to emissions reduction from working from home including community hubs and hyper-local hubs for shared and communal working.

13. That contingent, on the results of recommendation 12, the Government develop a regime for assistance for establishing community and hyper-local hubs.

Investment Decision-Making

"The first rule of government spending: don't fund what you don't want more of."

Richard Prebble
I've Been Thinking

Taituarā notes that the draft recommends no new policies regarding funding and financing. This was something of a surprise to us given the troika of Commissions (Climate Change, Infrastructure, and the Productivity Commission) each note the importance of investment decision avoiding the 'lock-in of future' emissions. It was in that spirit, that Taituarā supported the Climate Change Commission's Time Critical Action 6: Align Investments to Climate Outcomes.

Recommendation 6a calls for the publication of long-term abatement cost values based its analysis of real carbon prices. We agree adding that the abatement values will need regular review if they are to send the right signals for investment. Local authorities are currently planning on a triennial cycle which suggests a minimum review frequency of once every three years (though once every year would be preferable).

Elsewhere we have noted the Infrastructure Commission is also statutorily bound to consider climate change as it provides advice to the Government on infrastructure projects. Abatement values must be factored into the business cases developed by Crown and local government agencies that are making significant capital investments: the New Zealand Transport Agency, education, health, and most, but not all local government entities.

Having said that, Taituarā notes that this is a complex requirement and that the Infrastructure Commission could usefully publish a framework, approach etc setting out how it plans to incorporate climate change into its framework. That would be a useful exemplar for other investment agencies to follow. The Infrastructure Commission might also usefully consider how it could work with others to disseminate its approach – in partnership with agencies like Skills and the local government sector agencies.

Recommendations: Investment and Decision-Making

14. That the Ministry cause the publication and regular review of long-term abatement values based on the price of carbon

15. That the Ministry and the Infrastructure Commission develop or procure training to support agencies with the incorporation of abatement values into their investment and decision-making frameworks.

Land Use Planning

The draft plan notes “integrating land use, urban development and transport planning and investments to reduce transport emissions” as an item of additional policy (page 15). Of course, the integration of land use and transport planning is currently being pursued through the RMA reforms lead by – the Ministry, and in particular the development of the so-called regional spatial strategies.

The integration of land use planning and infrastructure development is also critical. , Avoiding development in areas subject to current or future natural hazards, better urban design and allowing for the impacts of climate change generally has also been a feature of a number of the historical spatial planning exercises that have been led by local government in the past (eg Smartgrowth, Greater Chch Urban Development Strategy). There are lessons to be learnt from these previous exercises that should not be lost in either the new Strategic Planning Act process or Climate Change mitigation and adaptation.

It is also important to recognise that transportation planning is only one part of the climate mitigation story. The costs and challenges associated with other infrastructure can also influence the level of emissions created. Ready availability of ‘lower cost’ wastewater disposal options can have significant influences on the complexity and nature of, for example, energy consumed to dispose of wastewater.

The integration of transport and land use is a feature of the Auckland spatial plan first legislated for in 2009. Integration is also one of the objectives of infrastructure strategies under the Local Government Act 2002, as legislated in 2014.

This is not to say that we oppose the recommendation, quite the opposite in fact, but that integrated planning has been ‘on the drawing board’ for some time. We are participating in the development of the new Strategic Planning Act and have some concerns about the effectiveness of the plans in their current form at meeting the desired objectives – including emission reduction.

The first is that the scope of strategic plans should focus on building communities and therefore needs to bring in the widest range of partners. This includes iwi utility providers, NGOs and, yes, central government. Central government needs to bring social infrastructure into the planning process. For example, that spatial planning needs to bring in the planning and location of future state-funded educational institutions (particularly the school network) and healthcare (hospitals and other specialist care where applicable). This means communities can be designed with an eye on all the needs that make for a successful community as housing etc is being

built. This would better enable the design of transport systems (particularly) in ways that would better support emission reduction objectives (among others).

Integrated service planning as an important part/flow-on from this process. Infrastructure provision cannot be isolated from the service itself. This is particularly important for a number of the social services such as health and education where the infrastructure is a much smaller part of the input to the service being delivered but it does also apply to local authority infrastructure.

At this point it's also unclear what degree of follow through into implementation and (especially) funding is likely. For example, we're not aware just what the Government intends be the degree of 'bind' on other plans and strategies, only that it's not likely to be much stronger than 'have regard to.'

There is a degree of sector expectation that funding should follow strategies. That is to say that the partners involved in identifying the objectives and designing the strategic plans should be prepared to support the achievement of the plans beyond their adoption.

Recommendations: Land use planning

16. That the scope of regional spatial strategies be extended to include social infrastructure provided by central government.

17. That the Ministry consider the intended degree of 'bind' that the strategies have on implementation and funding decisions.

Public Awareness/Behaviour Change

Behavioural insights can be used to help people make decisions that are in their long-term interests and that overcome the inertia of their habits. The literature emphasises finding incentives that are easy, attractive, and social; the literature often adds a fourth around timeliness.

The single largest insight out of this literature is that the easier you make use of low-emissions alternative (or the more barriers placed in the use of higher emission options), the more likely they are to be adopted. In the transport context this points to the need to further develop passenger transport networks – increased frequency meaning increased convenience and take-up, likewise, paying more attention to route design etc.

A second high level insight is to work on making low-emission options attractive. This should start with communicating positive and descriptive visions of a low-carbon future. While decision drivers such as altruism are real, people tend to respond more when their choices support a wider goal than just being asked to make a sacrifice.

Central government needs to lead public education campaigns to help clarify and build awareness of this wider goal, and how citizen action might contribute to the achievement of these objectives. It should also share stories of a diverse range of kiwis acting including households, businesses, Māori and farmers. Local authorities can support this by supplying examples of local action, local initiatives to support personal action and the like.

