



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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STRATEGY AND INFRASTRUCTURE COMMITTEE

Open Agenda

Meeting Date:	Tuesday 2 October 2018
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Time:	3.00pm
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Venue:	Council Chamber Hawke's Bay Regional Council 159 Dalton Street Napier
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Committee Members	Mayor Dalton, Councillor Price (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Tapine, Taylor, White, Wise and Wright
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Officers Responsible	Director City Strategy, Director City Infrastructure
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Administration	Governance Team
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Next Strategy and Infrastructure Committee Meeting
Tuesday 13 November 2018

ORDER OF BUSINESS

Apologies

Mayor Dalton, Councillor Taylor and Councillor Jeffery

Conflicts of interest

Public forum

Nil

Announcements by the Mayor

Announcements by the Chairperson

Announcements by the management

Confirmation of minutes

That the Minutes of the Strategy and Infrastructure Committee meeting held on Tuesday, 21 August 2018 be taken as a true and accurate record of the meeting.....31

Agenda items

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| 1 | Amendment of Resolution - War Memorial Consultation Options | 3 |
| 2 | Easter Sunday Trading Policy | 6 |
| 3 | District Plan Review - pre-engagement strategy..... | 16 |
| 4 | Parking Control Change - Upper Tiffen Car Park | 21 |
| 5 | Road Stopping - Edwardes Street..... | 25 |

Public Excluded

Nil

AGENDA ITEMS

1. AMENDMENT OF RESOLUTION - WAR MEMORIAL CONSULTATION OPTIONS

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	636482
<i>Reporting Officer/s & Unit:</i>	Wayne Jack, Chief Executive

1.1 Purpose of Report

To recommend the amendment of the part b of the resolution of Council dated 29 June 2018 regarding the Napier War Memorial consultation options.

Officer's Recommendation

That the Strategy and Infrastructure Committee:

- a. Amend part b of the Council resolution dated 29 June 2018 to the following:
That Council:
Approve that the following assessed design options go out for public consultation, requesting not only feedback but also feedback into any potential modifications:
 - Option Two – Building solution outside of the main Memorial Building
 - Option Three – Landscape solution outside of the main Memorial Building
- b. That a **DECISION OF COUNCIL** is required urgently to allow consultation to be initiated as soon as possible.

Chairperson's Recommendation

That the Council resolve that the officer's recommendation be adopted.

1.2 Background Summary

At it's extraordinary meeting of 29 June 2018, Council passed the following resolution:

Substitute motion	Councillors Wise / Wright
Council resolution	<p>That Council:</p> <p>b. Approve that all three designs go out for public consultation requesting, not only feedback, but input into the potential modifications.</p> <p>The division was declared carried by 8 votes to 5 votes, the voting being as follows:</p> <p>For: Councillors Boag, Brosnan, Dallimore, Jeffery, McGrath, Tapine, Wise and Wright</p> <p>Against: Mayor Dalton, Councillors Hague, Price, Taylor and White</p> <p>Carried</p>

Following that resolution, Option One (“Annex attached to the main building”) was withdrawn by the designer. The reasons provided to the Chief Executive, and circulated to Council in early July 2018, included recognition that the design would not be viable without substantial alterations to the building entry and foyer, fire escape and disabled access and site levels in the forecourt. It was also noted that there would be Health and Safety as well as logistical issues with building a memorial wing on the forecourt that would impact upon the operation of the facility.

Although the design was withdrawn entirely at the decision of its originator and not at the behest of Council, it is believed that an amendment to specify that Council will now be consulting on two options may increase clarity for the consultation process.

1.3 Issues

N/A

1.4 Significance and Engagement

The proposed amendment will enhance clarity as Council goes out to public consultation on the War Memorial design options. Other proposals from the public can be considered against the criteria following the consultation.

1.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

1.6 Options

The options available to Council are as follows:

- a. To amend the existing resolution for clarity prior to initiating public consultation on the War Memorial design options.
- b. To uphold the existing resolution

1.7 Development of Preferred Option

Consultation on the 'third option' is not feasible following advice from the Architect and would delay consultation considerably as reworked designs and costings would need to be obtained as it is not feasible. It is therefore recommended that this option be withdrawn and the resolution is amended.

1.8 Attachments

Nil

2. EASTER SUNDAY TRADING POLICY

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	632729
<i>Reporting Officer/s & Unit:</i>	Richard Munneke, Director City Strategy Kim Anstey, Planner Policy/Analyst

2.1 Purpose of Report

A high court decision on 1 August 2018 overturned the current Easter Sunday Trading Policy that allowed shops within the Napier District to open on Easter Sunday. This report is to seek Council approval to re consult on an Easter Sunday Trading Policy. This requires Council to adopt a draft policy, the accompanying Statement of Proposal (**Attachment A**), and to authorise officers to commence the special consultative procedure.

Officer's Recommendation

That the Strategy and Infrastructure Committee:

- a. Approve the draft Easter Sunday Trading Policy and Statement of Proposal; and
- b. Authorise officers to proceed with public notification through the special consultative procedure as prescribed in Section 83, of the Local Government Act 2002.
- c. That a **DECISION OF COUNCIL** is required urgently so that public consultation may be initiated as soon as possible.

Chairperson's Recommendation

That the Council resolve that the officer's recommendation be adopted.

