



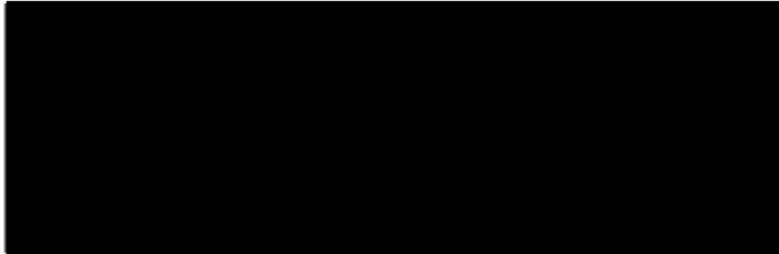
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9 December 2024



**OFFICIAL INFORMATION REQUEST FOR STEVEN CROSS'S PRESENTATION ON IHL
STATEMENT OF INTENT**

I refer to your official information request dated 19 November 2024 requesting [REDACTED]'s slide presentation that he had asked to present at the 19 Nov 2024 Joint Committee Meeting.

The information you requested is enclosed.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

If you wish to discuss this decision with us, please feel free to contact Nikki Harrison at nikki.harrison@ncc.govt.nz.

Yours sincerely

Nikki Harrison
Group Manager Corporate Services

Encl: PowerPoint Presentation "Statement of Expectations"

Internal Document ID: [REDACTED]



Best Campground We've Experienced!! - Review of Tahuna Beach Holiday Park, Nelson, New Zealand - Tripadvisor

SOME BACKGROUND INFO

- \$447,000 paid to Nelson City Council as part of the lease revenue sharing arrangements.
- 36,000 visitors hosted
- 182,000 stay nights.
- Sponsorship in various forms of more than 20 businesses and community
- Just over \$600,000 was reinvested in the Park upgrading facilities, infrastructure and systems
- Retained Tourism New Zealand's Qualmark Gold standard for Sustainable Tourism

THIS IS ABOUT DOING THE RIGHT THING (AND BUSINESS ETHICS)

- NCC has spent several million dollars buying out "red-stickered" properties susceptible to landslides from Council owned land. Whilst there was no legal obligation to do so, NCC took this action because it was the *right thing to do*. This decision has received widespread community support.
- The proposed amendments to the NAL (Nelson Airport Ltd) Statement of Expectation that we are asking for are aimed at encouraging the Airport to also act responsibly and in the best interests of the community – *to do the right thing*.
- Under Section 167 of the Resource Management Act (RMA), a Requiring Authority like NAL is required to “*give proper regard to the interests of those affected and to the environment*.” If the Minister believes that a Requiring Authority is failing to meet its responsibilities, they may revoke its status.
- Additionally, Section 59 of the Local Government Act (LGA) outlines the objectives for council-controlled organisations, including the responsibility to “*exhibit a sense of social and environmental responsibility by having regard to the interests of the community in which it operates*.”
- In NAL’s 2024 Statement of Intent (SOI) it committed to “**engaging and consulting with local communities, Iwi, and other relevant stakeholders on the airport’s development plans, environmental impacts, and opportunities for collaboration and partnership.**”

THE RIGHT THING

- As shareholders in NAL, this Committee should be concerned to ensure that your investment is protected by ensuring NAL meets these obligations.
- However, in my opinion, NAL has failed to meet its social and environmental responsibilities as outlined in the RMA, the LGA, and even its own SOI.
- Offering free ice cream on Anniversary Day or opening up the runway for a charity walk does not replace the need for NAL to *properly regard the interests of those affected by its operations*.
- One glaring example of this failure is the way NAL has treated the 120 permanent residents of the village within Tahuna Beach Camp (TBC).

