



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

Napier Civic Building
231 Hastings Street
t +64 6 835 7579
e info@napier.govt.nz
www.napier.govt.nz

EXTRAORDINARY MEETING OF COUNCIL

Open Agenda

Meeting Date:	Thursday 9 April 2020
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Time:	10am
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Venue:	via Zoom and livestreamed on Council's facebook page
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Council Members	Mayor Wise, Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Taylor, Wright
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Officer Responsible	Acting Chief Executive
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Administrator	Governance Team
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Next Council Meeting
Thursday 23 April 2020

ORDER OF BUSINESS

Apologies

Nil

Conflicts of interest

Public forum

Nil

Announcements by the Mayor including notification of minor matters not on the agenda

Note: re minor matters only - refer LGOIMA s46A(7A) and Standing Orders s9.13

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

Announcements by the management

Agenda items

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AGENDA ITEMS

1. WHAKARIRE REVETMENT - FUNDING DECISION

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	911279
<i>Reporting Officer/s & Unit:</i>	Jon Kingsford, Director Infrastructure Services

1.1 Purpose of Report

The purpose of this report is to:

- Update Council on recent engagement undertaken in relation to the Whakarire Avenue Revetment project
- Obtain approval to proceed with the project; and
- Confirm direction from Council on the balance on the public / private funding split for the project.

Officer's Recommendation

That Council:

- Note the change in scope of the project to now include stormwater conveyance, landscaping and third party supervision.
- Resolve to proceed with the project.
- Approve the updated project Cost Estimate that now includes additional items, including landscaping, stormwater conveyance and third party supervision and to fund the additional cost from loans.
- Approve the private contribution to be held at the same amount as per the 2019/20 consultation, resulting in a change to the public/private split to 2.5% private/ 97.5% public.
- Note that Council have committed to further consultation with residents of Whakarire Avenue to develop a landscaping plan and that this will be undertaken as the project commences.

Mayor's Recommendation

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

1.2 Background Summary

The Whakarire Revetment initiative has been in planning for many years and has been the subject of many discussions and reports. This report seeks to strike a balance between summarising past discussions and reports within the body of the report and appending reports to provide additional information.

The present breakwater was constructed in 1994 and encloses a small lagoon that fills and empties with the tide. The area is frequented by families over the summer season and by surfers at any time there is sufficient swell. However the area is not as popular as other beach areas as access to the lagoon and along the reserve area in front of the houses is difficult, with private infrastructure encroaching into the reserve.

The original sea wall was constructed of concrete rubble. In 1995 approximately 15,000 cubic metres of fine gravel and sand were placed behind, and adjacent to the sea wall. In 1997 the initial works were dressed with limestone rock armour although this is mainly confined to the leeward side.

In 2003 a BECA report on coastal erosion along Westshore identified that during a significant storm with elevated sea levels it is likely the existing breakwater would fail. (Beca 2003). At that time some of the limestone rock armour has become displaced and can be seen on both the seaward and leeward sides of the existing breakwater. Further displacement of rock has occurred in the intervening years, further compromising the integrity and effectiveness of the breakwater.

It is proposed to rebuild the existing breakwater that fronts properties in Whakarire Avenue. The existing structure also funnels waves into the southern end of Westshore Beach causing northward and seaward movement of sediment and the renourishment material placed there.

A consent application for the construction of a seawall was lodged with the Hawkes Bay Regional Council (HBRC) in 2009, for a significantly larger and more comprehensive structure than that which was finally consented.

The original design of the groynes to remediate the threat of coastal erosion in this area received significant opposition from the surfing community and local residents. As a consequence the resource consent application received many submissions in opposition. Through mediation a new design was introduced to the submitters. The new plans included a reserve area for public access and a revetment which would hug the coastline and not intrude into the surf break as the initial design had done. Residents in the Whakarire area and other submitters including the surfing community signed off on these new plans agreeing to the revetment and the reserve areas.

Consent was granted in October 2016 and is required to be given effect to within 5 years prior to the consent lapsing.

In order for the project to proceed, Council made available capital funding to the value of \$1.737mill in the 2018-28 Long Term Plan.

While funding of the revetment had never been actively discussed with the submitters or the Whakarire Avenue residents, there was an implicit assumption at the time that the costs would be absorbed by all the city's residents. This reflects that Napier (being a city council with relatively small rural land holdings) has not had a strong tradition of using targeted rates (N.B. current targeted rates are listed in the Long Term Plan on page 203).

Subsequent to the resource consent for the works being fully approved for construction, the regional coastal erosion work (Clifton to Tangoio Coastal Hazards Strategy) began to explore and define the beneficiaries from coastal erosion interventions to understand the link between those who benefit and those that are paying. In this way the community good and the private good is identified in particular.