2.2 Background Summary

Council adopted an Easter Trading Policy at a Council meeting in February 2017. Adoption of this policy has allowed shops to open on Easter Sunday in 2017 and 2018. However, Council were challenged on the adequacy of the process of undertaking the special consultative procedure. The judicial review centred on Councils interpretation of Part 6 of the Local Government Act that prescribes decision-making and consultation and Section 14 that sets out principles relating to local authorities. The focus was on Council's process of identifying affected parties, over and above consulting with the community as a whole. The judicial review process clarified the interpretation of the special consultative procedure under Section 83A of the LGA.

Background to the Policy

In August 2016, the Government amended the Shop Trading Hours Act 1990. The amendment allows Local Authorities to adopt a policy giving retailers the option to open on Easter Sunday. Prior to the amendment, the trading restrictions on retailers included restricted trading on three and a half days of the year – Good Friday, Easter Sunday,

Anzac Day (until 1pm) and Christmas Day. Restricted trading is the allowance in the Act that enables shops selling certain types of goods to open e.g. dairies, service stations, takeaways, restaurants, cafes and duty free shops on these days. In addition, an amendment to the Act passed in 2001, allowed garden centres to open on Easter Sunday. Some tourist centres also hold an exemption for Easter Sundays meaning retailers in these towns can already open, but Napier doesn't have such an exemption.

Current Situation

The aim of the legislative change made in 2016 was to create a uniform advantage across businesses and regions who wish to benefit from the tourist trade on what is presently a restricted trading day and not a public holiday. The employment NZ website provides a list of Councils who have adopted an Easter Sunday Trading Policy allowing shops to open <https://www.employment.govt.nz/leave-and-holidays/public-holidays/restricted-shop-trading-days/local-council-easter-sunday-shop-trading-policies/>.

At the time of writing, 39 out of 67 local authorities have a policy in place. Notably these Councils are mainly in the provinces, with the larger city's either yet to consider the matter, resolved either to not consider a policy or it was voted against after consultation with the community. Hastings District Council undertook informal engagement and voted not to proceed to the next stage of formal consultation.

The Policy

The 2016 amendment to the Act gives local communities the opportunity to choose whether or not to allow trading on Easter Sunday. The scope of the policy needs to define whether trading on Easter Sunday can occur in:

- a) the whole of the district; or
- b) any parts of the district.

The policy cannot:

- a) permit shops to open for only some purposes; or
- b) permit only some types of shops to open; or
- c) specify times at which shops may or may not open; or
- d) include any other conditions as to the circumstances in which shops in the area may open.

The option of trading in the whole of the district or in part of the district needs to be considered. Considering the small size of our district, and the repercussions that could occur by suggesting some parts can trade while others cannot, (e.g. city centre vs all of Napier) it is recommended to consult on a policy that allows Easter trading in the whole of the district. Should the proposed policy be adopted, there is no compulsion for retailers to open on Easter Sunday, the policy will provide them with the choice as to whether to open or not.

The Workers Choice Provision

The legislation recognises that Easter Sunday is a day of significance across New Zealand and some people will choose not to work on this day. Additional changes to the legislation include a worker's choice provision giving employees a right to negotiate with their employers, and the ability to refuse work on Easter Sunday, without any repercussions to the employment relationship.

2.3 Issues

Through the issuing of a public notice, and other methods of alerting the public and interested parties during consultation on this policy in 2016, officers did not intentionally

set out to exclude one group of people over another. Nevertheless, the events following has demonstrated that certain individuals and organisations in our community were not satisfied with the level of engagement and therefore the process taken this time will seek to rectify that.

Unions were identified as a key stakeholder in the 2016 consultation and notification of the proposed policy were sent to two representatives of First Union through a bulk email software called send blaster. The Unions have advised the emails were not received.

This time round, Officers will ensure the key stakeholders are given the specific opportunity to provide their feedback. Both Unions (representing staff) and Retailers are considered important key stakeholders that ensure balanced representation of the views to be considered.

2.4 Significance and Engagement

The matter is obviously of high interest to several key stakeholders and as such Council will take a targeted approach to consultation with the main stakeholders identified (in no particular order) as Retailers, Retail and Business Organisations, Unions, and Christian Churches and Organisations. The broader public will also have the opportunity to provide their feedback on this matter again.

An engagement plan will be developed and shared with Councillors prior to consultation commencing. The engagement approach will be a combination of face to face/phone calls and via email as appropriate. General advertising and promotion will also take place.

Special Consultative Procedure

The special consultative procedure requires Council to adopt a statement of proposal (that includes a draft policy), publically notify the proposal and allow 4 weeks for the public to make submissions. If Council agree to continue to the formal notification stage, the period for consultation will run through the month of October, with a hearing held in late November. The final decision to adopt a policy that allows shops to open will rest with Council after submissions have been heard and considered.

2.5 Implications

Financial

The costs associated with consulting on this policy can be accommodated within existing operational budgets.

Social & Policy

Parliament had long grappled with the contentious issue of Easter Sunday Trading before passing the responsibility to local Councils. The arguments for and against are seemingly complex and personal with discussions on the topic tending to focus on matters of religion, families, the retail economy and the freedom of choice. Councils reporting will not explore these issues in detail, rather this process is about allowing the community to put forward their views for Council to consider in their decision making.