A SORRY HISTORY

- In 2004, NCC adopted the Tahunanui Reserve Management Plan, which had been publicly consulted on and was prepared in accordance with the Reserves Act.
- The Plan authorized 100 permanent resident sites at Tahuna Beach Camp, and for years, both the Council and TBC operated under this understanding.
- Many residents invested a significant portion of their wealth in their homes based on this Plan.
- However, around 2019, NCC determined that the Tahunanui Reserve Management Plan had never been gazetted under the Reserves Act and was therefore ineffective.
- TBC's legal counsel and planner disagree with this interpretation, but at the time, NCC indicated that this was a mere technicality that could be easily remedied, likely via a non-notified resource consent.
- They suggested that gazetting the reserve would take 18 months, whilst a resource consent could be processed much more quickly.

A SORRY HISTORY (CONT'D)

- In March 2023, TBC met with Dennis Bush-King, Acting Manager of Planning at NCC, to discuss the consent application.
- After that meeting, Mr. Bush-King confirmed in writing that no resource consent was required.
- When TBC later requested a Certificate of Compliance, NCC reversed its position and insisted that a resource consent was indeed necessary.
- This shows that the issue of resource consent for the permanent residents is a *grey area*, a **minor technicality** that stems from inconsistencies in NCC's process, not a failure on the part of TBC or its residents.

A SORRY HISTORY (CONT'D)

- Despite this matter being a technicality, NAL has exploited this situation and has labelled the permanent residents as “illegal.”
- This is akin to treating the TBC permanent residents as “non-humans”.
- In doing this NAL has taken the approach that it can ignore the adverse effects the Airport’s plans have on the residents and it can disqualify them from any potential mitigations.
- It has become evident that the Airport has an objective of no permanent residents at TBC.
- It is disgraceful that a ratepayer-owned entity—now backed by ratepayer guarantees—has used the unfortunate situation of these residents and has exploited a minor technicality to avoid its responsibilities.
- There has been no sign of compassion from NAL, nor any indication that they are willing to engage in good faith with TBC to address the impacts on the residents.

WHAT WE SEEK

- TBC remains willing to work with NAL to find a solution, but that will require the airport to act as a good neighbour and conduct its business in an ethical manner.
- Unfortunately, our experience thus far is that NAL has operated more like a schoolyard bully than a responsible corporate citizen.
- Airport position – *“we are happy to let the legal process run its course”*.
- TBC wants nothing more than the right for the permanent residents to exist and be treated the same way as affected neighbouring residents in the residential zone are.
- We don’t want to see our residents discriminated against simply because the Airport thinks it can “follow a legal process” to erase them from consideration.

**THIS IS THE LAST AND ONLY CHANCE FOR COUNCILLORS
TO HAVE SOME INFLUENCE OVER NAL PLANS**

- Amazingly, the whole question of PPC30 and the NoR's and their profound impact on the Tahunanui area have not had 1 minute of consideration around this table.
- The NAL Masterplan which is the genesis of PPC30 and the NoR wasn't presented to the shareholders! So shareholders never got to discuss or debate the expansion plans or the airport's plans for the next 30 years!
- Once the PPC30/NoR application was lodged Councillors were warned against involving themselves in any discussion on this.
- There is limited scope for Councillor involvement once the Commissioners' decision is released.
- This is one opportunity where you can at least direct the NAL Board on how you want them to behave towards affected parties.

THIS IS WHAT OTHER AIRPORTS COMMIT TO

NOISE MANAGEMENT We are committed to being a good neighbour. Our proximity to Frankton and Queenstown has significant advantages and benefits for travellers, but it also means we are located close to homes and communities. We recognise the impact our airport operations can have. We have committed to operate within our existing noise boundaries for the next 10 years, and to reduce the negative impacts of our operation wherever possible.²

Council continues to seek that QAC is working to develop and maintain a strong social licence with its community.³

Over the last 20 years the overall noise generated by the airport has significantly declined, even as activity has increased, thanks to major investments by airlines and the airport.¹

Being a good neighbour
Supporting and communicating with our neighbours is a priority for us.¹



¹WELLINGTON AIRPORT KAITIAKITANGA REPORT 2024

²Queenstown Airport Masterplan

³QLDC Statement of Expectation 2024