
ORDINARY MEETING
OF
STRATEGY AND POLICY COMMITTEE
AGENDA

Time: 9:30am
Date: Thursday, 3 December 2020
Venue: Ngake (16.09)
Level 16, Tahiwī
113 The Terrace
Wellington

MEMBERSHIP

Mayor Foster
Councillor Calvert (Deputy Chair)
Councillor Condie
Councillor Day (Chair)
Councillor Fitzsimons
Councillor Foon
Deputy Mayor Free
Councillor Matthews
Councillor O'Neill
Councillor Pannett
Councillor Paul
Councillor Rush
Councillor Sparrow
Councillor Woolf
Councillor Young

NON-VOTING MEMBERS

Te Rūnanga o Toa Rangatira Incorporated
Port Nicholson Block Settlement Trust

Have your say!

You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 04-803-8334, emailing public.participation@wcc.govt.nz or writing to Democracy Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number, and the issue you would like to talk about. All Council and committee meetings are livestreamed on our YouTube page. This includes any public participation at the meeting.

AREA OF FOCUS

The role of the Strategy and Policy Committee is to set the broad vision and direction of the city, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies and policies, bylaws and regulations, and work programmes to achieve those goals.

In determining and shaping the strategies, policies, regulations, and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the seven strategic areas covered in the Long-Term Plan (Governance, Environment, Economic Development, Cultural Wellbeing, Social and Recreation, Urban Development and Transport) with particular focus on the priority areas of Council.

The Strategy and Policy Committee works closely with the Annual Plan/Long-Term Plan Committee to achieve its objective.

To read the full delegations of this Committee, please visit wellington.govt.nz/meetings.

Quorum: 8 members

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1. Meeting Conduct

1.1 Karakia

The Chairperson will open the meeting with a karakia.

Whakataka te hau ki te uru,	Cease oh winds of the west
Whakataka te hau ki te tonga.	and of the south
Kia mākinakina ki uta,	Let the bracing breezes flow,
Kia mātaratara ki tai.	over the land and the sea.
E hī ake ana te atākura.	Let the red-tipped dawn come
He tio, he huka, he hauhū.	with a sharpened edge, a touch of frost,
Tihei Mauri Ora!	a promise of a glorious day

At the appropriate time, the following karakia will be read to close the meeting.

Unuhia, unuhia, unuhia ki te uru tapu nui	Draw on, draw on
Kia wātea, kia māmā, te ngākau, te tinana,	Draw on the supreme sacredness
te wairua	To clear, to free the heart, the body
I te ara takatū	and the spirit of mankind
Koia rā e Rongo, whakairia ake ki runga	Oh Rongo, above (symbol of peace)
Kia wātea, kia wātea	Let this all be done in unity
Āe rā, kua wātea!	

1.2 Apologies

The Chairperson invites notice from members of apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

1.3 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

1.4 Confirmation of Minutes

The minutes of the meeting held on 26 November 2020 will be put to the Strategy and Policy Committee for confirmation.

1.5 Items not on the Agenda

The Chairperson will give notice of items not on the agenda as follows.

Matters Requiring Urgent Attention as Determined by Resolution of the Strategy and Policy Committee.

The Chairperson shall state to the meeting:

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

The item may be allowed onto the agenda by resolution of the Strategy and Policy Committee.

Minor Matters relating to the General Business of the Strategy and Policy Committee.

The Chairperson shall state to the meeting that the item will be discussed, but no resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the Strategy and Policy Committee for further discussion.

1.6 Public Participation

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 31.2 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

Requests for public participation can be sent by email to public.participation@wcc.govt.nz, by post to Democracy Services, Wellington City Council, PO Box 2199, Wellington, or by phone at 04 803 8334, giving the requester's name, phone number and the issue to be raised.

2. General Business

VICTORIA UNIVERSITY OF WELLINGTON GROWING OUR FUTURE PROJECT - LEASE OF OUTER GREEN BELT LAND

Purpose

1. This report asks the Strategy and Policy Committee to approve a new lease to Victoria University of Wellington (VUW) under the Reserves Act 1977 ("the Reserves Act") to enable the 'Growing our Future' project to proceed.

Summary

2. VUW wishes to partner with Wellington City Council (WCC) to establish native forest in the Outer Green Belt (OGB). VUW want to engage their staff and students in the planting of the forest and register the land in the Emissions Trading Scheme (ETS) to receive carbon credits from the resultant forest.
3. VUW requested WCC make land available for the project. WCC officers identified land that would suit the project requirements and have explored options for establishing native forest on the land including the proposal from VUW. Other options include fencing the area and letting it naturally regenerate as well as WCC actively planting the area to establish forest. Taking into account all benefits and associated costs, officers recommend partnering with VUW to re-establish forest on the land.
4. VUW's proposal will deliver large scale forest restoration at low cost to WCC and significant benefits to local communities and ecosystems. It will contribute directly to the implementation of the Outer Green Belt Management Plan as well as specific goals of Our Natural Capital Biodiversity Strategy and Action Plan. The project also supports delivery of WCC's Te Atakura Strategy and Implementation Plan by supporting native forest regeneration and accelerating carbon sequestration via carbon farming in partnership with other organisations.
5. In return, VUW will provide half of the carbon credits generated to WCC for the term of a 33-year lease. VUW also has identified considerable research potential at the site which will have benefits for both organisations. VUW proposes investing up to \$100,000 per annum to deliver the project. This would include acquiring native plants, coordinating planting and maintenance of the trees until they become established.
6. The estimated cost to WCC is \$2,880 per annum (\$144,000 over 50 years). This includes ongoing predator and weed control in the new area of forest, loss of lease income from existing grazing on the site, one-off legal and expert advice costs and maintenance of

associated public tracks. Costs to WCC will be partially or completely offset by the carbon credits WCC will receive depending on the future value of carbon.

7. This project is low cost to WCC in the context of the existing work to restore the OGB and it will significantly increase the scale of restoration planting on council land. This project will provide significant ecological and community benefits if it is to proceed. These include accelerated establishment of native forest in the OGB and carbon credits from the resultant forest.