We are aware of several overseas initiatives in the transport space that have a behavioural economics underpinning. For example:

- Singapore has 'gamified' public transport and off-peak travel through its so-called Travel Smart programme. Passengers earn points each time they travel on the train and can earn extra points if they travel off-peak. It seems analogous to the loyalty schemes retail, accommodation, and travel providers might use
- extend the EECA scheme where people were given the opportunity to test drive an EV both in terms of the number of 'places'
- making parking harder in identified locations (such as central business districts) by, for example, introducing an app and requiring people to register and get permits by app (regardless of whether parking is free or not)
- supporting active transport (walking, jogging, cycling) by requiring all new office accommodation etc to provide shower facilities (that can accommodate all genders) and providing more facilities such as bike parks
- supporting collective consumption options (for example, some campuses in the United States have experimented with so-called 'van pool' options)
- making wider use of high occupancy vehicle lanes (and better enforcing them).

We agree with discussion about the need for tools to enable firms and households to better identify 'their' contribution to New Zealand's emissions profile. We are aware of at least one local authority that has developed a tool that better enables individuals to assess the impact of their choices.

Auckland Council entered this Future Fit tool in the 2021 Taituarā LGFA Local Government Excellence Awards. To quote from their entry:

"FutureFit is Aotearoa's first gamified carbon footprint tool. It guides New Zealanders to make choices that help lighten their impact on papatūānuku, while

demonstrating the power of collective action. After answering a set lifestyle questions, individuals can view and understand their personal carbon footprint, helping them to take ownership of their personal contribution to climate change. They can compare their footprint to the New Zealand and world average and see where we need to be. Individuals can then choose from a range of personalised actions, empowering them to reduce their footprint in a fun and compelling way by creating goals, setting reminders, joining teams, competing on leader boards, challenging friends and whānau, and earning badges.

FutureFit was developed in partnership with Wellington City Council and is underpinned by scientific evidence-based research to determine the materially significant behaviours that are personally relevant to Aucklanders. Local expertise from national government agencies such as Statistics New Zealand consumption emissions data and MOTU's carbon calculation methodology, is combined with behavioural insights and personal data to recommend tailored actions and their associated carbon savings. FutureFit combines collective action, personal achievement, and friendly competition to make climate action a little easier and a lot more fun."

This is far from the only the tool, though it is fit for the New Zealand context and is being picked up by other local authorities.

Recommendation: Behavioural Insights

- 18. That the Government work with local government and the environmental sector to develop a national campaign to build support for a shared emissions objective.**
- 19. That the climate change agencies expand their policy agenda on the use of behavioural insights.**

Energy

We have one comment about the energy proposals. There is a case for targeted financial support to those disproportionately affected by the transition to low emissions energy to assist with the upfront costs of investing in energy efficient technologies.

Local authorities with assistance from Government agencies (particularly the Energy Efficiency and Conservation Authority), spent some time and energy developing a tool that has aided in the past.

The tool is known as a *voluntary targeted rate*, and involves the local authority advancing the ratepayer a loan for a dedicated purpose and the ratepayer repays the principal and interest through the rating system. Variants of these schemes have been used by ratepayers wishing to install clean heating methods, energy efficient water heating, solar panels, and the like. As an aside they also have potential applications as wide as supporting earthquake strengthening and providing incentives to detect and fix leaks.

However, there is a legislative barrier to local authorities providing or continuing to provide these schemes. A voluntary targeted rate is consumer credit for the purposes of the Consumer Credit and Customer Finance Act 2003 (CCCFA), placing local authorities under the same obligations as a financial institution, payday loan provider or pawnbroker.

Much of the Act is commonsense and not of concern e.g., requirements to disclose interest rates in advance etc. Some of the other requirements were obviously designed for models of corporate governance of a 'for profit' entity. For example, from 1 October this year, any entity providing consumer credit must get all directors of the entity (i.e., Mayor and all councillors) and key management certified as a fit and proper person. Elected members are chosen by the community, and not necessarily for skills as a director. And where 5-7 might be a normal board size for a corporate local authorities might need to certify, at a minimum 12 people and up to 30.

We understand this legislation exists to protect the public. But local government (and central government) are not for profit, which should reduce any concerns about unduly oppressive or usurious terms of credit. As a high-profile public-sector entity, a local authority's practices or financial management are open to a level of public scrutiny not afforded to other bodies corporate. And let's not forget that in many small-medium sized communities, local authority members and senior staff are residents, highly accessible and highly visible to the gene.

We note many of the CCCFA provisions are sensible and should apply to any credit provider. But the Commission's recommendations would be better supported by a regime that is fit for purpose for credit offered by central and local government providers. This could be as simple as exemptions from some requirements – indeed some already exist. We would be happy to elaborate on further requirements that make no sense in a public sector context.

Recommendation:

20. That the Ministry of Business, Innovation and Employment review the application of the Consumer Credit and Customer Finance Act 2003 to public sector entities.

Waste

The Climate Change Commission's recommendations in its final report on waste may have some significant cost implications for local authorities and other operators of waste. Modern landfills should be capturing and beneficially using landfill gas as a condition of consent. Older landfills may require some degree of investment – a potential use of any Climate Change Funding (see earlier). This might go to a potential use of an increased waste levy.

There are strong linkages with proposals in the Waste Strategy (also the subject of consultation at the present time). In particular, strengthening the requirements around product stewardship, and even contemplating stronger regulation on the use of some products.

Recommendation:

21. That the Government ensure funding to support older landfills with the capture and beneficial use of landfill gas.

Procurement

Central government agencies must adhere to the Government Procurement Charter including a requirement that agencies

"UNDERTAKE INITIATIVES TO CONTRIBUTE TO A LOW EMISSIONS ECONOMY AND PROMOTE GREATER ENVIRONMENTAL RESPONSIBILITY ⁹ Ensure that economic and social development can be implemented on a sustainable basis with respect for the protection and preservation of the environment, reducing waste, carbon emissions and pollution."