Risk

There is a risk of continued divided community opinion around the issue of Easter Sunday Trading. However, the special consultative procedure and a carefully managed engagement plan will allow the community and interested parties to express their views on the issue and will ultimately require Council to weigh up, on behalf of the community, the preferred option for Easter trading in Napier.

2.6 Options

The options available to Council are as follows:

- a. Resolve to not adopt a draft policy for public consultation.
- b. Approve the Statement of Proposal (including draft policy) and authorise officers to proceed with public notification of the special consultative procedure as prescribed by the Local Government Act 2002.

2.7 Development of Preferred Option

There is sufficient public interest and interest from retailers to re consult on the Easter Trading Policy. This gives the opportunity for those who may have missed the opportunity to submit in 2016, to now do so.

2.8 Attachments

- A Statement of Proposal Easter Sunday Trading Policy [↓](#)



Statement of Proposal

Introduction

This statement has been prepared as part of consultation on an Easter Sunday Trading Policy for Napier. In 2016, the government amended the Shop Trading Hours Act 1990 (Act) to allow territorial authorities to have a policy to permit shops to open on Easter Sundays. The changes do not apply to other holiday dates such as Easter Friday for which current trading restrictions remain.

In accordance with the Act, Napier City Council (Council) is proposing an Easter Sunday Shop Trading Policy and is seeking your views. This Statement of Proposal has been prepared in accordance with section 83 of the Local Government Act 2002. The Statement includes:

- The rationale for the proposal;
- An overview of the proposed policy and the options available; and
- A description of the consultation process and how to provide your views on the proposal.

Reason for the proposal

Before the legislation change, most shops had to remain closed on three and a half days of the year – Good Friday, Easter Sunday, Anzac Day (until 1pm) and Christmas Day. There were exemptions to this law for certain types of shops i.e. dairies, service stations, garden centres, cafes and duty free shops. Some tourist centres hold an exemption for Easter Sundays, meaning retailers in these centres can already open.

The changes to the Shop Trading Hours Act give local communities the choice of whether or not to allow trading on Easter Sunday. Council voted to adopt a policy that allowed shops in the Napier District to open on Easter Sunday in February 2017. In August 2018, a high court decision ruled the policy invalid on the basis that consultation on the policy was inadequate.

Do all shops have to open?

Council recognises the importance of tourism related trade to the Napier retail economy and is therefore re consulting on a policy that allows shops across the Napier district to trade on Easter Sunday. However, ultimately it is up to individual retailers whether they choose to exercise the right to open (i.e. there is no compulsion to do so).

Workers Choice Provision

The legislation recognises that Easter Sunday is a day of significance across New Zealand and some people would not want to work on this day. An additional change to the Shop Trading Hours Act 1990 is the worker's choice provision. This gives employees and employers the ability to negotiate freely, and gives employees the ability to refuse work on Easter Sunday without any repercussions to the employment relationship.



Easter in Napier

Easter weekend in Napier is a time of high visitor numbers. Our warm temperatures often extend into March/April making Napier a popular Easter weekend destination for both domestic tourists and foreign visitors alike. Easter also falls within the cruise ship season, so there is a high probability of a cruise ship being in Port on Easter Sunday.

Religious Beliefs

Easter Sunday is an important day in the Christian church calendar because it celebrates Jesus Christ's resurrection, according to Christian belief. At the 2013 Census, 26,379 Napier people (46% of the population) reported as having a Christian based religious affiliation.

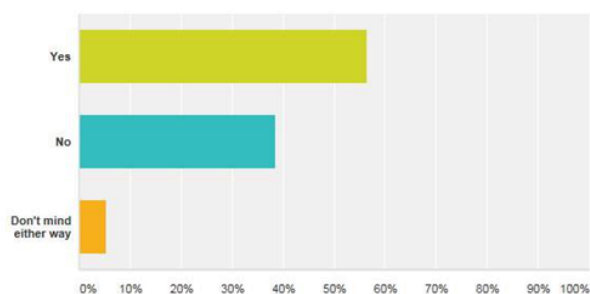
Community Survey

To help inform decision making on this policy, Council conducted an informal consultation through an online survey in November 2016. This survey was open for a 2 week period and was advertised on our Facebook page and on our Website. The survey results show that over half of those surveyed are either in support or are neutral to this proposal.

The results of this survey can be seen here:

Do you think retailers in Napier should be given the option to open on Easter Sunday?

Answered: 271 Skipped: 1



Answer Choices	Responses
Yes	56.46% 153
No	38.38% 104
Don't mind either way	5.17% 14
Total	271

Comments (59)



Overview of Proposed Policy

Under the amended Shop Trading Hours Act 1990, Council is able to adopt a policy that allows shops to trade on Easter Sunday. Alternatively, Council may decide not to adopt a policy, in which case, shops must remain closed.

The policy needs to define whether trading on Easter Sunday can occur in:

- a) the whole of the district; or
- b) any parts of the district

The policy cannot:

- a) permit shops to open for only some purposes; or
- b) permit only some types of shops to open; or
- c) specify times at which shops may or may not open; or
- d) include any other conditions as to the circumstances in which shops in the area may open;
- e) require shops to open;
- f) limit Council's ability to undertake its duties under any other Act (e.g. the regulation of the sale and supply of alcohol)
- g) address shop employee's rights (which are governed by the requirements of the Shop Trading Hours Act 1990 and which allows shop employees to refuse to work on Easter Sunday)

For the purpose of this policy, the definition of a shop under the Act is as follows:

shop means a building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include—

- i. a private home where the owner or occupier's effects are being sold (by auction or otherwise); or
- ii. a building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them; or
- iii. a building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again.