Recommendation/s

That the Strategy and Policy Committee:

1. Receive the information.
2. Approve that Council officers publicly notify granting of a new Lease to VUW for a thirty-three (33) year term with no right of renewal under the Reserves Act 1977.
3. Request officers to negotiate the lease based on the following terms:
 - a. VUW will only use and access the land for the purposes of the Growing Our Future project, which includes planting (including associated preparation, maintenance and fencing), research and promotion;
 - b. Members of the public will still be allowed to access parts of the land;
 - c. The area of the lease will be as shown indicatively in appendix A; excluding the existing telecommunications lease area, future tracks, future picnic area and areas around pylons and also limit species planted underneath high-power transmission lines;
 - d. VUW will be responsible for:
 - i. Planting the plants and trees;
 - ii. the maintenance of the land, including weeding, prevention and removal of pests and any other activities to ensure the establishment of the trees. Establishment being the point when the planted trees canopy has closed as a result of the planted trees overlapping one another; and
 - iii. the replacement of any plants and trees that do not survive
 - iv. WCC will be responsible for the maintenance of the land (including the plants and trees) after Establishment.
 - e. VUW will transfer 50% of the carbon credits they earn from the land to WCC as soon as VUW receives them up until the termination of the lease. Thereafter VUW will surrender any rights to the carbon credits and WCC will receive all the carbon credits.
 - f. Any other special terms and conditions in relation to carbon credits and the emissions trading scheme once relevant legal advice is sought.

Background

8. WCC has worked with VUW to deliver the Growing Graduates programme since 2012. Through this programme new graduates, current students and staff have planted more than 12,000 trees on the Wellington Town Belt. The trees are all indigenous species and are available for all Wellingtonians to access and enjoy. Due to Covid restrictions, planting was not undertaken in 2020. Instead plants were given away to staff, students and alumni for planting at home. Space for large scale restoration planting in the Wellington Town Belt is now extremely limited.
9. As part of implementing its [Zero Carbon Plan 2019](#) VUW approached WCC with an aspirational goal to plant over 100,000 trees over the next 10 years on 100 hectares of land in Wellington.
10. WCC has recently approved Te Atakura Implementation Plan which highlights the potential for carbon farming partnerships to increase the amount of carbon sequestration in Wellington City. Te Atakura recognises that becoming a net zero emissions city will only happen with the support of the entire community and Wellington's climate change mitigation efforts must focus on reducing transportation and stationary energy emissions, alongside investing in carbon farming to offset emissions from activities that cannot readily be reduced.
11. The project has also been assessed against the Carbon Management Policy 2011 which provides a framework to aid decision making and identify opportunities to minimise liabilities and/or maximise assets created under the ETS, where this is economically efficient and fiscally prudent. It is noted that is policy has not been reviewed to reflect recent changes to the ETS.
12. WCC is currently an ETS participant and has several Permanent Forest Sink Initiative (PFSI) covenant areas over naturally regenerating forest and scrub which has established since 1989 that are earning carbon credits. Currently WCC receives around 8,000 units per year from around 1,450 hectares of land predominantly in the OGB. For context, WCC spends approximately \$1.7M per annum on protecting and restoring forest on land it manages with the support of community groups and partner organisations. The carbon credits generated every year are a co-benefit of this work and are currently worth around \$240,000 pa (based on \$30 per unit). Currently registered areas on WCC land could offset approximately 5% of WCCs annual corporate emissions if surrendered.¹

Discussion

13. This project is the first of its kind and aims to maximise carbon sequestration while also establishing native forest consistent with the objectives of the Outer Green Belt Management Plan (OGBMP) and Our Natural Capital Biodiversity Strategy and Action Plan (ONC).
14. The key benefits of the project are:

¹ Te Atakura Implementation Plan 2020.

- Restoring biodiversity at an accelerated rate by establishing new native forest;
 - Providing practical teaching and research opportunities for VUW staff and students, which have the potential to improve WCC planting methods;
 - Sequestering carbon and generating carbon credits.
15. Officers have identified approximately 11 hectares of land in the Outer Green Belt suitable for this project (See Appendix 1). In this area, three to four years of planting could be undertaken and over 18,000 - 28,000 trees could be planted. Over 50 years the proposed lease area will generate a total of 3,575 carbon credit units. The land proposed for the project is at 268 Ohariu Valley Road and was acquired by Wellington City Council to add to the Outer Green Belt in 2019.
 16. Costs to WCC are likely to be partially or fully offset by carbon credits received by WCC depending on the market value of carbon. Options to create a carbon forest are presented in the options section of this report.
 17. The planting methodology VUW propose for this project is different from the standard revegetation method WCC currently utilises. VUW propose planting 1,600-2,500 stems per hectare compared with the WCC practice of planting 5,000-6,000 stems per hectare. The methodology is designed to maximise carbon sequestration at a lower cost and initial outlay, however, will require a higher level of maintenance until forest establishment.
 18. Costs to WCC for this project are estimated to be \$144,000 over 50 years or \$2,880 per annum. This includes pest and weed control (approximately \$2000 per annum) from when the forest is established, loss of grazing lease income, one-off legal costs and additional maintenance of any new public tracks through the area.
 19. Costs to VUW are an annual investment of up to \$100,000 per year for preparation, fencing the area from grazing stock, plants, plant protectors and planting to establish native forest. There will be ongoing maintenance costs for the first five - ten years to ensure satisfactory forest establishment.
 20. VUW has identified significant research potential as a part of this project. This research will likely identify areas where VUW and WCC could refine their ecological restoration work and could result in improvements to WCC's revegetation approach. If this project is to proceed, research projects can begin to be designed and initiated by VUW this summer. This will enable baseline surveys to be undertaken before planting commences in winter 2021.
 21. The land, legally described as Lot 1 Deposited Plan 508648 containing 11 hectares more or less, is currently held as fee simple land by WCC. WCC is empowered to deal with any land it owns in accordance with its general competency under the Local Government Act. WCC has the power to determine the Land is reserve for the purposes of Reserves Act if WCC determine is it reasonable to do so.
 22. It is reasonable to determine the land as reserve on the basis that:
 - WCC intends that the land will eventually be classified as reserve under the Reserves Act