Further, rule 20 of that same charter requires the Crown and its agencies to:

- support the procurement of low-waste and low-emissions goods and services and encourage innovation to significantly reduce emissions and waste impacts from goods and services

⁹ Ministry of Business, Innovation and Employment, Government Procurement rules, downloaded from <https://www.procurement.govt.nz/procurement/principles-charter-and-rules/government-procurement-charter/> on 22 February 2021.

Item 20: Approval of submission on the Government's Emissions Reduction Plan: Attachment 3

- have regard to guidance published by MBIE on the procurement of low-waste and low-emissions goods and services and
- conduct sufficient monitoring of designated contracts to ensure that commitments made in contracts are delivered and reported on.

Our observation is that more could be done to assist public sector agencies to implement this obligation. We are advised that some of the so-called all of government contracts include recognition, and we are aware that the MBIE website also links to advice on measuring emissions. Beyond this we have been unable to locate much further.

Our (admittedly brief) scan of a limited sample of the overseas literature reveals some common themes around procuring for climate change/emissions reduction outcomes:

- moving from least cost on acquisition to whole of life costs – though there are strong aspects of this in the rules and in local government practice though guidance on emissions factors appears weak
- moving to more strategic approaches to budgeting
- establishing multidisciplinary teams to establish whether a particular market can meet climate change outcomes, assess proposals, develop an RFP etc
- examination of existing barriers such as regulatory standards.

Recommendations: Procurement

22. That the plan recommends MBIE develop resources to assist public sector agencies implement rules supporting the purchase of low emissions goods and services.

Skills

Taituarā concurs that two of the key steps towards an equitable transition include *"promoting business and job opportunities in low-emissions sectors"* and *"supporting workers, households and communities to understand, plan and manage the transition"* (page 14).

But a necessary condition for both is to ensure that there is an available supply of labour with the skills necessary to fill the needs of employers working in the so-called 'green economy.' The plan seems light on this aspect of the transition – which may be the most important aspect of them all – as the Government noted in its response

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to the Productivity Commission response *Towards a Low Emissions Economy*. Without these skills the drive-in investment in science and technology signalled throughout the plan is unlikely to materialise.

It's important to focus on skills beyond the purely vocational skills to include what might be termed life and personal skills. In situations where people might face sudden employment or life change a heightened personal resilience is also likely (for example communications, problem-solving, the ability to make realistic plans etc). The focus should be on learning skills not only on workforce skills.

Recommendation: Skills

- 23. That the Climate Change departments jointly develop a strategy for identifying and filling the skill needs of the green economy.**

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REPORT R26272

Nelson Arts Strategy - Establishment of Working Group

1. Purpose of Report

- 1.1 To provide an update on the process for development of the Nelson Arts Strategy, including iwi engagement and timelines.
- 1.2 To approve the establishment of an Arts Strategy Working Group for oversight of the development of the Nelson Arts Strategy.

2. Summary

- 2.1 Nelson's first Arts Strategy, *The Art of being at the Centre*, was adopted in 2009. Officers have been successful in an application to Creative New Zealand for \$30,000 to develop a new Strategy in 2021/22.
- 2.2 Draft terms of reference have been developed for the establishment of a working group to provide guidance and support for the development of the new Nelson Arts Strategy.

3. Recommendation

That the Council

- 1. ***Receives the report Nelson Arts Strategy - Establishment of Working Group (R26272) and its attachment (A2752080); and***
- 2. ***Establishes an Arts Strategy Working Group with the following membership:***
 - 1. ***Deputy Mayor Judene Edgar***
 - 2. ***Chair of Community and Recreation – Councillor Tim Skinner***
 - 3. ***Councillor Pete Rainey; and***
- 3. ***Approves the Terms of Reference (A2752080) for the Arts Strategy Working Group.***

4. Background

- 4.1 In June 2021, officers applied to the Local Government Arts Fund 2020/21, administered by Creative New Zealand, for funding to help develop a new arts strategy for Nelson. The purpose of the funding is to support the resilience, sustainability and recovery of the arts sector following the significant economic and other impacts of COVID-19. The Fund is designed to assist councils to support projects which enhance the resilience, sustainability, and recovery of local arts organisations affected by COVID-19.
- 4.2 Council was successful in receiving \$30,000 from the Fund which will be used to engage a consultant to develop a draft strategy. Council is currently undertaking a procurement process for this consultant.

5. Discussion

It's been 12 years since the first strategy was developed

- 5.1 In 2009, the Nelson City and Tasman District Councils adopted *The Art of being at the Centre*, the region's first Arts Strategy. The following year Nelson City Council adopted an Arts Policy which took each of the Strategy's objectives relevant to Council and set out specific actions to help achieve them. Council's investment in the arts sector has been guided by *The Art of being at the Centre* and Council's Arts Policy.

New strategy to support a sustainable future

- 5.2 The new Nelson Arts Strategy will take the place of both the existing Strategy and Council's Arts Policy. It will have a vision for the arts in Nelson and goals, as well as a component of practical implementation. It will be a whole-of-community collaboration to support the arts and not focused solely on Council resources.
- 5.3 The new Nelson Arts Strategy will help to support a sustainable future for the arts sector in Nelson which is a key driver of economic, social and cultural wellbeing for the Nelson community. COVID-19 has dealt a considerable economic blow to our arts sector. There is an urgent need to rethink how the sector can be sustainable in this new, uncertain environment.
- 5.4 The Strategy will need to take account of, and consider, existing regional strategies such as Project Kōkiri, the Arts Tourism Strategy and the Te Taihu Intergenerational Strategy, as well as Council's Taonga Tuku Iho Strategy.
- 5.5 The new Strategy will be a Nelson strategy but there is the opportunity for findings and options to add value regionally through Project Kōkiri and the Te Taihu Intergenerational Strategy.