Essentially this work has hypothesised that the immediate property abutting the coastal erosion will benefit significantly if work is done to halt that erosion. There is also a suggestion that there might be secondary beneficiaries, where a public space (reserve or road) lies between the property and the coastal erosion or where the local community might have added benefits of accessing the area under threat from erosion. Both of these scenarios are over and above the benefits received from doing the work by the rest of the Napier residents.

The work also identified regional and national beneficiaries. This included the Port and Airport and the region and nation as a whole. However it should be noted that these parties are difficult to realise funding from – therefore the while a percentage of benefit/cost can be apportioned it can't be collected using rates for example.

Council held a workshop to discuss and explore how such a funding split (as prescribed by Section 101 (3) of the Local Government Act) would apply to Whakarire revetment.

At Council's Finance Committee on the 18 of October 2018 the basic steps associated with an assessment under Section 101 (3) LGA applied to the Whakarire revetment project were outlined.

At the Council on the 11 of December 2018 the funding split of 97% public and 3% private was approved in Principle, noting that consultation would be undertaken regarding the funding model and that residents would have the opportunity to engage in that process.

In 2019/20 Annual Plan consultation process, on a targeted rate, feedback from the general community of 107 submitters, was 14% disagreed, 33% agreed, and 53% neutral. Of Whakarire Residents, 86% disagreed, and 14% were neutral.

Since that time, Officers have undertaken further consultation with residents.

Annual Plan and post Annual Plan consultation is detailed in the Consultation report (attachment A). Post Annual plan consultation is summarised below.

All owners and occupiers of the affected properties were invited to a meeting held on the 28th of November 2019 to discuss the project. 14 people attended the meeting which commenced with a presentation (included in the consultation report - attachment A) made by Jon Kingsford – Director Infrastructure and was followed by questions and answers.

Residents were asked to consider their support for the revetment project itself and the targeted rate proposal. At the meeting, all those present bar one resident advised they supported the revetment proceeding. Residents were advised that a letter requesting their feedback in writing by 31 January 2020 would be sent all residents including those that did not attend the meeting.

A letter (included in the consultation report - attachment A) was sent on 4 December summarising the points covered at the meeting and the impacts of proceeding or not proceeding with the revetment project.

A reminder email was sent to those who had not provided written feedback on 22 January 2020.

Residents from 12 of the 14 affected properties responded. The results are as follows:

Revetment Project

- Of the 12 respondents, 11 support the project proceeding (92%)

- Of the residents, 11 support the project proceeding, one is against the project proceeding and two did not respond. A total of **79% of residents support the revetment proceeding.**

Targeted Rate

- Of the 12 respondents, seven agree with the targeted rate (58%), four were against (33%) and one response was inconclusive.
- Of the residents, with seven agreeing, four against, one inconclusive and two with no response, a total of **50% of residents agree to the targeted rate.**

Detail on submissions and responses is available in the consultation report attached.

1.3 Issues

Following several engagement efforts with residents there is now clear majority support for the revetment project proceeding; however, there does not appear to be clear support for the targeted rate.

All consultation to date has been based on the project cost budgeted for in the 2018-28 Long Term Plan of \$1.747mill. The current project estimate, accounting for some changes in scope now place the project cost at \$2.2mill.

Of those that were willing to pay a targeted rate, several residents preferred to pay the full amount in a one-off payment and that the contribution be based on the \$1.747 million originally proposed as the project cost.

1.4 Significance and Engagement

Approval of a funding option will require further consultation through the 2020/21 Annual Plan. This matter has been incorporated into the recent report to Council on draft annual plan consultation items and is further discussed below.

1.5 Implications

Financial

Council Officers have reviewed the timing of the project and project costs, with revised costs of an estimated \$2.2 million.

The increased costs are partly due to expected increases in material costs, however the estimate now also includes items that amount to a change in scope to include stormwater management and landscaping (originally to come post project completion), and also recognises project and contract management costs, fees for the independent Chartered Engineering supervision of the construction and a contingency sum of \$200,000 + GST.

Social & Policy

N/A

Risk

One resident has responded to Council's engagement process through their barrister. This resident has voiced strong opposition to the project and to the proposal of a targeted rate. There is a risk that this resident will choose to further litigate this matter

with Council should the decision be made to proceed with the project and/or the targeted rate.

Council do have the choice of not proceeding with the project. Such a decision would recognise that the reserve then performs the role of a buffer to erosion of private property and will eventually be lost. Should the project not proceed the risk of coastal erosion resides with individual property owners. At this point Council may need to reassess whether protection of Charles Street is required and how it might be provided.