- The lease is for a relatively long period during which the land is likely to be classified as a reserve; and
 - For management and administration purposes WCC choose to treat the land as reserve from the commencement of the lease arrangement rather varying parts of the lease later.
23. The Outer Green Belt Management Plan (OGBMP) policy 4.1.2.1(2) directs WCC to *"Classify all Outer Green Belt reserves as scenic reserve unless there is particular reason to use an alternative classification"*. The land is currently freehold, and the land will become a reserve when the land is gazetted.
24. As the land is classified as fee simple, WCC is empowered under the Local Government Act to determine the land as a reserve and grant the lease under the Reserves Act 1977 as it is reasonable to do so due to the nature of the land and the length and purpose of the lease.
25. Officers have sought legal advice on the most appropriate way to formalise the project, noting this proposal is the first of its kind.
26. Options include a lease, a licence or a forestry right. Due to the OGBMP policy a lease is considered the most appropriate mechanism if the land is to be classified as Scenic Reserve under the Reserves Act 1977.
27. Under section 56(1)(b) of the Reserves Act, reserves can be used "for the carrying on of any trade, business, or occupation" provided that the trade, business, or occupation is "necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve"
28. Legal advice is that the proposed project is *"for the carrying on of any trade, business, or occupation"* on the basis that VUW will be planting trees in order to achieve carbon neutrality for its wider business. As VUW also intends the carbon forest to be used for educational purposes, this gives further support to this argument; and the proposed project is "necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve" on the basis that (for example) the way that WCC will create beautification and cultivate native trees on the land for the benefit of the public is through the proposed project and therefore the business, trade or occupation being carried out by VUW is necessary "to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve".
29. For context, leases or licences for the purposes of constructing a gondola, operating guided tours, constructing and operating cafes or restaurants, installing signal masts, operating a sand mining business and operating commercial markets are all activities which have been permitted under s 56 of the Reserves Act by various territorial authorities.
30. Part of the land identified for this project is subject to an existing lease to Spark Limited which provides for a telecommunications tower and associated accessway on the land. This small area is to be excluded from the lease and planting will be restricted to prevent interference with the operation of the equipment.

31. The area is also partly subject to a large easement in favour of Transpower Limited for the transmission of high voltage power lines via pylons. Initial discussions with Transpower Limited indicate that due to the steepness of the land, only limited areas adjacent to established pylons will need to be excluded from the lease area to ensure that any trees planted will not be able to grow into the required exclusion zones from powerlines.
32. Future potential public accessways and a picnic area, have been identified on the land and these will be excluded from the lease area to ensure public benefit and enjoyment can occur if these amenities are established by WCC in the future.

Options

33. Three options have been developed to assess the financial cost-benefit of the proposal and compare this to other options available to WCC to establish native forest in the area;
 - Option 1 - Partner to allow VUW to plant the area
 - Option 2 - Fence the area and let forest establish naturally
 - Option 3 - Fence and plant the area using WCC's current methodology
34. Each option has been costed based on two carbon credit value forecasts: the future projected value (based on published forecasts by Parliamentary Commissioner for the Environment) and a static value of \$30. This is the same cost modelling used to inform Te Atakura Implementation Plan. Costings have been developed for the entire 50-year period of carbon sequestration recognised by Ministry for Primary Industries (MPI).
35. It is important to note that the future value of carbon credits is uncertain, as is any commodity traded on the open market and carbon prices are also influenced by national and international policy. It is also important to note that this modelling considers financial cost-benefit only and does not consider any other benefits including the social or environmental benefits of the proposal.
36. Carbon credits were worth around \$25 per unit until changes to the ETS were made with the passing of the Zero Carbon Act 2020. Today's carbon credit value is about \$35 per unit and the value of carbon credits is projected to steadily increase to \$150 per unit by 2035.
37. Based on the financial modelling, option 1 (partnering with VUW) is the most cost-effective option for re-establishing native forest in this area, provided the price of carbon increases as projected. The next best option is to fence the area and let it naturally regenerate into native forest.
38. Additionally, under option 1 (partnering with VUW) ETS carbon credits can be registered immediately following planting as the proposal involves planting tree species capable of reaching 5 metres. Under option 2 (fencing the area and letting it regenerate naturally), credits will not be available to register for 10-30 years depending on when forest tree species that have the potential to grow to more than five metres self-establish naturally.

39. Both option 1 (partnering with VUW) and option 2 (fencing the area and letting it regenerate naturally) could deliver a profit to WCC if the value of carbon increases as forecast; however, option 1 delivers a wider range benefits including research outcomes, volunteer involvement, and marketing value for both parties. Projected annual profit of option 1 is estimated at \$2,600 and option 2 is \$2,000.
40. If the value of carbon remains static or decreases then option 2 (fencing the area and letting it regenerate naturally) becomes the most cost-effective option for WCC, however there are less co-benefits from this approach and there are immediate operational costs. If the value of carbon remains static (\$30 per unit) the projected annual loss for council is -\$1,600. The projected loss under option 1 is -\$1,700. As mentioned above, these costs are the operational costs associated with managing pest and weeds.
41. Option 3 (WCC fences and plants the area) will result in a financial loss to WCC regardless of the projected increase in the value of carbon credits. If the value of carbon credits remains static the projected annual loss for option 3 is -\$13,000 per year, while the projected annual loss if the value of carbon increases is -\$6000. These projections mean that it is not financially beneficial to plant native trees solely for the purpose of earning carbon credits using WCCs current methodology.
42. The table below presents these costs and value estimates over the typical 50-year period of carbon sequestration currently recognised by MPI. For clarity, VUW will receive credits only for the 33-year period of the lease.

	Option 1: VUW partnership	Option 2: Fence and natural regeneration	Option 3: Fence and plant
Cost to WCC (50 years)	\$144,000	\$162,000	\$722,200
Value of carbon credits WCC receives (forecast increase over 50 years)	\$197,076	\$261,855	\$471,867
Value of carbon credits WCC receives (static value over 50 years)	\$61,133	\$84,975	\$106,722
Time to forest establishment	5-10 years	20-30 years	5-10 years
Alignment with Our Natural Capital goals	High	Medium	High
Alignment with Te Atakura goals	High	Low	High