Options

Accordingly, the Council has three options:





1. To adopt a policy and allow shops to open in the whole of the district; or
2. To adopt a policy that allows shops to open in only certain parts of the district; or
3. To not adopt a policy (in which case most shops must remain closed on Easter Sunday).

Having regard to all of the above, the Council is proposing option 1. A policy that allows shops in the whole of the district to be open on Easter Sunday. Considering the small size of our district, and the repercussions that could occur by suggesting some parts can trade while others cannot, (e.g. city centre vs all of Napier) Council are proposing to consult on a policy that allows Easter trading in the whole of the district.

Have your say

Before making any final decisions, we'd like to have your input. We welcome submissions from any interested person or organisation on any aspect of the proposed policy.

Submissions need to be received by 12pm Friday 9 November

You can make an online submission by visiting our website www.napier.govt.nz and clicking on the 'submit it' button or by typing in the keyword #EasterSundayTradingPolicy.

Or you can fill out the submission form attached and either:

- email it to: info@napier.govt.nz
- Post it to: Freepost 172273 Easter Sunday Trading Policy, Napier City Council, Private Bag 6010, Napier 4142.
- Deliver it in person to the Civic Building Reception, Level 1, 232 Hastings Street, Napier.

If you would like to speak to your submission, please indicate this and provide your contact details on your submission. A Council meeting to hear submissions will be held in late November. We will be in touch to let you know the date and time.



Draft Local Easter Sunday Trading Policy			
Approved by:	Council		
Department:	City Strategy		
Date Approved:		Reviewed:	
Review Cycle:	5 yearly	DOC ID:	
Relevant Legislation:	Shop Trading Hours Act 1990		

Purpose

The purpose of this policy is to enable shops to trade on Easter Sunday if they wish. This policy is made under Subpart 1 of Part 2 of the Shop Trading Hours Act 1990.

Scope

This policy applies to the whole of the Napier District. This policy does not apply to the sale and supply of alcohol which is regulated under the Sale and Supply of Alcohol Act 2012.

Policy

- 1.1 Shop trading is permitted on Easter Sundays though out the whole of the Napier District as defined by the map in Schedule A.
- 1.2 The choice to open rests with each individual retailer. The Policy neither requires shops to open, or individuals to shop on Easter Sunday.
- 1.3 Council recognises that Easter Sunday is a day of significance across New Zealand and some people will choose not to work on this day. Subpart 2 of Part 2 of the Shop Trading Hours Act 1990 includes a workers choice provision that outlines a shop employee's right to refuse to work on Easter Sunday.

Definitions

For the purpose of this policy:

Shop means a building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include—

- (a) a private home where the owner or occupier's effects are being sold (by auction or otherwise); or
- (b) a building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them; or
- (c) a building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again.



Schedule A: Map of the Napier District



3. DISTRICT PLAN REVIEW - PRE-ENGAGEMENT STRATEGY

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	634986
<i>Reporting Officer/s & Unit:</i>	Catherine Reaburn, Senior Policy Planner

3.1 Purpose of Report

The purpose of this report is for Council to approve the pre-engagement strategy for the District Plan Review (DPR).

Officer's Recommendation

That the Strategy and Infrastructure Committee:

- a. Endorse the District Plan Review pre-engagement strategy.

Chairperson's Recommendation

That the Council resolve that the officer's recommendation be adopted.

3.2 Background Summary

On 21st August 2018, Council's Strategy and Infrastructure Committee recommended to "endorse 'in principle' both the overall strategic direction for the review and the indicative overall process the review of the District Plan will follow". This recommendation was adopted by Council on the 18th September 2018.

The next step in the DPR process is pre-engagement. Three parallel strands of pre-engagement are proposed, as follows.

Launch "Our City, Our Home" – key city outcomes

The key focus for pre-engagement with the general public is to launch, generate interest and excitement, and obtain feedback and buy-in on the strategic outcomes for the city. The pre-engagement will focus on making the city outcomes accessible, interesting and relevant to the general community and will provide opportunities to engage online and face to face (through pop-ups). The purpose of this pre-engagement stream will be to confirm the overall strategic direction for the District Plan Review and identify the other strategies and projects undertaken by Council that contribute to the strategic outcomes. The intention is that the DPR will then contribute to achieving the confirmed outcomes (as one "tool in the toolbox" for building "Our City, Our Home").

This pre-engagement stream will be undertaken through a range of methods including development of an interactive website under "Say It Napier" based on the "Our City, Our Home" concept, video, social media, email banner, email distribution networks and billboards.

Public pre-engagement on "Our City, Our Home" is scheduled to commence on 5 November 2018 and finish on 30 November 2018.

Stakeholder feedback on issues to be considered in the District Plan Review:

The key focus for pre-engagement with key stakeholders is to receive meaningful feedback on resource management issues that affect them and on potential options to address those issues. This will be undertaken in the context of the preliminary city outcomes and strategic direction, but with a focus on particular matters of interest to each stakeholder. Feedback from stakeholders will be considered in development of the officers' recommendations and subsequently when determining which options Council adopts in developing the draft District Plan.