1.6 Options

The options available to Council are as follows:

- a. Not proceed with the project.
- b. Proceed with the project and rescind the resolution to seek a private contribution to the cost of construction, thereby choosing to fund the project from public funding only.
- c. Proceed with the project and proceed with the original 3% private contribution to the current construction estimate of \$2.2mill.
- d. Proceed with the project and resolve to adjust the private contribution to 2.5% of the current construction estimate \$2.2mill.

1.7 Development of Preferred Option

Council have invested a significant level of time and resources into the process to obtain the resource consent for the proposed revetment works. The consent process spanned a period of over 5 years and went to mediation in order to avoid the environment court.

While Council Officers are neutral as to whether the project proceeds or not, on principle to not realise this level of investment would be disappointing.

It would be very difficult for individual property owners, or a group of property owners to navigate the consent process should Council choose not proceed with the project.

A lot of time and effort has been invested engaging with property owners of Whakarire Avenue to provide further information on the project, understand their concerns and with regard to stormwater adapt the project to reach a better solution for residents. During this time, the discussion on the mooted 3% private share of a project cost of \$1.747mill. to now apply that 3% private share to the updated project cost (\$2.2mill) would likely result in a withdrawal of residents support for the project

The preferred option is therefore to proceed with the project and resolve to adjust the private contribution to 2.5% of the current construction estimate \$2.2mill.

1.8 Attachments

A Attachment A - Consultation Summary Report [↓](#)

WHAKARIRE REVETMENT CONSULTATION SUMMARY

INTRODUCTION

The Whakarire Revetment project was included in the Long Term Plan 2018-28 following the granting of resource consent which expires in May 2021. The project was scheduled to start in 2019/20. Council identified that there would be private benefit as a result of the installation of the revetment to the 14 residential properties on Whakarire Avenue that face the revetment site and as such recommended a targeted rate be implemented as a contribution to the project cost.

The introduction of the proposed targeted rate was included for consultation in the Annual Plan 2019/20 Consultation Document with targeted engagement with the affected residents (letters, meeting and site visits).

Annual Plan Submissions – Targeted Rate Response

Council received 107 submissions with 33% of submitters agreeing with the targeted rate, 14% opposing and 53% neutral.

Seven residents submitted through the Annual Plan consultation process and the Revenue and Financing Policy consultation that was running concurrently. Of the residents, 86% opposed the targeted rate (6) and 14% were neutral (1). A submission was also received from the Westshore Residents Association opposing the targeted rate.

There were several issues raised by the residents including the revetment project itself and the development of the reserve.

The full submissions report can be found:

http://napier.infocouncil.biz/Open/2019/06/CO_20190604_AGN_394_AT_EXTRA_WEB.htm

Council decided to put the matter on hold while further consultation with the affected residents took place.

POST ANNUAL PLAN 2019/20 CONSULTATION PROCESS

All owners and occupiers of the affected properties were invited to a meeting to discuss the project, the targeted rate and any subsequent landscaping of the reserve.

The meeting was held on 28 November 2019 at St Andrews Church, Westshore with 14 people attending. A presentation (Appendix 1) was made by Jon Kingsford – Director Infrastructure followed by questions and answers. Residents were asked to consider their support for the revetment project itself and the targeted rate proposal. At the meeting, all those present bar one resident advised they supported the revetment proceeding. Residents were advised that a letter requesting their feedback in writing by 31 January 2020 would be sent all residents including those that did not attend the meeting.

A letter (Appendix 2) was sent on 4 December 2019 summarising the points covered at the meeting and the impacts of proceeding or not proceeding with the revetment project.

A reminder email was sent to those who had not provided written feedback on 22 January 2020.

RESPONSE

Residents from 12 of the 14 affected properties responded. The results are as follows:

Revetment Project

- Of the 12 respondents, 11 support the project proceeding (92%)

- Of the residents, 11 support the project proceeding, one is against the project proceeding and two did not respond. A total of **79% of residents support the revetment proceeding**.

Targeted Rate

- Of the 12 respondents, seven agree with the targeted rate (58%), four were against (33%) and one response was inconclusive.
- Of the residents, with seven agreeing, four against, one inconclusive and two with no response, a total of **50% of residents agree to the targeted rate**.

Several residents wished to pay the full amount in a one-off payment and that the contribution be based on the \$1.8 million originally proposed as the project cost.

Other feedback

Comments were received regarding the reserve development and some residents desire to be involved in the process. Residents have been advised on several occasions that the walkway would be installed on the reserve as far away as possible from their properties and that a landscaping concept would be shared with them for their feedback following Council's decision on the matter.

One resident asked that the Council guarantee that the capital values of the properties affected do not diminish as a result of the project and that Council should promote the advantages of the revetment to reassure prospective purchasers of the advantages and possible increases of value as a result of the project.