Next Actions

43. If the recommendations in this report are accepted, the following will occur:
- a. Public notification of the lease as required under section 199 and 120 of the Reserves Act 1977
 - b. If there are sustained objections resulting from the above notification, officers will report back to Council, and if not
 - c. The lease document will be negotiated, drafted and signed
 - d. Advertising costs being met by the Lessee (where applicable).
44. It is proposed that officers will negotiate the Lease with VUW based the following terms:
- a. VUW will only use and access the land for the purposes of the Growing Our Future project, which includes planting (including associated preparation, maintenance and fencing), research and promotion
 - b. Members of the public will still be allowed to access parts of the land
 - c. The area of the lease will be as shown indicatively in appendix A; excluding the existing telecommunications lease area, future tracks, future picnic area and areas around pylons and also limit species planted underneath high-power transmission lines.
 - d. VUW will be responsible for:
 - i. Planting the plants and trees
 - ii. the maintenance of the land, including weeding, prevention and removal of pests and any other activities to ensure the establishment of the trees. Establishment being the point when the planted trees canopy has closed as a result of the planted trees overlapping one another; and
 - iii. the replacement of any plants and trees that do not survive
 - iv. WCC will be responsible for the maintenance of the land (including the plants and trees) after Establishment.
 - e. VUW will transfer 50% of the carbon credits they earn from the land to WCC as soon as VUW receives them up until the termination of the lease. Thereafter VUW will surrender any rights to the carbon credits and WCC will receive all the carbon credits.
 - f. Any other special terms and conditions in relation to carbon credits and the emissions trading scheme once relevant legal advice is sought.
45. Granting a Lease is will be conditional on:
- a. Appropriate iwi consultation
 - b. Public notification as required under sections 119 and 120 of the Reserves Act
 - c. No sustained objections resulting from the above notification
 - d. Legal and advertising costs being met by VUW.

Attachments

Attachment 1. Indicative Lease Area 268 Ohariu Valley Road [↓](#) 

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Authors	Tim Park, Environment Partnership Leader Sarah Murray, Customer and Community Partnerships Manager
Authorisers	Paul Andrews, Manager Parks, Sports & Rec Claire Richardson, Chief Operating Officer

SUPPORTING INFORMATION

Engagement and Consultation

An external engagement plan has been developed for the project. Early engagement has commenced with mana whenua, the Churton Park Residents Association, neighbours, lessees, and easement holders.

Treaty of Waitangi considerations

Ngāti Toa Rangatira and Taranaki Whānui ki te Upoko o te Ika have been approached to discuss the project to determine how they may wish to be involved. There are currently no known sites of cultural significance to mana whenua associated with the land. Both mana whenua entities have supported projects to restore forest to the OGB and the policy direction to restore nature in the OGBMP.

Financial implications

When compared to the benefits, WCC costs associated with the project are low (\$2-3,000 per annum) and will be able to be met from existing operational budgets. The main cost to WCC is additional ecological management of the resultant forest (pest and weed control). There is an opportunity cost associated with transferring the rights to carbon credits to VUW, which is offset by VUW's investment in forest establishment and the proposed 50:50 sharing of credits for the term of the lease. The equal sharing of the carbon credits generated also shares the risk associated with future variation for the value of carbon.

Policy and legislative implications

This proposal delivers outcomes in the Outer Green Belt Management Plan and Our Natural Capital, as well as the Carbon Management and Te Atakura – First to Zero, and it is also relevant to Wellington: Towards 2040 (the Eco-City goal).

Risks / legal

Several perceived, real and potential risks have been identified and discussed in this paper. These risks can be reduced through lease terms and conditions.

There is the potential for approval of this project to set a precedent for similar projects in the future on council land. It is recommended the Carbon Management Plan 2011 is reviewed and updated to include criteria to assess the merits of similar projects of this nature.

Legal considerations have been made and recommendations to committee are based on external legal advice reviewed by council lawyers.

Climate Change impact and considerations

This project has been developed to specifically assist VUW and WCC to contribute towards commitments related to climate change and forms part of these organisations' approach to mitigate the impacts of climate change. This project will accelerate carbon sequestration in Wellington City and get many volunteers actively involved with taking action to reduce the impacts of climate change.

Communications Plan

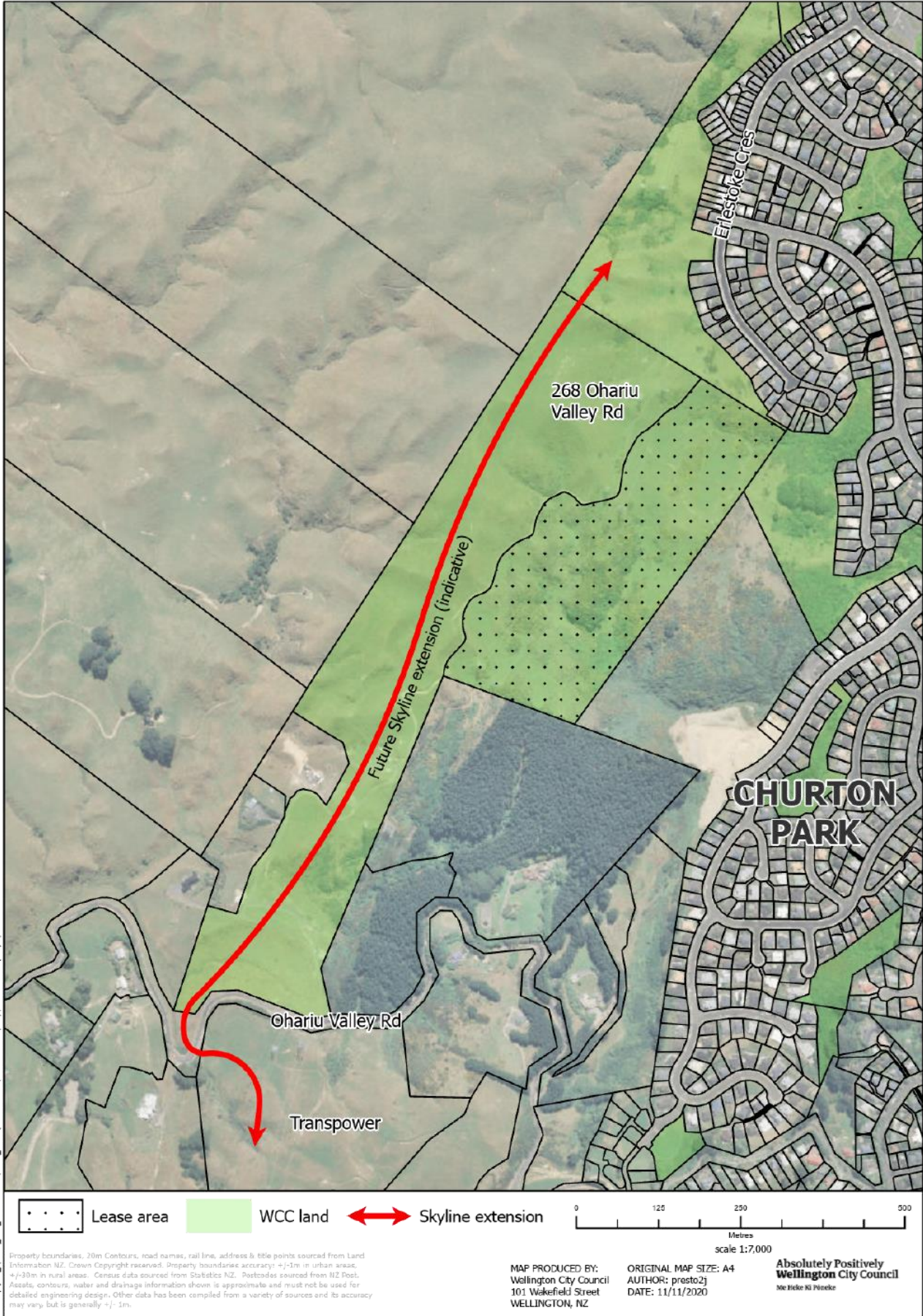
VUW will develop a communications plan and also engage their staff and students in the project.