Arts Strategy Working Group proposed

- 5.6 Officers propose that a Working Group of elected members be established. This Working Group will provide guidance and direction to officers and the external consultant in the development of a new Strategy.
- 5.7 The elected members on the working group will champion the process with the community, ensure a good level of awareness of Strategy development at a governance level within Council and ensure the Strategy development is in alignment with Council priorities.
- 5.8 Terms of Reference have been drafted (Attachment 1, A2752080). It is recommended that the chair of the Community and Recreation Committee be included on the Working Group given that a great many arts services and facilities are within the mandate of this Committee. The recommendation is also for the Deputy Mayor and Councillor Rainey to be appointed to the Working Group as the community would recognise them as well connected to the arts sector.

Timing

- 5.9 The Strategy is required to be completed by 30 June 2022 (although not necessarily adopted) to meet Creative New Zealand's timelines. Council has asked about a possible extension to the deadline, and Creative New Zealand has advised Council that the completion of the strategy by 30 June 2022 and reporting within 12 weeks of completion are requirements of the funding.

Consultant role

- 5.10 A consultant is currently being procured to collect the relevant information, consult with partners and stakeholders, provide information on best practice, and draft the Strategy. The consultant will be required to ensure that the process and strategy will be inclusive, involve iwi and Māori in the design, build on knowledge and expertise of the Nelson Arts sector, and encourage a partnership approach across the arts community.

Iwi involvement to reflect a partnership approach

- 5.11 The engagement process will be finalised with input from the successful consultant.
- 5.12 Iwi engagement is important in the development of the new Strategy and was supported by Te Ohu Wakahaere at the 28 September 2021 meeting with a proviso that Te Ohu Toi Ahurea (Arts and Heritage Cultural Managers) are involved.
- 5.13 In line with a partnership approach, iwi will have input into:
 - 5.13.1 the scope and structure of the strategy

Item 21: Nelson Arts Strategy - Establishment of Working Group

5.13.2 the development of content of the strategy

5.13.3 review of the strategy prior to community engagement

5.13.4 ensuring Māori views are invited as part of community engagement

5.13.5 review of any proposed changes to the draft following consultation.

6. Options

Option 1: Establish a Working Group (Recommended option)	
Advantages	<ul style="list-style-type: none">• Allows governance input throughout the development of the Strategy• Provides agility to respond quickly to issues as they arise
Risks and Disadvantages	<ul style="list-style-type: none">• None obvious
Option 3: Do not establish a Working Group	
Advantages	<ul style="list-style-type: none">• None obvious
Risks and Disadvantages	<ul style="list-style-type: none">• Less frequent elected member engagement with the consultant• Lack of regular governance input

7. Conclusion

7.1 The current Arts Strategy is 12 years old and officers have developed a process for updating the Strategy.

7.2 It is recommended that an Arts Strategy Working Group is to be established to provide guidance and work with the consultant to develop the new Strategy.

8. Next Steps

8.1 A Council workshop will provide input to the consultant.

Author: Gareth Power Gordon, Policy Adviser

Attachments

Attachment 1: A2752080 - Arts Strategy Working Group - Terms of Reference
[↓](#)

Important considerations for decision making
<p>1. Fit with Purpose of Local Government</p> <p>The intent of a new Arts Strategy is to support and promote the social, economic and cultural wellbeing of the community through the arts.</p>
<p>2. Consistency with Community Outcomes and Council Policy</p> <p>The recommendation supports the following Community Outcomes:</p> <ul style="list-style-type: none"> • Our communities have opportunities to celebrate and explore their heritage, identity and creativity • Our communities have access to a range of social, educational and recreational facilities and activities • Our region is supported by an innovative and sustainable economy.
<p>3. Risk</p> <p>Establishing a Working Group reduces the risk of the Strategy not delivering the outcomes expected.</p>
<p>4. Financial impact</p> <p>The financial impact of establishing a Working Group will be minor and will primarily result in additional staff time for administration.</p>
<p>5. Degree of significance and level of engagement</p> <p>This matter is of low significance because the Working Group is being established to provide guidance and support. Engagement with the community and consultation will occur at the appropriate stages in the development of the Strategy.</p>
<p>6. Climate impact</p> <p>Climate impact was not considered in the development of this report.</p>
<p>7. Inclusion of Māori in the decision-making process</p> <p>Iwi engagement in the development of the new Strategy was discussed at Te Ohu Whakahaere on 28 September 2021.</p>
<p>8. Delegations</p> <p>The recommendations in this report includes Council's economic development and COVID-19 response areas of responsibility which was a significant factor in receiving Creative New Zealand funding and the</p>

Item 21: Nelson Arts Strategy - Establishment of Working Group

Community and Recreation Committee's arts, culture and heritage areas of responsibility. As this is cross committee it is a decision for Council.

Terms of Reference Arts Strategy Working Group

1. Purpose

The purpose of the Arts Strategy Working Group is to provide guidance and direction to officers and the external consultant in the development of a new Nelson Arts Strategy.

2. Membership

The members are:

- Deputy Mayor Judene Edgar
- Chair of Community and Recreation Committee Cr Tim Skinner
- Cr Pete Rainey

3. Attendance by other parties

Other representatives from the arts and creative community and relevant stakeholders, expert advisors, or iwi may be invited to attend meetings of the Working Group, when required. However, these representatives will only have speaking rights with the agreement of the Chair. These representatives will not have voting rights.

4. Quorum

Quorum for the Working Group is two members.

5. Meeting Frequency

Working Group meetings will be held as needed.

6. Role of the Chair

- To review the agenda with staff prior to Working Group meetings
- To chair meetings according to the agreed agenda and to assist the Working Group to reach consensus on issues and options
- To act as spokesperson for the Working Group

The Chair will be elected at the first meeting of the Working Group. In their absence another Working Group member will Chair.

7. Areas of Responsibility

In developing the Strategy, the Working Group is responsible for:

- Considering the impact of the arts and creative sector on the community, including economic, social and cultural wellbeing
- Considering the needs of the arts and creative sector
- Ensuring alignment with Council priorities
- Raising awareness of the Strategy in the community
- Providing guidance to staff and the external consultant throughout the development of the Strategy
- Reviewing and commenting on the draft Strategy document
- Providing update reports to the Community and Recreation Committee as the project progresses.