Summary list of feedback

All written feedback is attached (Appendix 3)

Received from	Summary of feedback	Officers response
Mark Johnson	Supports the revetment proceeding. Agrees to targeted rate, would like more information on the term and interest at some stage. Commended consultation process.	Further information will be provided about the payment of the targeted rate once the Council decision is made.
Judy Tindall	Supports the revetment proceeding and quickly to avoid further resource consent applications. Requests ongoing consultation Not satisfied with stormwater arrangements. Agrees to targeted rate.	Further engagement with residents is planned regarding the landscaping plans for the reserve. The plan for stormwater is not based on 'pooling' water.
Jim and Robin Cranford	Supports the revetment proceeding. Agrees to targeted rate based on the 3% previously proposed.	The consultation was based on 3% of the cost of the work. Project costs have increased since the original estimate, however, it is recommended any targeted rate is based on the estimate project cost given it was the basis of the 2019/20 consultation.
Dorothy Townshend	See attached letter Opposes the revetment proceeding and requests that if the project is to proceed, it needs to be clearly understood that this is expressly against her will Opposes the targeted rate	The full written feedback is attached for noting. Further engagement with residents is planned regarding the landscaping plans for the reserve which will consider the safety concerns raised by residents

	<p>Requests that Council engages with residents regarding the landscaping plan for the reserve</p> <p>Highlights concerns regarding safety and security</p> <p>Requests that the pathway be located as close to the coastal edge as possible</p> <p>Suggests that a strip of land bordering private titles along Whakarire Ave is reclassified as local purpose reserve and subsequently leased to residents.</p>	<p>The public good derived from the revetment project (and recognised in the cost split) is the protection and improved access to the reserve land. Reducing the reserve size by leasing a portion to residents could reduce the public good resulting from the project.</p>
Simon and Hettie Tremain	<p>Supports the revetment proceeding.</p> <p>Does not support the targeted rate.</p> <p>Raised some concerns regarding the proposed stormwater drain as being a hazard.</p> <p>Makes some suggestions for landscaping with the offer to pay for plants in front of their property</p> <p>Highlights concerns regarding drugs and crime that may occur in the reserve.</p>	<p>Officers have visited the Tremains to discuss the proposed stormwater drain that would be located in front of their property on the reserve. Officers confirmed that the point at which any drain would discharge to the swale would be placed to ensure water would not flow back into their property. The swale itself won't be made of solid concrete which had been a concern for these residents.</p> <p>Further engagement with residents is planned regarding the landscaping plans for the reserve, which will consider the safety concerns raised by residents.</p>
John Sutherland	<p>Supports the revetment proceeding.</p> <p>Agrees to the targeted rate based on 3% proposed.</p>	<p>The consultation was based on 3% of the cost of the work. Project costs have increased since the original estimate, however, it is recommended any targeted rate is based on the estimate project cost given it was the basis of the 2019/20 consultation.</p>
Adrienne Wakeling	<p>Supports the revetment proceeding.</p> <p>Agrees to the targeted rate based on 3% proposed.</p>	<p>The consultation was based on 3% of the cost of the work. Project costs have increased since the original estimate, however, it is recommended any targeted rate is based on the estimate project cost given it was the basis of the 2019/20 consultation.</p>
Alan and Karen Willis	<p>Supports the revetment proceeding.</p> <p>Does not support the targeted rate as there is already erosion protection around the property.</p> <p>Would like input into the development of the car park and landscaping so concerns around security and privacy can be considered.</p>	<p>Further engagement with residents is planned regarding the landscaping plans for the reserve, which will consider the safety concerns raised by residents.</p>
Brendan Mahoney on behalf of the BJ Mahony Farming Trust	<p>Does not support the targeted rate as this was not what was discussed when the project was planned initially.</p> <p>Should the targeted rate proceed, would like to negotiate the payment terms.</p>	<p>Further information will be provided about the payment of the targeted rate once the Council decision is made.</p>