Health and Safety Impact considered

Health and safety responsibilities associated with the project managed by VUW as required in the lease terms.

VUW is proposing to contract Conservation Volunteers New Zealand (CVNZ) to assist with the coordination of the large number of volunteers needed to implement the project. CVNZ has exemplary Health and Safety processes and a proven track record of safely managing large numbers of volunteers on WCC land. WCC contracts CVNZ to provide the "In Safe Hands" H&S training workshops to community ecological restoration groups.

Item 2.1 Attachment 1



RESERVES ACT 1977: EASEMENT OVER ALEXANDRA ROAD PLAY AREA (HATAITAI)

Purpose

1. This report asks the Strategy and Policy Committee to approve an easement for a private stormwater pipe over land held under the Reserves Act 1977 (the Act) at Alexandra Road Play Area (Reserve).

Summary

2. Council has received a request to construct a private stormwater pipe within the Reserve, to service a proposed new infill dwelling to be built at 21 Alexandra Road.
3. An easement is required by the Act for private stormwater pipes. An easement will grant a permanent right to convey stormwater.
4. The stormwater pipe installation methodology will minimise impacts on the Reserve, with particular regard to protecting existing vegetation. Short-term impacts will be managed with reinstatement conditions in the access permit. Additional planting of native vegetation will contribute to improving the Reserve. There will be no long-term impacts on the reserve values or use.

Recommendation/s

That the Strategy and Policy Committee:

1. Receive the information.
2. Grant an easement in perpetuity over land at Alexandra Road Play Area being **part of** Lot 20 DP 8453 (CFR WN382/103), pursuant to s48 of the Reserves Act 1977.
3. Note that the works to install the stormwater pipe will proceed in accordance with final Parks, Sport and Recreation agreement to all park management, work access and reinstatement plans.
4. Delegate to the Chief Executive the power to carry out all steps to authorise the easement.

Background

5. The owners of 21 Alexandra Road have requested that Council allow them to construct a stormwater pipe within the adjacent reserve land. The stormwater pipe will manage the stormwater runoff that will be generated from a proposed new infill dwelling on their property.

6. Approximately 65 metres of the proposed stormwater pipe would be located in the Reserve, running from the boundary with 21 Alexandra Road to the existing stormwater mains pipe in Heparā Street. The proposed route is shown in Attachment 1.
7. The Reserve is classified as a recreation reserve under the Act. Stormwater pipes can be located on recreation reserves and are dealt with under s48 of the Act (easements).
8. Easements ensure that the Council is made aware of utilities that are in reserves and enable utilities to be formally recognised and recorded. Easements also provide a legal agreement regarding rights and obligations for access and use of reserve land.
9. The Reserve is managed under the Suburban Reserves Management Plan 2015 (management plan). The management plan requires the assessment of stormwater pipe proposals to consider the necessity of the stormwater pipes, and whether the stormwater pipes can be practically located elsewhere. Proposals must also have a focus on minimising impacts on the Reserve.
10. The area of the Reserve through which the proposed pipe will run consists of a steep bank below 21 Alexandra Road, a flat area of grass, a concrete path that provides access to the Reserve and established vegetation (exotic and indigenous). All of these aspects will require installation methods that minimise impacts on them and reinstatement will be to a similar or better condition.
11. The proposed pipe will pass under an existing sewer mains pipe. The applicant will be required to manage this aspect of the installation with Wellington Water Limited.

Discussion

12. The applicant has provided an engineering assessment of stormwater disposal options for the new dwelling, with particular attention to the geotechnical conditions of the site.
13. This assessment found that:
 - The relatively low soakage rate of the soil conditions and the minimal space to allow for effective soakage will risk soakage discharging out of the cut batter bank on the Reserve, possibly triggering instability and nuisance to the Reserve; and
 - On-site detention tanks connected to an elongated dispersal device will also risk triggering instability of the cut batter bank on the Reserve; and
 - Pumping stormwater uphill to the existing stormwater pipe in Alexandra Road is not recommended as a solution, due to risk to the system in the event of power failure.
14. Officers accept the findings of the assessment and consider that the alternatives have been investigated. Onsite soakage or dispersal would present unacceptable risk to the Reserve.

15. The applicant has provided an Arboricultural Impact Assessment of the vegetation on the Reserve, as well as a Tree Management and Protection Plan for the proposed pipe installation.
16. The methodology described in the Tree Management and Protection Plan will manage any potential negative impacts from the proposed pipe installation on vegetation. This includes using directional drilling methods rather than trenching in vegetated areas of the Reserve, to avoid disruption to the rootzone areas of the vegetation. No vegetation is proposed to be removed from the Reserve. Directional drilling will also minimise disturbance to the access path.
17. The proposal has described the requirement for the stormwater pipe to cross beneath the sewer mains pipe in the Reserve. The sewer mains pipe will need to be protected from potential damage during installation and any future maintenance work. This will form part of the easement documentation.
18. Any areas of excavation required for installing the stormwater pipe will be reinstated.
19. Additionally, the cut batter bank in the Reserve below 21 Alexandra Road will be planted with indigenous plants by Council's recommended contractor at the applicant's cost. This will provide a benefit to the Reserve in improving ecological values and reducing potential for erosion of existing exposed soil.
20. The applicant has consulted with the Council's Parks, Sport and Recreation team, who will be providing access permits to do the work, subject to conditions. Officers are satisfied that the proposal will have no long-term impacts on the reserve values or use.
21. Under the Instrument of Delegation for Territorial Authorities dated 12 July 2013, the Minister of Conservation has delegated the authority to grant easements over reserves under s48 of the Act to Council. According to Council delegations, the power to grant easements under the Act rests with the Strategy and Policy Committee.