8. Powers to decide

The Working Group has no powers to decide. The Working Group is able to make recommendations to Council with regard to the Strategy.

9. Role of staff

Staff provide technical expertise, project management and administrative support to the Working Group.

10. Interests

Interests should be declared at the start of Working Group meetings.

11. Reporting

- The Working Group does not have delegated powers to make decisions.
- The Chair may update Council on the progress of the Working Group as appropriate.

12. Dissolution of the Working Group

The Working Group will be dissolved once the Strategy has been adopted by Council.

For the avoidance of doubt, the meeting provisions of the Local Government Official Information and Meetings Act 1987 do not apply to Working Group meetings, as no decisions are made at these meetings.

This means that Working Group meetings will not be advertised, no formal agendas will be produced or formal minutes taken at meetings.

REPORT R26330

Events Strategy implementation update - Financial Year 2021-21

1. Purpose of Report

- 1.1 To provide an update on the implementation of the Nelson City Events Strategy for the period 1 July 2020 to 30 June 2021. To approve annual reporting on the implementation of the Strategy.

2. Summary

- 2.1 The impacts of COVID-19 have been acutely felt in the event sector in 2020/21. The challenging environment made it difficult to fully meet the Strategy's objectives. It also highlighted the importance of events for supporting activity, business and vibrancy in Nelson.
- 2.2 Council, the Nelson Regional Development Agency (NRDA) and the events sector have had to adjust. Support has focused on events that can adapt to fit alert level requirements and that particularly stimulate the Nelson economy. The contestable funds continue to provide good economic and social returns to the community.

3. Recommendation

That the Council

- 1. Receives the report Events Strategy implementation update - Financial Year 2021-21 (R26330) and its attachments (A2776994 and A2768099); and***
- 2. Approves an amendment to the Nelson City Events Strategy to require annual reporting by the Events Development Committee on implementation of the Strategy.***

4. Background

- 4.1 The Nelson City Events Strategy adopted in May 2018 provides a vision and objectives to help develop the city's events. Twice yearly reporting to Council by the Events Development Committee on implementation of the Strategy is required but has not been able to be achieved due to resourcing constraints and COVID-19.
- 4.2 COVID-19 has impacted delivery of events, and whilst this report focuses on the Strategy's implementation in 2020/21, some commentary relating to the COVID-19 Delta outbreak in 2021/22 is also included.
- 4.3 The report has been prepared with input from NRDA staff.

Council's involvement with events is wide ranging

- 4.4 Nelson events cover a range of themes including sport, music, culture, arts and heritage. They are delivered through a range of mechanisms that can have different levels of Council funding, involvement and management as illustrated in diagram 1.

Diagram 1: Event categories and Council involvement



- 4.5 This suite of event activities is now enhanced at a Te Taihupo regional level by the Ministry of Business, Innovation, and Employment's (MBIE) Regional Events Fund.
- 4.6 The NRDA oversees the contestable Events Fund, which has two streams – economic and community, and the Nelson City Council Venue Hire Fund. Decisions regarding fund allocation are made by the Events Development Committee which comprises Council and NRDA staff. Guidelines for assessment are set out in the Strategy. Information about the Events Fund is advertised on the NRDA and Council websites.
- 4.7 On 3 June 2020, as part of the 2020/21 Annual Plan decisions, Council approved extra flexibility for the Events Fund in consideration of opportunities that will support economic recovery in the region.

5. Discussion

2020/21 was a challenging year for events in Nelson

- 5.1 The COVID-19 pandemic impacted Nelson's events sector in 2020/21. Many events were cancelled or re-sized because of the pandemic, alert level restrictions and travel disruption. For instance, travel restrictions hampered international acts and performers coming to Nelson. It was also more difficult to stimulate interregional travel using events as the catalyst. Attachment one (A2776994) provides a list of key events that were cancelled or resized.
- 5.2 Notwithstanding the difficulties, a range of events were successfully held in 2020/21. A full list of Council funded events that took place is provided in Attachment two (A2768099). The attachment provides a breakdown of funding levels and attendance estimates.

Council and the NRDA have supported the sector to adapt

- 5.3 Cancellations, uncertainty and disruptions have caused considerable financial pressure and stress for many members of the event sector in Nelson.
- 5.4 Council and the NRDA worked closely with the sector over this period. The regular Centre City Events Hui, facilitated by the Events team, provided the events sector with a forum to discuss its challenges and provide support for members. A wider regional Events Hui was held in June 2021. This hui brought Council, the NRDA and the sector together for discussions on new ideas and future decisions. The NRDA organised free workshops in May 2021 to help new and existing organisers grow and sustain their events.
- 5.5 In response to alert level requirements, Council and the NRDA focused on supporting events that ran across multiple days or that could shift dates if necessary. The sector, Council and the NRDA put considerable effort into planning and remarketing events because of changes or postponements. Ngā Toi Huatau The Seasonal Arts initiative was a successful example of Council supporting the arts and events community to create something new out of the disruption.
- 5.6 The Events Development Committee applied Council's increased flexibility for the Events Fund to support economic recovery in the region. There was less emphasis on event seasonality and more support for city centre events or use of city venues. Events which benefited from the economic recovery focus in 2020/21 included Nibbles and Notes, Nelson Streetfest, Night Flicks outdoor movie, Nelson Santa Parade, and Changing Threads.

Work is continuing in 2021/22 to support the event sector

- 5.7 The COVID-19 Delta outbreak in August 2021 caused further challenges for the event sector in Nelson.
- 5.8 Council's Events team and the NRDA have been working with the sector to design events that can be held within the existing alert level system and the forthcoming COVID-19 Protection Framework ('traffic light system'). This work is helping to increase the adaptability of events, minimise cancellations and create a 2021/22 events programme that fits within public health requirements.
- 5.9 Support has included designing hybrid or virtual events. However, this is less effective for events that rely on 'real life' experiences or interactions to be successful.
- 5.10 The Council Events team is also developing values against which to measure the outcomes of Council-run events in order to ensure Council events continue to be of high quality and relevant to the community. The values will be presented to the Community and Recreation Committee for consideration in early 2022.