Janet Davidson	<p>Supports the revetment proceeding.</p> <p>Agrees to the targeted rate as long as it is based on 3% of the \$1.8 million as the project was costed at the time of the initial consultation and that no extra charges be added (e.g. interest on loans).</p> <p>Suggests that Council must guarantee that capital values do not diminish as a result of the project either at this indecisive stage, during or following the revetment process.</p> <p>Suggest that Council should promote the advantages of the revetment.</p> <p>Requests that Council works with homeowners on the landscaping plan and highlights the care of cedar trees in particular.</p> <p>Suggests the work takes place in Winter to reduce dust and when there are less people in the area.</p>	<p>The consultation was based on 3% of the cost of the work. Project costs have increased since the original estimate, however, it is recommended any targeted rate is based on the estimate project cost given it was the basis of the 2019/20 consultation.</p> <p>Council is unable to guarantee capital values, there are a range of factors that contribute to the value of properties. The revetment project, should it proceed, would be added to the Land Information Memorandums (LIMs) for the appropriate properties as the project is initiated and progressed until its completion.</p> <p>Further engagement with residents is planned regarding the landscaping plans for the reserve, the information raised by Janet Davidson can be considered during this process.</p> <p>Council acknowledge the request to time the work in the Winter, and the reasoning for it but cannot guarantee the timing and associated construction programme until a full process is complete.</p>
Dennis and Pip Glenn	<p>Supports the revetment proceeding.</p> <p>Concerned about the location of the pathway being too close.</p> <p>Would like to know more about the targeted rate amount and process.</p>	<p>Further engagement with residents is planned regarding the landscaping plans for the reserve. However, officers confirmed at the meeting with residents, that the pathway would be located on the sea side of the reserve.</p> <p>Further information will be provided about the payment of the targeted rate once the Council decision is made.</p>
Max and Raewyn Goodall	<p>Supports the revetment proceeding.</p> <p>Against the targeted rate.</p> <p>Against the pathway and reserve development.</p> <p>Concerned about the pathway increasing crime in the area, particularly affecting the Whakarire Ave properties.</p> <p>Would be prepared to pay for plantings in front of their property but would like to retain the fence that encroaches on the reserve.</p>	<p>Further engagement with residents is planned regarding the landscaping plans for the reserve, which will consider the safety concerns raised by residents. The landscaping and pathway is intended to increase access to the reserve, current encroachment may restrict this access and will be considered as part of the landscape plan.</p>

APPENDIX 1: WHAKARIRE RESIDENTS MEETING 28 NOVEMBER 2019 – PRESENTATION

Whakarire Ave Revetment



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Looking Back



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Today



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CHZ-Napier District Plan – Dr J Gibb



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T&T CHZ – Coastal Hazards Strategy

Present Day erosion



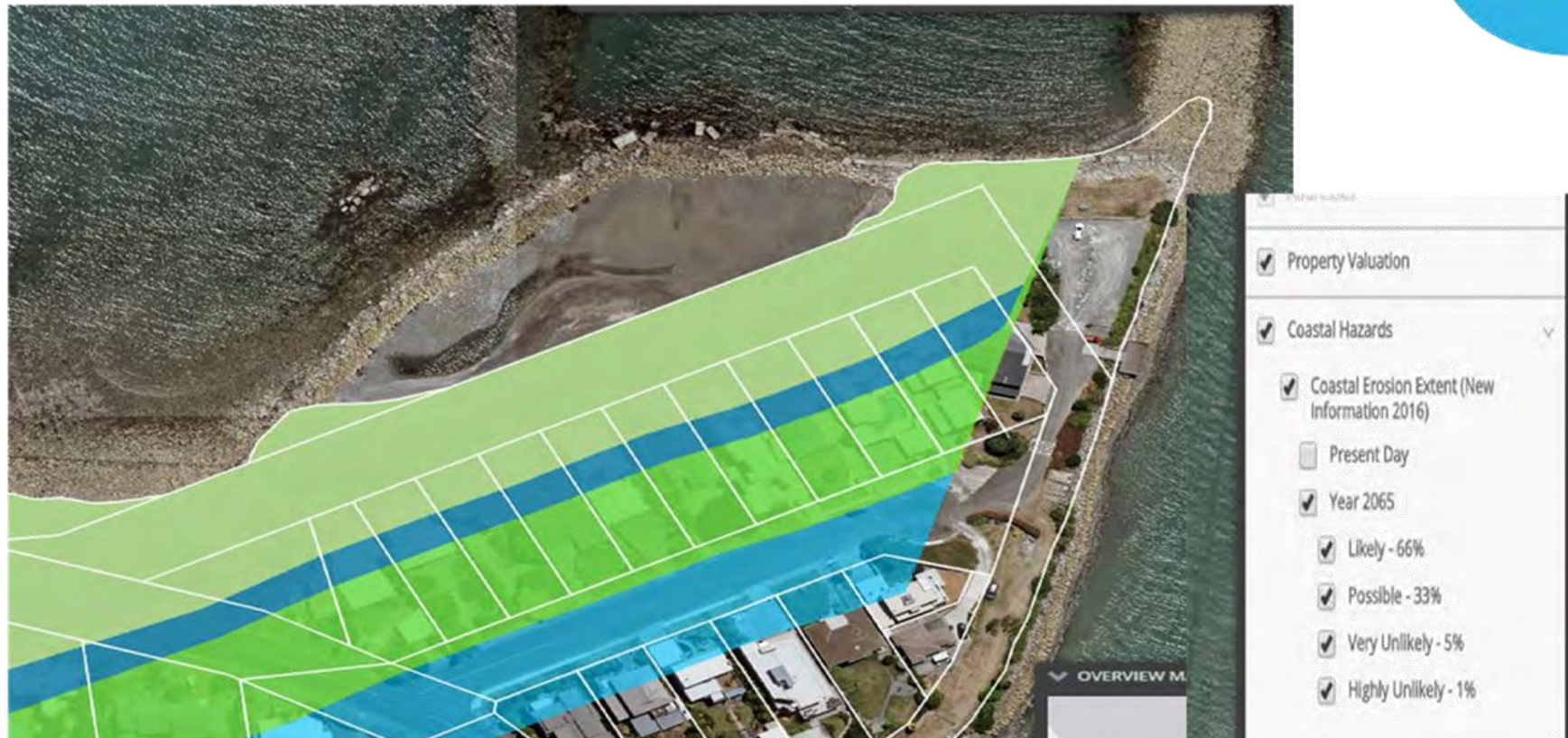
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T&T CHZ – Coastal Hazards Strategy 2065 erosion