Options

22. The Strategy and Policy Committee can either choose to approve or decline granting of the easement.
23. Approving the granting of the easement would enable the applicant to manage additional stormwater generated by their proposed new dwelling.
24. Declining the granting of the easement would have a negative impact on the applicant's ability to construct their proposed new dwelling, and there are no practical alternatives.

Next Actions

25. If the proposed resolutions are accepted, officers will prepare and execute the necessary documentation and finalise all outstanding matters.

Attachments

Attachment 1. Location of Proposed Stormwater Pipe in Alexandra Road Play Area   Page 24

Author	Kate Brown, Reserves Planner
Authorisers	Bec Ramsay, Open Space & Recreation Planning Manager Paul Andrews, Manager Parks, Sports & Rec Claire Richardson, Chief Operating Officer

SUPPORTING INFORMATION

Engagement and Consultation

No public notification is required under s48 of the Act as the easement will not materially alter the reserve, permanently damage the reserve or permanently affect the rights of the public in respect of the reserve.

Wellington Water Limited has been involved with the proposed stormwater solution and will be required to assess and provide conditions in resource and building consents. The easement will not be finalised until Wellington Water Limited approval and all other consents have been granted.

Council's Arboriculture Team has been involved in vegetation assessment and management requirements and is satisfied that impacts on the trees and vegetation can be managed.

Treaty of Waitangi considerations

There are no known sites of importance to mana whenua and engagement is not considered necessary.

Financial implications

There are no financial implications for Council. All legal, survey and LINZ costs for the easement will be met by the applicant.

Policy and legislative implications

The proposal is consistent with the Council's requirements for a robust stormwater network under the Long-term Plan. The proposal aligns with requirements and direction provided within the Suburban Reserves Management Plan 2015 and the Act.

Risks / legal

The Council lawyers will prepare the easement documents.

Climate Change impact and considerations

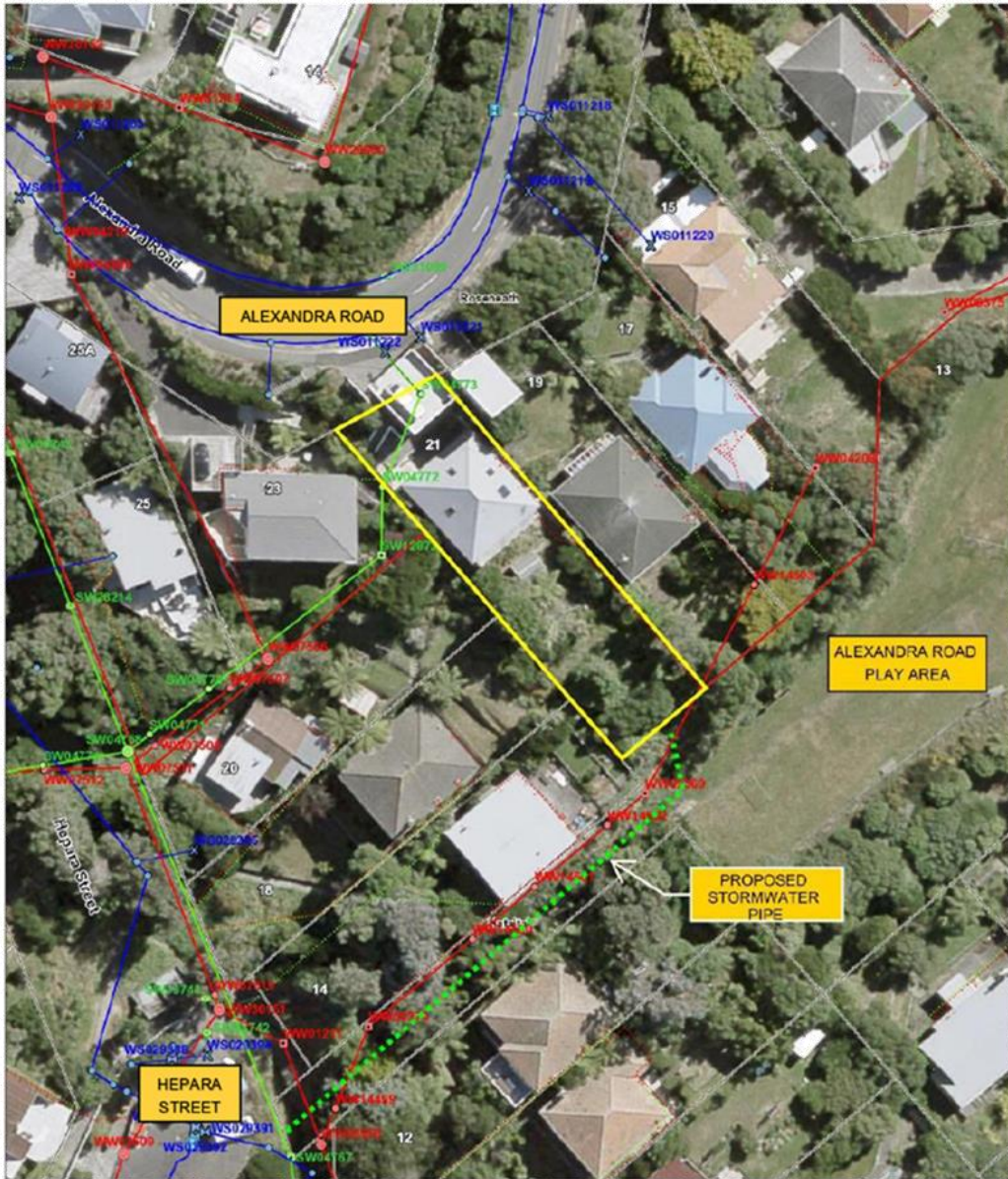
There are no climate change impacts or considerations.

Communications Plan

There is no communications plan required. Onsite signage about the installation works will be a condition of the access permit.