Pre-engagement on specific issues of interest will be tailored to the stakeholder to ensure meaningful feedback is received. A range of engagement methods are proposed including information brochures outlining issues and options for feedback; tailored presentations at regular meetings of stakeholder groups/organisations; one-on-one meetings; and distribution of information through email networks and newsletters.

The first round of this strand of pre-engagement will run in parallel with the public engagement strand (i.e. from 5 November to 30 November) to provide officers with an early understanding of priority issues and areas of risk. However, officers note that engagement with stakeholders will be iterative through the preparation of the draft District Plan and will be tailored and targeted as appropriate for each issue.

Mana whenua

A hui with mana whenua is proposed. A key question of this hui will be asking mana whenua representatives how they wish to be engaged in the process. An engagement strategy for the full District Plan Review process will then be developed in collaboration with mana whenua.

3.3 Issues

The key issue is providing an appropriate level of information to the public and to stakeholders, while ensuring meaningful engagement. Engagement on the strategic outcomes is more informative and general. Feedback on particular issues is more useful from those stakeholders affected by that issue. For example, the port and residents on Bluff Hill will be able to give meaningful feedback on the issue of port noise. The pre-engagement strategy enables an appropriate level of detail and information to be targeted to each audience.

3.4 Significance and Engagement

The District Plan potentially affects every person, business and property owner in Napier. A full review of the District Plan typically only occurs once every 10-15 years and provides a unique opportunity for the community to input into its development. The pre-engagement period will be the first in a series of opportunities for the community and stakeholders to input into the District Plan development. Given this, the matter has significant from minimal to high impact to the community.

It is noted that pre-engagement is not a legislative requirement under the Resource Management Act 1991.

3.5 Implications

Financial

The pre-engagement strategy will be resourced and managed within existing budget allocated to the District Plan Review.

Social & Policy

Feedback obtained through pre-engagement will be considered together with legislative requirements and existing Council policies when developing the draft District Plan.

Risk

The risk is that should Council decide not to undertake pre-engagement, the scope, complexity, time and resourcing required to deliver the District Plan Review may expand significantly at a later date and potentially also compromise the quality of the final product.

3.6 Options

The options available to Council are as follows:

- a. Endorse 'in principle' the pre-engagement strategy for the District Plan Review
- b. Not to endorse 'in principle' the pre-engagement strategy for the District Plan review.

3.7 Development of Preferred Option

The preferred option is for Council to endorse 'in principle' the pre-engagement strategy for the District Plan Review. This will enable Council to launch the city outcomes; to obtain community support and feedback; and to enable confirmation of the strategic direction for the DPR. Council will also obtain meaningful feedback on potential planning options to assist officers in determining the content of the draft District Plan.

3.8 Attachments

- A Visual summary of pre-engagement concept [↓](#)

Stream #1 – Launch Our City, Our Home
Key city outcomes



Greenfield growth in the hills
Premier Regional Park in Ahuriri Estuary
City living supporting a vibrant CBD
Leveraging our heritage
Great urban areas
Regional approach to industry



- Catering for the extra kids + inlaws
- A kickass garden for the kids to play in
- Open plan living
- Keeping the character of the villa even though it's a bit impractical
- Our house is part of a great neighbourho
- Sharing the drive with the neighbours

Stream #2 - Stakeholder feedback on
District Plan principles and issues

District Plan Principles
Foundations for
“Our City, Our Home”



Issues and options to be identified under the following workstreams:

Subdivision and
earthworks

Transport

Natural
hazards

Coastal, landscape,
biodiversity

Heritage and
character

Mana whenua

Residential

Rural

Commercial

Industrial

Ahuriri

4. PARKING CONTROL CHANGE - UPPER TIFFEN CAR PARK

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Parking Control Bylaw 2014
<i>Document ID:</i>	603217
<i>Reporting Officer/s & Unit:</i>	Richard Munneke, Director City Strategy

4.1 Purpose of Report

To seek council approval to convert the upper floor of Tiffen Car Park from pay and display all day casual parking to leased car parking during the week days (Monday to Friday).

Officer's Recommendation

That the Strategy and Infrastructure Committee:

- a. Resolve that the Upper Tiffen car park becomes leased car parking (Monday to Friday).
 - i. That the rate be set at \$25.00 per week.
- b. Resolve that the ground level of Tiffen car park becomes \$5 all day casual parking Monday to Saturday

Chairperson's Recommendation

That the Council resolve that the officer's recommendation be adopted.

4.2 Background Summary

As previously outlined in the 26 June 2018 Open Agenda item to Council, parking supply in the CBD is at a premium with occupancy levels for on-street car parking increasing from 54% in 2014 to 72% in 2017. The free "gravel pit" private parking has now ended. The removal of this parking has placed additional strain on parking resources, particularly for all day parking with approximately 300 further cars requiring parking in the wider CBD.

The City Vision principles of "putting people first", "pedal power" and "being open for business" are key to the future direction of parking in the city. Collectively this approach promotes more flexibility, innovation and experimentation to occur alongside a focus on implementing measures to encourage compliance.