2020/21 expenditure was down on prior years because of the challenges

- 5.11 Due to uncertainty around COVID-19, there were specific event budget decreases in the Annual Plan 2020/21. However, with New Zealand's return to alert level 1 in June 2020, considerable budget was retained to support events.
- 5.12 The Events Fund (Economic) budget was higher in 2020/21 than the previous year because as well as the contestable fund it included \$35,000 for the Black Ferns match and \$50,000 for the Enduro World Series. From January 2021 the Events Fund was back in funds after the overdraft approved by Council for years 2017/18 to 2019/20.
- 5.13 Funding for events cancelled in 2020/21 was reimbursed, minus expenditure for planning in some situations. Also, as usual, any annual surplus in the Events Fund was rolled over to the next year. Combined with fewer or scaled down events this financial situation resulted in expenditure being less than recent years and within budget.
- 5.14 The total 2020/21 Council funded event expenditure was approximately \$843,000. Attachment two and Table one below provides more details. In summary, expenditure related to:
- Council/Civic Events - \$137,837
 - Partnership Events - \$407,643
 - Events Fund - \$287,250
 - Venue Hire Fund - \$10,398.

Item 22: Events Strategy implementation update - Financial Year 2021-21

- 5.15 The expenditure in Table one is different from the allocation and from the expenditure summarised in Attachment two. This is due to the multi-year funding of some events, partially funding events in one year where it occurs early in the following year and when an event series spans two financial years.

Table 1: Breakdown of the 2020/21 Events Fund and Venue Hire Fund

Fund	Budget	Allocation*	Expenditure
Events Fund (Economic)	\$445,297	\$218,500 (16 events)	\$211,250
Events Fund (Community)	\$76,000	\$91,500 (12 events)	\$76,000
Total Events Fund	\$521,297	\$310,000 (28 events)	\$287,250
Venue Hire Fund	\$30,000	\$10,398 (8 events)	\$10,398

*Note: Yearly allocation for events may be higher than annual budgets because expenditure for an allocated event may be over more than one financial year.

Other regional funding is available to assist the sector to recover

- 5.16 The Te Taihū region has been allocated \$1.5 million over four and half years from the MBIE Regional Events Fund. The funding supports recovery from the impacts of the COVID-19 pandemic by stimulating the economy via events. Council is represented on the Regional Events Fund Panel that determines event investment. The NRDA organised workshops highlighted at paragraph 5.4 were funded from this package.
- 5.17 The MBIE Events Transition Support Payment scheme can support large-scale 2021/22 summer events by covering 90% of unrecoverable costs if forced to cancel or postpone. However, it is likely the Netsky et al concert would be the only Nelson event that meets the scheme's criteria.

The disrupted environment made it more difficult to achieve all the Strategy's objectives in 2020/21

- 5.18 To monitor how successfully the Strategy is being implemented the five objectives of the Strategy are evaluated. The objectives are:
- A rich events calendar which maximises opportunities throughout the year
 - Measurable economic outcomes for Nelson city
 - Promotion of wellbeing and cohesion of the local community
 - An events programme that attracts visitors to Nelson and gives the local community a sense of pride in being "Nelsonian"
 - A healthy partnership between the events sector, the community and Nelson City Council

Item 22: Events Strategy implementation update - Financial Year 2021-21

- 5.19 The objectives are interconnected, and most Council funded events contribute towards several of them. Progress on each objective is highlighted in the following paragraphs 5.20 to 5.25. Overall, the impacts from COVID-19 meant it was harder to deliver against all the objectives in 2020/21.
- 5.20 A **rich events calendar** looks to ensure that Nelson has a good range and balance of events throughout the year. Events have been traditionally concentrated in the summer months in Nelson. Work has progressed to provide a better balance with introduction of events in the 'off season' months such as Changing Threads, Nelson Jewellery Week, and EMERGE concerts. Adding sporting events outside the summer months helped, for example hosting the Black Ferns vs the New Zealand Barbarians match combined with the Tasman Mako semi-final when little rugby was being played around the world. However, event cancellations and disruptions undermined achieving this objective.
- 5.21 **Economic value** is primarily achieved through economic events funded from the Events Fund and also, through major events that draw large numbers of visitors to the city. The objective was achieved with a return on investment of 33:1, which was well ahead of the target (10:1 in 2020/21 and now 20:1). Estimated economic impact is measured using a model developed and applied by the NRDA to support consideration of all event funding applications. The largest contributors included events such as NZ Beach Volleyball Tour, Adam Summer Celebration and Marchfest.
- 5.22 **Community wellbeing** looks to build feelings of belonging and cohesion. This objective is achieved through a diverse events portfolio that appeals to people across the Nelson community, funding community events and running free/subsidised Council events.
- 5.23 There was reasonable progress in achieving this objective in a challenging year. Key events that contributed to the objective were the Multicultural Festival, two Fringe Festivals (first one a postponed virtual event), a successful Christmas programme and the addition of the Umbrella Market for children. The new Nibble and Notes event, while funded as an economic event through the more flexible application of the Events Fund, also contributed to community wellbeing. Across Council events, at least 80% of attendees surveyed had a high level of satisfaction with the event.
- 5.24 **Sense of identity** looks to build pride and encourage visitors to Nelson. This objective is assisted by ensuring the events portfolio draws upon all aspects of the regional identify framework and attracts visitors to the region. There was less progress achieving this objective. Events that relied heavily on overseas attendee or organiser involvement were cancelled or postponed. Efforts were made to encourage domestic tourism using events; the Nelson Jewellery Week was a good example.
- 5.25 **Partnership** between the community, events sector and Council is especially important in the uncertain and changeable environment. Good progress in achieving this objective was made in 2020/21. Stronger

Item 22: Events Strategy implementation update - Financial Year 2021-21

relationships were developed as Council and the NRDA supported the sector as outlined at paragraphs 5.4 to 5.5.