Health and Safety Impact considered

The approvals required for the stormwater pipe installation and the ongoing management of the pipe will include suitable health and safety requirements and identification of potential risk to public health and safety.



3. Committee Reports

REPORT OF THE COUNCIL CONTROLLED ORGANISATIONS SUBCOMMITTEE MEETING OF 18 NOVEMBER 2020

Members: Mayor Foster (not present), Councillor Condie (Chair), Councillor Foon, Councillor O'Neill, Councillor Rush, Councillor Sparrow, Councillor Young.

The Council Controlled Organisations Subcommittee recommends:

LETTER OF EXPECTATION TO WELLINGTON REGIONAL ECONOMIC DEVELOPMENT AGENCY LTD**Recommendation/s**

That the Strategy and Policy Committee:

1. Approve the following key messages:
 - WellingtonNZ's SOI will outline its strategy for driving performance activities in Wellington and growing the utilisation of its performing arts venues together with driving the opportunities created by venues that are coming onstream, namely Takina, the St James Theatre and the Town Hall.
 - The SOI should articulate targeted initiatives and programmes that promote a strong events programme and domestic visitation to support Wellington's economy particularly in the near term and in a post-COVID environment. WellingtonNZ should be ready for the return of international travel to Wellington and the planning should anticipate this during the three-year SOI term.
 - WellingtonNZ will be expected to demonstrate how it plans to, or already, contributes to Council achieving its targets for Te Atakura and waste minimisation. This will have specific application to the Venues Wellington business and Council will expect to see specific targets and actions.
 - WellingtonNZ should plan on receiving a modest inflation indexed increase on the current year operating grant.
 - Where WellingtonNZ is facing challenges to third party revenue or managing cost pressures over and above the Council operating grant, Council expects to see robust plans to manage these pressures.
 - Improving accessibility to Council's activities and services will continue to be a focus for the Council and it is expected that WellingtonNZ will support this initiative by planning to improve accessibility where possible to its venues and events.
 - The Council is working on new strategies in the areas of economic development, arts and culture, and children and young people. WellingtonNZ is expected to engage with the Council in the development of these new strategies and will be expected to adopt and support any new strategic outcomes.
 - The Council expects to consider plans for the investment needed to maintain and/or upgrade the Venues Wellington portfolio in support of its strategic priorities for Wellington through the 2021-31 long-term planning process. WellingtonNZ should plan for this programme of investment in the venues and its SOI should consider how it will leverage opportunities created by the investment.

Website link to the Council Controlled Organisations Subcommittee meeting agenda and minutes: <https://wellington.govt.nz/your-council/meetings/committees/council-controlled-organisations-subcommittee/2020/11/18>

Attachments

Nil

REPORT OF THE COUNCIL CONTROLLED ORGANISATIONS SUBCOMMITTEE MEETING OF 18 NOVEMBER 2020

Members: Mayor Foster (not present), Councillor Condie (Chair), Councillor Foon, Councillor O'Neill, Councillor Rush, Councillor Sparrow, Councillor Young.

The Council Controlled Organisations Subcommittee recommends:

LETTERS OF EXPECTATION TO COUNCIL CONTROLLED ORGANISATIONS

Recommendations

That the Strategy and Policy Committee:

1. Approve the key messages in the Letters of Expectation to the following organisations as per the attached report:
 - a. Basin Reserve Trust
 - b. Karori Sanctuary Trust
 - c. Wellington Cable Car Limited
 - d. Wellington Museums Trust
 - e. Wellington Regional Stadium Trust
 - f. Wellington Zoo Trust

Website link to the Council Controlled Organisations Subcommittee meeting agenda and minutes: <https://wellington.govt.nz/your-council/meetings/committees/council-controlled-organisations-subcommittee/2020/11/18>

Attachments

Attachment 1. Letters of expectation to CCOs - key messages  

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**COUNCIL CONTROLLED ORGANISATIONS
SUBCOMMITTEE**
18 NOVEMBER 2020Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke**LETTERS OF EXPECTATION TO COUNCIL CONTROLLED
ORGANISATIONS****Purpose**

1. This report seeks the Council Controlled Organisations Subcommittee's consideration and input into the Letters of Expectation addressed to the following Council Controlled Organisations (CCOs).
 - Basin Reserve Trust
 - Karori Sanctuary Trust
 - Wellington Cable Car Limited
 - Wellington Museums Trust
 - Wellington Regional Stadium Trust
 - Wellington Zoo Trust

Recommendations

That the Council Controlled Organisations Subcommittee:

1. Receive the information.
2. Confirm the messages in the Letters of Expectation to the following organisations:
 - a. Basin Reserve Trust
 - b. Karori Sanctuary Trust
 - c. Wellington Cable Car Limited
 - d. Wellington Museums Trust
 - e. Wellington Regional Stadium Trust
 - f. Wellington Zoo Trust
3. Recommend that the Strategy and Policy Committee receive the information and approve the key messages in the Letters of Expectation.
4. Note that officers will prepare Letters of Expectation incorporating the directions of the subcommittee and the Strategy and Policy Committee for signing by the Chair of the subcommittee.

Background

2. Council Controlled Organisations are required by the Local Government Act 2002 to prepare a draft Statement of Intent for the Council by 1 March of the preceding financial year. The Council sets out its expectations of its CCOs in a Letter of Expectation.
3. This report outlines the key messages to be presented to each CCO in a Letter of Expectation. The Letter of Expectation is designed to assist the entity with business planning and with the preparation of its Statement of Intent.

COUNCIL CONTROLLED ORGANISATIONS
SUBCOMMITTEE
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4. The letters serve to reiterate or emphasise some of the Councils enduring expectations while also alerting the entities to new Council initiatives or programmes or expected outcomes from the entities.
5. Officers will incorporate any feedback from this subcommittee and the Strategy and Policy Committee into the Letters of Expectation that will be signed by the Chair of this subcommittee.
6. In terms of a Court Of Appeal Judgement (CA164/04) on 6 September 2005 between the Commissioner of Inland Revenue and the Wellington Regional Stadium Trust, it was established that Sections 5 and 6, Schedules 8 and 9 and Part 5 of the Local Government Act 2002 do not apply to the Wellington Regional Stadium Trust and accordingly the Trust is not a CCO.
7. In recognition of the Council's original investment in the Wellington Regional Stadium Trust and the non-recourse loan from Council to the Trust that was fundamental in the establishment of the Trust and the building of the stadium, the relationship operates as if the Trust was a CCO. This approach is consistent with the Greater Wellington Regional Council's relationship with the Trust.