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T&T CHZ – Coastal Hazards Strategy 2120 erosion



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T&T Coastal Inundation – 1% AEP 2065&2120



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History behind the Project

- Whakarire Ave recognised as erosion zone in 1990s
- The original protection were placed in recognition that erosion of the shoreline was occurring in 1994
- Further work in 1997
- This work caused erosion issues at the south end of Westshore beach
- in early 2000's recognised that existing protection not robust enough to provide long term protection
- Investigation and consent process to reinforce and enhance existing protection



Original proposal



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- Reasons for work in consent:
- Protect Whakarire Avenue Properties
- Creation of new recreational beach
- Public access to coastal marine area by lagoon improved
- No sediment transportation to Westshore beach interrupted
- Improve environment for future beach renourishment

Figure 4.1 H-Shaped Breakwater Layout



Consented Design



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Council's Position



The Consent Application identified reasons for the project:

- Protect Whakarire Avenue Properties
 - Creation of new recreational beach
 - Public access to coastal marine area by lagoon improved
 - No sediment transportation to Westshore beach interrupted
 - Improve environment for future beach renourishment
-
- The consented option does not achieve all of these goals, and will now only protect the reserve and private properties

Do Nothing is an Option, but



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- Council funding will be removed
- Ability to insure may be compromised
- Existing sea wall will fail with Sea Level Rise and/or during storm event
- Reserve land will be eroded
- Whakarire Ave properties at risk
- Future protection work would need to be re-litigated
- Full cost of future protection works may fall on property owners
- Consenting Timeframes very long



If Council's Decision is to proceed:

The following issues will need to be resolved:

- Location and alignment of pathway
- Landscaping/encroachment
- Public access
- Funding split



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Next Steps:

- Residents to provide written feedback on position regarding the revetment by 31 January 2020.
- All feedback taken to Council for decision.
- Decision communicated to residents.



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Discussion

APPENDIX 2: SUMMARY LETTER 4 DECEMBER 2019



4 December 2019

Name 1
Name 2
Address 1
Address 2
Address 3
Address 4 <> Postcode

Kia ora Name 1 and Name 2

Whakarire Revetment Meeting

Thank you for attending the meeting last Thursday where we discussed the future of the Whakarire Revetment project. The main points covered were:

- Current and future coastal erosion affecting the reserve and the northern Whakarire properties
- Inundation zoning
- History and current status of the project
- Next steps

As discussed at the meeting, we are seeking confirmation in writing of your position about whether you support the revetment project to proceed or not. We discussed the following points about these two courses of action:

Revetment proceeds	Revetment does not proceed
Council will use the funding allocated in 2019/20 as part of its Long Term Plan to build the Revetment	The funding will be removed from the Long Term Plan <ul style="list-style-type: none"> • Recommencing the protection work will need a new funding allocation or may fall fully to private property owners
Improved protection for the reserve with improved access to the public	The reserve will be further eroded
Improved protection for Whakarire Ave private properties	Whakarire Ave properties will be at risk <ul style="list-style-type: none"> • The ability to insure property may be compromised potentially affecting resale and property value

215 Hastings Street, Napier 4110
Private Bag 6010, Napier 4142
www.napier.govt.nz

t +64 6 835 7579
f +64 6 835 7574
e info@napier.govt.nz

	Current sea wall will potentially fail with sea level rise and/or significant storm event
The project will proceed under the current Resource Consent (due to expire on 31 May 2021)	A new resource consent will be required for any future protection work
Next Steps: <ul style="list-style-type: none"> • Landscaping options including placement and alignment of pathway and planting sites and types to be further discussed with residents • Encroachment issues to be resolved • Council decision on funding split and model 	Next Steps: <ul style="list-style-type: none"> • Funding will be removed from Long Term Plan

Council consulted with private property owners and the general public regarding the proposed funding split that acknowledges private benefit of the project during the Long Term Plan consultation in 2018. There were a number of issues raised by private property owners regarding both the funding split proposal and the project itself through this process. At that time, Council suspended its decision on the funding split matter until further engagement with the private property owners took place to specifically discuss the project proceeding or not.