With these principles in mind, recent changes to parking controls were put in place and have been well received, with early indications they are having a positive effect.

Leased car parking is in high demand. Occupancy levels of leased car parks are at 100% and demand and interest in leased parking is strong (with a waiting list of over 200 people wanting a lease carpark). There has been fast uptake of leases at the newly released Edwardes Street leased carpark.

The Upper Tiffen Car Park achieves 95% occupancy on Monday – Friday, and is currently being utilised as a pseudo leased car park with regular users. Saturday

occupancy averages 41%. The lower level of Tiffen Car Park is currently a casual carpark at \$1.00 per hour and no time restrictions. Average weekday occupancy is at 61%. Saturday occupancy averages 67%.

Given the infrastructure is in place, it is proposed Council trial the dual use of the car park as Monday – Friday leased parking on the Upper Tiffen Car Park and casual all day parking on the lower carpark at the same \$5 rate rather than \$1 per hour, which would increase occupancy on this level.

4.3 Issues

It is important that leased car parking opportunities are realised as this is the best way to allow commuters who work in the CBD certainty of a carpark without cluttering up car parking that is meant for shoppers and casual CBD town experiences. Clearly having over 200 people on the waiting list will put an undue strain on casual parking infrastructure.

Leased parking on the northern side of town is at a premium given the limited offerings because of geographical constraints. Accordingly, people wishing to lease a carpark in the northern vicinity would need to demonstrate that their place of work is in this vicinity. This would ensure that the Upper Tiffin carpark is being utilised appropriately.

4.4 Significance and Engagement

The change to weekday leased car parking will require good communication with the public and current carpark users. This will be achieved using a similar method as that used for the conversion of the Edwardes Street carpark to a leased park.

4.5 Implications

Financial

The infrastructure needed to enable the dual use of this carpark (e.g. leased during the weekday and pay and display in the weekends) is already in place, with no investment in infrastructure required. It is expected that the change will result in a similar intake of revenue from this level of the carpark.

There will be costs associated with installing signage. These are considered minor and can be incorporated within existing operational budgets.

Social & Policy

The City Vision principles are applied to the management of the parking resource.

A Parking Strategy document is still to be considered by Council, which will set out the longer-term direction of parking in the city. However, this proposal is consistent with the draft strategy and the discussions held at council workshops.

Risk

The risk is that congestion and frustration with car parking options will increase if additional leased car parks are not added to the city's supply.

4.6 Options

The options available to Council are as follows:

- a. Do nothing
- b. Approve the changes being proposed
- c. Instruct Officers to consider other options for increasing leased parking

4.7 Development of Preferred Option

The preferred option is to approve the changes being proposed. The overall aim of this change is to provide for all day leased car parking for CBD workers and maintain a casual all day option, thereby optimising the use of the Tiffen car park in particular but also the overall parking offering in the city for shoppers and casual CBD parking requirements. It is also important to have a mind-set of continual “tweaking” in response to an ever-changing CBD occupancy. In this way, the public car parking offering can stay relevant to the CBD parking needs.

Officers will monitor the response to the changes and amend them as required to meet the demands of the various customers.

4.8 Attachments

A Tiffen Carpark Upper Level [↓](#)



5. ROAD STOPPING - EDWARDES STREET

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Public Works Act 1981
<i>Document ID:</i>	634953
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

5.1 Purpose of Report

To seek a Council resolution to:

- a) Declare the service lane described in the Schedule below as being stopped pursuant to Section 116 of the Public Works Act 1981; and
- b) Deal with the stopped service lane described in the Schedule pursuant to Section 117(3)(b) of the Public Works Act 1981 by vesting the stopped service lane in the adjoining owner, Eastside Enterprises Limited, and amalgamating the stopped service lane pursuant to Section 120(3) of the Public Works Act 1981 with the land in CFR HBV2/563.

Officer's Recommendation

That the Strategy and Infrastructure Committee:

- a. Declare the service lane described in the Schedule as being stopped pursuant to Section 116 of the Public Works Act 1981; and
- b. Deal with the stopped service lane described in the Schedule pursuant to Section 117(3)(b) of the Public Works Act 1981 by vesting the stopped service lane in Eastside Enterprises Limited, and amalgamating the stopped service lane pursuant to Section 120(3) of the Public Works Act 1981 with the land in CFR HBV2/563.

SCHEDULE

Hawke's Bay Land District – Napier City

Area (ha)	Legal Description	Adjoining
0.0233	Section 1 SO 528887	CFR HBV2/563

Chairperson's Recommendation

That the Council resolve that the officer's recommendation be adopted.

5.2 Background Summary

At the rear of The Warehouse building on the Edwardes Street frontage is a service lane vested in Council. Council no longer requires the service lane and it is exclusively used by The Warehouse as part of its loading and unloading processes.

In September 2016 Council entered into a Licence to Occupy for the service lane along with a Letter of Intent, that on completion of the redevelopment, Eastside Enterprises Limited (owner of The Warehouse building) would have a right to purchase this land at valuation. An Agreement has since been signed whereby Council agrees to stop the service lane and sell it to Eastside Enterprises Limited. The Agreement includes a provision that if The Warehouse building is demolished the land sold must be re-vested in the Council as a service lane.

The area of service lane to be stopped is shown on Section 1 on the attached copy of SO Plan 528887 and the aerial plan, areas "B" and "C".