Discussion

8. To a large degree, the Council's expectations are enduring, including that CCOs are expected to maintain an ongoing alignment to the Council's strategic direction and its annual and long-term plans.
9. The Council's 2021-31 Long-term Plan will focus on four wellbeing outcomes that will influence Wellington over the next ten years.
 - Environment outcome: a sustainable, natural eco-city where the natural environment is being preserved, biodiversity improved, natural resources are used sustainably, and the city is adapting to climate change – for now and future generations.
 - Social outcome: a people friendly, compact, and accessible capital city. An inclusive, liveable and resilient city where people, mana whenua, Maori and communities can learn, are connected, well housed, safe and healthy.
 - Cultural outcome: an innovative and inclusive city. Wellington is a vibrant, creative city with the energy and opportunity to collaborate, explore identities and openly express, preserve and enjoy their arts, culture and heritage.
 - Economic outcome: a dynamic and sustainable economy. The city is attracting and developing creative talent across the city, creating jobs through innovation and growth while ensuring what we make is being reused.
10. The context for the Letters of Expectation this year includes several important and challenging themes set to a background of the global COVID-19 pandemic and managing both the immediate responses to the pandemic and the longer-term recovery from the pandemic.
11. In the context of the COVID-19 response and recovery, the Council faces challenges related to infrastructure and planning for growth, resilience and investing in its assets for the future while caring for the environment and planning to mitigate the impacts of climate change. The combination of these factors will require a focus on robust financial management and delivering services in a financially sustainable and affordable manner.

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12. Council's operating environment is challenged by some specific demands including:
 - **Infrastructure:** balancing the Council's focus on maintaining its existing infrastructure assets with the significant investment needs in its three waters portfolio and Let's Get Welly Moving.
 - **Resilience:** investing in the Central Library and other seismic challenges in Te Ngākau Civic Square.
 - **Environment:** mitigating the impacts of climate change with the implementation of Te Atakura – First To Zero, and a clear focus on waste minimisation.
13. In response to its investment demands and consequent financial challenges, Council is working through a process to consider how it will deliver its services in the most cost-effective manner. The Council expects that CCOs will adopt a similar focus, working together to achieve priority outcomes for Wellington.
14. Given the challenges facing Council, new investment that does not align closely with the Council's priorities is unlikely to be supported. Council and CCOs will continue to work together on how best to maximise limited resources.
15. Council's Letters of Expectation to CCOs will request that the Statements of Intent acknowledge the operating environment as well as accommodating the following general expectations as applicable to individual CCOs.
 - CCOs will be expected to demonstrate how they plan to, or already, contribute to Council achieving its targets for Te Atakura and waste minimisation. Council will expect to see specific targets and actions.
 - CCOs that receive operational grant funding should plan on receiving a modest inflation indexed increase on the current year operating grant.
 - CCOs that are facing challenges to third party revenue or managing cost pressures over and above the Council operating grant are expected to have robust plans to manage these pressures.
 - Improving accessibility to Council's activities and services will continue to be an immediate focus for the Council and it is expected that CCOs will continue support this initiative by planning to improve accessibility where possible.
 - Council is working on new strategies in the areas of economic development, arts and culture, and children and young people. Council will engage with CCOs in the development of these new strategies and CCOs will be part of the implementation of any new strategic outcomes.
16. In addition to the foregoing, the following specific points will be addressed to individual CCOs in the Letter of Expectation.

BASIN RESERVE TRUST

- Update plans for the Women's Cricket World Cup.
- Discuss opportunities to increase utilisation of the Basin Reserve.

KARORI SANCTUARY TRUST

- Update the status of and plans for the Tanglewood House project.

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WELLINGTON CABLE CAR LTD

- Update the capital works plans.
- Describe plans to counter the negative impact of the reduction in cruise ship passengers on the business.

WELLINGTON MUSEUMS TRUST

- Plans for fundraising for the Bond Store upgrade, if this project receives support through the LTP.
- Describe the plans to sustain the Wellington Museum through closure if the Bond Store upgrade project receives support.

WELLINGTON REGIONAL STADIUM TRUST

- Describe plans to counter the impact of the loss of overseas acts and international sports fixtures.
- Update capital work plans.

WELLINGTON ZOO TRUST

- Update on Snow Leopards project and plans to leverage this investment.

Attachments

Nil

Author	Warwick Hayes, Project Manager Economic & Commercial
Authoriser	Danny McComb, Manager Economic & Commercial Claire Richardson, Chief Operating Officer

**COUNCIL CONTROLLED ORGANISATIONS
SUBCOMMITTEE**
18 NOVEMBER 2020Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke**SUPPORTING INFORMATION****Consultation and Engagement**
Not applicable.**Treaty of Waitangi considerations**

Communication, engagement and partnership with Iwi Māori is a priority for Council and consequently also for CCOs. The goals and progress of some CCOs toward becoming bi-lingual and/or bi-cultural organisations reflect this commitment.

Financial implications

The CCOs work within the confines of the Council's overall Long-term Plan and Annual Plan framework.

Policy and legislative implications

Not relevant.

Risks / legal

Not relevant.

Climate Change impact and considerations

The CCOs work with the Council and other organisations as part of considering environmental sustainability in their operations, including with the Council's Our Living City programme.

Communications Plan

Officers will incorporate feedback from the Committee into the formal Letters of Expectation that will be sent to the chair of the relevant CCO.

Health and Safety Impact considered

Not relevant.

REPORT OF THE GRANTS SUBCOMMITTEE MEETING OF 2 DECEMBER 2020

Members: Mayor Foster, Councillor Day, Councillor Fitzsimons (Chair), Councillor Foon, Councillor Matthews (Deputy Chair), Councillor Pannett, Councillor Paul.

The Grants Subcommittee recommends:

BUILDING RESILIENCE FUND - 2020/2021 FINANCIAL YEAR - ROUND 1 OF 1

Recommendation/s

The Subcommittee recommendations were not available at time of print and will be made available at <https://wellington.govt.nz/your-council/meetings/committees/grants-subcommittee/2020/12/02> at the conclusion of the Grants Subcommittee meeting of 2 December 2020.

Attachments

Nil