In order for Council to confirm its position on the project, please provide your feedback in writing on the matter by 31 January 2020. Could you please also let us know your feedback on the proposed funding split at the same time, particularly if your position has changed from any submission you made to the Long Term Plan 2018-28. This will allow Council to consider the funding split matter at the same time, should it decide to proceed with the project.

Enclosed for your information is a copy of the presentation made at the meeting on 28 November 2019 and the information about the funding split for the Whakarire Revetment project in the Long Term Plan 2018-28 Consultation booklet. Also enclosed is the recent survey of your property we completed.

Please send your written feedback on the following matters by **31 January 2020**:

- Your position on the completion of the Whakarire Revetment (proceed or not proceed)
- The funding split proposal
- Any other comments you wish to make

You can submit your feedback by either emailing us at natasha.mackie@napier.govt.nz or by post to:

Community Services
Napier City Council
Private Bag 6010
Napier 4110
Attn: Natasha Mackie

We look forward to hearing from you, and will be in touch to advise when the Council will be considering the matter. Once again, thank you for your participation at the meeting last week.

Nāku noa,nā

Jon Kingsford
DIRECTOR INFRASTRUCTURE SERVICES

APPENDIX 3: WRITTEN FEEDBACK FROM RESIDENTS

Redacted - s7(2)(a) Local Government Official Information and Meetings Act 1987

2. CIVIC PRECINCT PROJECT STEERING GROUP

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	908302
<i>Reporting Officer/s & Unit:</i>	Richard Munneke, Director City Strategy

2.1 Purpose of Report

The purpose of the report is to update Council on the process, recommendations and decisions made to date on the Council Civic offices, Hotel development, and new Napier Library. The report also seeks endorsement for the formation of a Steering Group to support the project's next steps through the development of a civic precinct masterplan.

Officer's Recommendation

That Council:

- a. Receive and accept in principle the recommendation from the Library site project steering group to pursue the development of the library on the Station Street site.
- b. Endorse the formation of a Civic Precinct Steering Group.
- c. Endorse the Civic Precinct Steering Group Terms of Reference.
- d. Note that the Civic Precinct Steering Group will undertake comprehensive master planning for the Civic Precinct including any important linkages beyond that site, keeping Council informed ahead of specific recommendations to Council on the master planning.
- e. Note that the Civic Precinct Steering Group will recommend key consultation steps to Council for the project
- f. Note the annual plan will include the preferred site for the library, and that any feedback on this through the annual plan can be forwarded to the Civic Precinct Steering Group for consideration in the master plan development
- g. Resolve that the time capsule and mural relating to the civic building be housed in temporary storage prior to demolition of the old civic site.

Mayor's Recommendation

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

2.2 Background Summary

The 2015-25 Long Term Plan allocated \$7.5m to fix seismic issues and refurbish the two civic buildings. Following the Kaikoura Earthquake of 2016, the Building (Earthquake-Prone Buildings) Amendment Act 2016 amended the method of assessing buildings for their seismic strength and how they were to be rated. In mid-2017 Council engaged structural engineering specialists to undertake a new seismic assessment of both the Library and Civic Buildings under the new Building Act requirements. The results of this assessment found that the Library Building achieved 15% NBS (new building standard), while the Civic Building achieved 10% NBS, making both buildings earthquake-prone.

In September 2017, the Napier Library relocated to its temporary premises at the MTG. Cost estimates to strengthen and refurbish both buildings were deemed unfeasible. Council offices were also decanted to the three buildings in which they are located presently.

In December 2017, a Statement of Proposal (SOP) to divest the site on which the Civic Building is located was approved by Council. The SOP was supported by a Business Case that showed how both the Council offices and a central Library could be accommodated within the Library Building site. Additionally, it considered which type of commercial development would provide the greatest benefit to the City, recommending that a 4+ star international-brand hotel was a viable prospect that could provide the greatest benefit to the City.

Hotel-Mixed Use Development

Following an early Expression of Interest (EOI) process, a Request for Proposal (RFP) was sent to several hotel operators. Candidates were assessed against a number of criteria including proven performance, financial backing, job creation, and environmental credentials. Council began negotiations with the winning candidate, Estilo, in 2018. This development would see a mixed-use development, with ground-floor retail, all day dining facilities, roof-top bar and a 4.5-star hotel of 128 rooms. The building would be of modular construction achieving a 5-star Green Star rating.