It is proposed that Section 1 be declared stopped pursuant to Section 116 and vested in Eastside Enterprises Limited pursuant to Section 117(3)(b) and amalgamated with the adjoining land pursuant to Section 120(3).

That Declaration is now required.

5.3 Issues

There are no issues.

5.4 Significance and Engagement

Not applicable.

5.5 Implications

Financial

Council is currently receiving a fee for the Licence to Occupy. The sale price for the land will be a registered market valuation.

Eastside Enterprises are to pay all of Council's, including legal costs, for the road stopping.

Social & Policy

Not applicable.

Risk

Not applicable.

5.6 Options

The options available to Council are as follows:

- a. (Preferred option):
 - (i) To resolve pursuant to Section 116 of the Public Works Act 1981 to stop the service lane in the Schedule to this report.
 - (ii) To deal with the stopped service lane described in the Schedule pursuant to Sections 117(3) and 120(3) of the Public Works Act 1981 by declaring the stopped service lane to be vested in the adjoining owner, Eastside Enterprises Limited and amalgamated with the land in Certificate of Title HBV2/563.
- c. To not resolve to stop the service lane.

5.7 Development of Preferred Option

Option 1 is the preferred option as the service lane is no longer required by Council.

5.8 Attachments

- A The Warehouse aerial plan [↓](#)
- B The Warehouse SO Plan [↓](#)



Scale: 1:615
Original Sheet Size A4
Print Date: 12/07/2016

Digital map data sourced from Land Information New Zealand. CROWN COPYRIGHT RESERVED. The information displayed in the GIS has been taken from Napier City Council's databases and maps. It is made available in good faith but its accuracy or completeness is not guaranteed. If the information is relied on in support of a resource consent it should be verified independently.



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Title Plan - SO 528887

Survey Number	SO 528887
Surveyor Reference	4743 - NCC
Surveyor	Guy Derek Panckhurst
Survey Firm	Surveying The Bay Ltd (Hastings)
Surveyor Declaration	

Survey Details

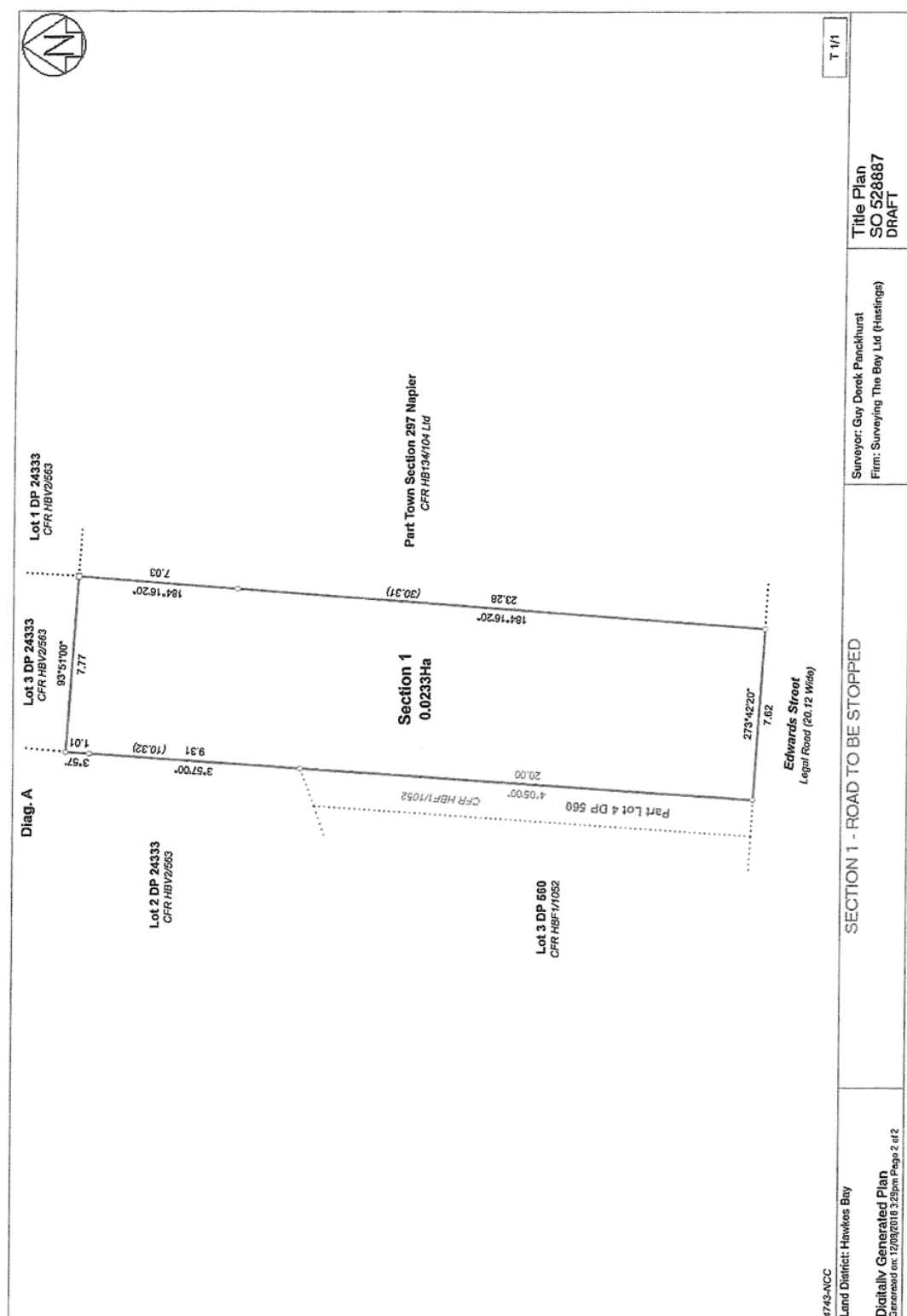
Dataset Description	SECTION 1 - ROAD TO BE STOPPED		
Status	Initiated		
Land District	Hawkes Bay	Survey Class	Class A
Submitted Date		Survey Approval Date	
		Deposit Date	