Changing the frequency of the Strategy update is appropriate

- 5.26 The Strategy states that implementation updates should take place twice a year. Due to COVID-19 disruptions and resourcing constraints there was one update for 2019/20 and there is one for 2020/21 (this report). Council also receives event updates as part of the NRDA's six monthly reports.
- 5.27 Staff recommend that reporting is changed permanently to an annual update. Changing the frequency to annual updates will:
- focus on full financial year periods
 - ensure a sufficient time period for a more strategic, holistic overview of the implementation of the Strategy
 - enable a clearer picture of events sector than possible in six-month period (particularly when environment is very changeable)
 - increase efficiency by reducing the administration and reporting resource required
 - maintain the Council's ability to provide effective monitoring of implementation of the Strategy.
- 5.28 A risk of decreasing the required frequency of implementation reporting is that it could delay reporting to the Council on emerging issues that impact the Strategy's implementation. This risk will be managed by Council staff ensuring key issues or decisions are brought to the Council between reporting cycles if necessary.

6. Options

- 6.1 Option 1 to change to yearly updates is preferred.

Option 1: Change to yearly updates	
Advantages	<ul style="list-style-type: none">• Align with financial years and NRDA reporting.• Provide clearer and more strategic overview of sector and implementation of the Strategy.• Increase efficiency.
Risks and Disadvantages	<ul style="list-style-type: none">• It could delay reporting on emerging issues.
Option 2: Continue with twice yearly updates	
Advantages	<ul style="list-style-type: none">• More frequent monitoring of the Strategy's implementation.

Item 22: Events Strategy implementation update - Financial Year 2021-21

Risks and Disadvantages	<ul style="list-style-type: none">• More resource hungry.
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7. Conclusion

- 7.1 The portfolio of events in Nelson has served the community well. The impacts of COVID-19 have been considerable, and the sector continues to deal with disruption and uncertainty.
- 7.2 In 2020/21 achieving the Strategy's objectives has been more difficult.
- 7.3 The events sector is adapting to the challenges. Council and the NRDA are supporting the sector and proactively resetting the way events are designed so that events meet the requirements of alert levels and the new COVID-19 Protection Framework.
- 7.4 The contestable funds are working well and returning high value to the community both economically and socially for the level of investment into individual events.

8. Next Steps

- 8.1 Subject to approval by the Council, the next Events Strategy implementation update on financial year 2021-22 will be reported by December 2022.
- 8.2 Council's Events team will present its work on values to the Community and Recreation Committee in 2022.

Author: Louis Dalzell, Policy Adviser

Attachments

Attachment 1: A2776994 - List of cancelled and resized events 2020/21 [↓](#)

Attachment 2: A2768099 - Summary of Council funded events 2020/21 [↓](#)

Important considerations for decision making
1. Fit with Purpose of Local Government Monitoring of the implementation of the Strategy enables governance oversight and supports the economic, social and cultural wellbeing of the community.
2. Consistency with Community Outcomes and Council Policy Amending the frequency of updates is consistent with the following Community Outcomes: <ul style="list-style-type: none">• Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.• Our communities have opportunities to celebrate and explore their heritage, identity and creativity.
3. Risk Changing the frequency of implementation updates is likely to achieve the goal of increased alignment and efficiency. There is a risk that decreasing the frequency of implementation reporting could delay reporting on emerging issues that impact the Strategy's implementation. This will be managed by staff escalating issues that arise outside of reporting cycles.
4. Financial impact Continued implementation reporting will be met within Council and NRDA staff budgets.
5. Degree of significance and level of engagement This matter is of low significance because it relates to staff reporting frequency. Therefore, no feedback has been sought from the community.
6. Climate Impact Changing the frequency of implementation reporting will not impact on climate change.
7. Inclusion of Māori in the decision making process No engagement with Māori has been undertaken in preparing this report.
8. Delegations Council retains all responsibilities, powers, functions and duties in relation to governance matters for the following items: <ul style="list-style-type: none">• Events Strategy and Events Fund.

Attachment One – List of key cancelled and resized events in 2020/21

- 1.1 Many events in Nelson were cancelled or resized in 2020/21 because of the impacts of COVID-19.
- 1.2 Cancelled events included:
 - Buskers Festival
 - Enduro World Series (Originally planned to be reworked as a 2021/22 Trans-Tasman event with Tasmania, but then cancelled).
 - Kai Festival
 - Lantern Celebration
 - Nelson Heritage Festival (some virtual aspects instead)
 - Teddy Bears' Picnic.
- 1.3 Re-sized events included:
 - Adam Chamber Music Festival (changed to the Adam Summer Celebration with New Zealand rather than international musicians)
 - Bay Dreams South (moved to a smaller venue and decreased from 17500 to 13000 attendees)
 - Black Ferns vs New Zealand Barbarians (originally was going to be an international match)
 - Fright Night (250 cap on attendees rather than usual 700)
 - Matariki Festival (virtual event)
 - Nelson Arts Festival (Considerably scaled down programme)
 - Nelson Fringe Festival (virtual event)
 - Nelson Fringe Festival ('best of' festival)
 - New Year's Eve Countdown (smaller event)
 - Summer Movies Al Fresco (reduced number of screenings).

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Date of Event 2020/2021	Event	Allocated Funding 2020/21	Expenditure 2020/21 (including first payments from 2019/20 in some cases)	Attendees (out of region estimated)	Comment
Events Fund (Economic)					
Aug 31 - Sep 4 2020	National Hockey South Island Championship Tournament	\$2,500	\$2,500	1902 (902)	
Sep 22 - 23 2020	Nelson Golf ProAm Tournament	\$3,000	\$3,000	121 (100)	
Sep 26 - 30 2020	Starling Nationals	\$2,000	\$2,000	220 (200)	
Oct 23 - 26 2020	Paddlefest	\$1,500	\$1,500	134 (60)	
Oct 24 - 26 2020	Nelson Heat Invitational Baseball Tournament	\$6,000	\$6,000	310 (230)	
Nov 7 2020	New Zealand Cider Festival	\$10,000	\$10,000	2,800 (1,148)	
Nov 21 2020	Black Ferns v NZ Barbarians	\$35,000	\$35,000	3591 (591)	
Nov 27, Dec 4, 11, 18 2020	Nibbles & Notes	\$4,000	\$2,000	2,600 (100)	Half events delivered in 2020/2021FY (4 more to complete the contract)
Jan 8 - 9 2021	Nelson Streetfest	\$7,000	\$7,000	2,000 (160)	
Jan 9 - 10 2021	NZ Beach Volleyball Tour	\$12,000	\$12,000	2,500 (500)	
Feb 4 - 7 2021	Adam Chamber Summer Celebration	\$37,500	\$37,500	4,500 (3,090)	
Mar 12 - 14 2021	Summer Challenge (Postponed from 2020 due to COVID-19)	\$10,000	\$10,000	1290 (1020)	Postponed from 2020 due to COVID-19
Mar 20 2021	MarchFest 2021	\$40,000	\$40,000	2,692 (1,557)	Multi-year agreement for \$40,000PA 2021, 2022 & 2023
May 3 - 7 2021	Nelson Festival of Golf & 9 Hole Tournament	\$6,000	\$6,000	124 (119)	Multi-year agreement for 2021 \$6,000 & 2022 \$10,000
Apr 4 - 7 2021	Baseball U13 Clubs Championships	\$15,000	\$15,000	500 (358)	
Jun 14, 21 2021	Netball Tactix (3 matches)	\$27,000	\$18,000	4,500 (750)	Final match held in 2021/22 on Jul 4 2021
Total		\$218,500	\$207,500		
Events Fund (Community)					
Aug 14 - 22 2020	Nelson Fringe Festival (Virtual)	\$16,000	\$16,000	1209 (207)	Virtual festival due to COVID-19 restrictions
Aug 22 2020	Night Flicks Outdoor Movie	\$5,000	\$4,500	500 (50)	
Oct 1 2020 - Apr 1 2021 (weekly across 27 weeks)	Isel Market	\$2,500	\$2,500	40,500 (2,700)	
Nov 20 - 22 2020	Top of the South Film Festival	\$3,000	\$3,000	800 (50)	
Dec 13 2020	Nelson Santa Parade 2020	\$6,000	\$6,000	13,000 (1,000)	
Feb 26 - Mar 20 2021	Changing Threads	\$10,000	\$10,000	1,971 (986)	
Mar 6, 7, 9, 10, 12, 13, 14, 15 2021	America's Cup ETNZ Fan Zone	\$6,000	\$6,000	1840 (240)	
Mar 26 - Apr 4 2021	Nelson Jewellery Week	\$6,000	\$6,000	1,665 (100)	
Mar 28 2021	Multicultural Festival	\$15,000	\$15,000	2,500 (1,000)	
May 6 - 15 2021	Nelson Fringe Festival	\$15,000	\$15,000	2,200 (200)	
Jun 4 - 7 2021	Ceol Aneas Irish Music Festival	\$4,000	\$4,000	522 (434)	
Jun 12 2021 (second TBC)	EMERGE Concerts	\$3,000	\$0	360 (60)	Second EMERGE Concert posted to early 2022 -TBC
Total		\$91,500	\$88,000		
Venue Hire Fund					
Sep 6 2020	South Island Show Offs Cheer Event	\$2,500	\$2,500		
Nov 27 2020	November Breakfast	\$245	\$245		
Jan 30 2021	Salmonella Dub & Friends	\$1,000	\$1,000		
Feb 13 2021	Good Peoples	\$1,000	\$1,000		
Feb 24 2021	Hearing Nelson Talks	\$470	\$470		
May 1 2021	Hospice Dancing for a Cause	\$3,000	\$3,000		
Jun 14 2021	Tactix Netball	\$843	\$843		
Jun 19 2021	Cancer Society Ball	\$1,340	\$1,340		
Total		\$10,398	\$10,398		

Date of Event 2020/2021	Event	Allocated Funding 2020/21	Expenditure 2020/21 (including first payments from 2019/20 in some cases)	Attendees (out of region estimated)	Comment
Partnership Events					
Oct-20	Nelson Arts Festival	\$405,000	\$320,000	6,300	Contribution level was reassessed and then Masked Parade was cancelled returning \$85,000
NA	Te Ramaroa Nelson Light Festival	\$54,761	\$54,761	Took place in July 2021	Third of four payments to equal total grant of \$165,559
Apr-21	Tuku 21 Whakatū Heritage Month	\$45,000	\$32,882	6,000	Some savings from decreased marketing spend in light of COVID-19 uncertainty
Total		\$504,761	\$407,643		
Other Events					
Jan-21	Bay Dreams	\$0	\$0	13,000	
Total		\$0	\$0		
Council/Civic Events					
Ongoing	Nelson City Brass	\$15,667	\$15,667	NA	
Jul-20	Matariki Festival	\$20,580	\$14,170		Virtual festival. Additional \$1500 funding from Te Puni Kōkiri and \$2500 from Pomeroy's sponsorship
Dec-20	Christmas events	\$15,484	\$15,000	5,000	Funds for the Santa Parade were reallocated to Christmas events
2020/2021	Youth Events	\$30,000	\$22,000	582	Two youth events cancelled due to COVID-19
2020/2021	Summer Events	\$65,000	\$71,000	10,505	Extra costs due to COVID-19
Total		\$146,731	\$137,837		
Total		\$971,890	\$851,378		

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