Territorial Authorities

Hastings District

Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Section 1 Survey Office Plan 528887	Legalisation	0.0233 Ha	
Total Area		0.0233 Ha	



STRATEGY AND INFRASTRUCTURE COMMITTEE

Open Minutes

Meeting Date:	Tuesday 21 August 2018
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Time:	3pm – 3.24pm
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Venue	Council Chambers Hawke's Bay Regional Council 159 Dalton Street Napier
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Present	Mayor Dalton, Councillors Price (In the Chair), Councillors Boag [from 3.10pm], Brosnan, Hague, Jeffery, McGrath, Tapine, Taylor, White, Wise and Wright
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In Attendance	Chief Executive, Director Corporate Services, Director City Services, Director City Strategy, Manager Communications and Marketing, Manager Business Transformation and Excellence, Team Leader Transportation, Strategic Planning Lead, Senior Policy Planner
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Administration	Governance Team
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Apologies

Councillors White / Brosnan

That the apology from Councillor Dallimore and apology for lateness from Councillor Boag be accepted.

Carried

Conflicts of interest

Nil

Public forum

Taradale Community Pool Trust - Brendon Rope and David Trim

Mr Rope and Mr Trim provided an update to Council on the project underway to repair the roof support and cladding for the pool, as well as the changes made to the governance of the facility. The Trust will maintain the asset, which will be operationally managed by Youthtown, as reputable national organisation who specialise in programmed activities. The Trust are seeking \$500K in funding from Council.

In response to questions from Councillors it was advised that the trust had not submitted under the Long term Plan process as they were waiting on approval from the Ministry of Education as well as confirmation of some project planning.

The Swim to Survive programme would be offered through schools and the Learn to Swim programme would be available via bookings. The main focus of the pool would be programmed activities through Youthtown as opposed to general public access.

The Trust intends to go to tender in October; it was anticipated that any tenders received would provide a more specific outline of costs required which could then form the basis of further funding applications.

Cr Boag joined the meeting at 3.10pm

Announcements by the Mayor

Nil

Announcements by the Chairperson

Nil

Announcements by the management

Nil

Confirmation of minutes

Councillors Brosnan / Taylor

That the Minutes of the meeting held on 10 July 2018 were taken as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. MARINE PARADE TRAFFIC CALMING - UPDATE

Type of Report:	Information
Legal Reference:	Enter Legal Reference
Document ID:	486985
Reporting Officer/s & Unit:	Fleur Lincoln, Strategic Planning Lead

1.1 Purpose of Report

The purpose of the report is to provide Council with a progress update, and to outline the proposed approach moving forward for this project.

At the Meeting

In response to questions from councillors it was advised that:

- The membership of the focus group has not yet been finalised and the request to include at least one councillor would be actioned
- The feedback provided by councillors on recommended changes to the current layout would be considered as part of the overall review, including matters such as the cycling lane 'pinch point' and signage for raised courtesy crossings
- While the Herschell Street leased parking may appear to be underused it belongs to the Masonic Hotel whose clientele use the parking in the evenings and at night

Committee's recommendation

Councillors Wright / Hague

The Strategy and Infrastructure Committee:

- a. Note the update provided by the Council Officer.

Carried

2. DISTRICT PLAN REVIEW - PROJECT LAUNCH

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	603455
<i>Reporting Officer/s & Unit:</i>	Dean Moriarity, Team Leader Policy Planning

2.1 Purpose of Report

The purpose of this report is to follow up on the seminar held with Council on 23 July 2018 regarding initiating a review of the District Plan and for Council to approve 'in principle' both the overall strategic direction for the review and the indicative overall process the review of the District Plan will follow.

At the Meeting

In response to questions from councillors it was clarified that:

- The communications and engagement strategy for the District Plan will be brought to Council, including around the "Our House" concept
- While the District Plan contains rules, it is also a strategic document which provides an overall guideline as to how the components of Napier interact with one another, and as such it has been brought to the Strategy and Infrastructure Committee at this stage in the project and not the Regulatory Committee

Committee's recommendation

Councillors Brosnan / Jeffery

The Strategy and Infrastructure Committee:

- Resolve to formally initiate the review of the current District Plan.
- Endorse 'in principle' both the overall strategic direction for the review and the indicative overall process the review of the District Plan will follow.

Carried

The meeting closed at 3.24pm

Approved and adopted as a true and accurate record of the meeting.

Chairperson

Date of approval