Modular construction, where the building is constructed using a series of modules built off-shore and assembled on-site, is a fairly new building technique in New Zealand, and does not have a standardised and well-tested method for ensuring construction meets New Zealand Building Code requirements. This presents a risk to Council in relation to liability. Council are currently working through ways to reduce this risk with the Ministry of Building, Innovation and Enterprise (MBIE).

While negotiations continue, Council Officers will continue working with MBIE and will demolish the Civic Building, making the site ready for redevelopment.

In terms of demolition two matters require resolution that being the time capsule and the mural on the east wall. It is envisaged that these be removed to temporary storage so that they do not hold up the demolition programme in the meantime. From there each item's permanent home can form a project in its own right.

Library

In 2018, Council adopted the Library Strategy, which established the community's needs for Napier's new Library, and helped define the criteria for a suitable Library site. Requirements included a minimum of 2000sqm public space over a maximum of two levels, access to the outdoors, a sense of place, accessible and adaptable spaces, and a good neighbour and landlord to likeminded collaborators.

Using this information, Council Officers devised a multi-criteria analysis that, once approved by Council, was used to assess the 16 Napier CBD sites that had been suggested. A steering group comprising of elected members and Council officers considered the all the sites against the selection criteria. Three sites were short-listed, including one privately-owned site and two publicly-owned sites. One of these was the site of the former Napier Library, at 22 Station Street, while the other was a site formed

by taking sections of road, and a small portion of Memorial Square, connecting to a refurbished Women's Rest. Further due diligence on all three sites discounted both the privately-owned site and the Memorial/Clive Square site, leaving the recommended site of Station Street, the home of the former Napier Library. The site selection process together with the findings of the steering group can be found at attachment?

This paper seeks endorsement from the Council to accept the site selection process in principal and indicate that Council efforts now focus on master planning the library with the civic function and the hotel development in what is termed at this stage the civic precinct.

Council will signal to the public its' desire to return the library function to its original site through this years' annual planning process and request feedback. Comprehensive public engagement including a full statement of proposal can then occur on the masterplan for the entire site.

Civic Offices

Following the Council decision declaring the Civic Building surplus to Council requirements, Council engaged consultants PWC to prepare a Business Case on the options for the new Council Offices. A long list of options was considered including, but not limited to the reuse of the old Library Tower building; the demolition of the library Tower building and rebuild of a new building on this site; continued leasing of the existing buildings, and the purchase and fit out of another building. In assessing these options, it was important that a number of outcomes could be achieved, including:

- Optimising the footprint/cost per person
- Customer experience
- An accessible Chambers/place for democracy
- Optimised workplace quality
- Improved Councillor facilities
- Alignment with City Vision principles
- Financially acceptable

The recommendation made in the Business Case was to strengthen and refurbish the former Library Tower Building for Council Offices. This recommendation was however, made in isolation of the site selection process for the Library, and it is now necessary to bring all three of the above projects together to ensure the right decisions are made for the City. One of the options that was considered in the Business Case was to purchase and fit out another building. The Dalton/Vautier House Building located to the south of the Library Building is currently on the market and given its size, location and vacancy, is worth considering to further strengthen this Civic campus.

Project Trifecta

A Civic Campus at Station Street, including the Hotel on the Hastings Street edge, would anchor the southern extent of the City and bring greater vibrancy and foot traffic to this

area. It would present an opportunity to reimagine Station Street as a pedestrian-centred street and a revitalised Civic Court.

Some funding has already been provided for in the Long Term Plan for each of these projects, though it is expected that these will be revised as decisions are advanced and design finalised. Sufficient funding is available in this financial year for the demolition of the Civic Building. The Library has \$15.8m allocated, of which the majority sits in the 21/22 financial year. The Civic Offices have primarily OPEX funding available until such time decisions are made on the future direction of these.

To take this project forward, it is recommended that a steering group be formed to guide Council Officers in procedural matters as they relate to Project Trifecta. The makeup, responsibilities and Terms of Reference for this Working Party will be presented to Council for endorsement in the new year.

2.3 Issues

This report provides an update to Council on progress thus far of the three projects that comprise Project Trifecta, and presents a recommendation to form a project steering group to take this project through its future steps and address the myriad of issues that such a development will likely encounter.

Given the scale of the project it is essential that comprehensive master planning is undertaken for the site to ensure that the opportunities of the three developments and possibly others are realised and also that the community can engage with an overall plan in the first instance rather than individual component parts. The Masterplan development will require input from various sectors of the community and we recommend that it be appropriately resourced and advised by external providers well versed in civic projects of this magnitude. In this way the steering group will receive best practice advice from the outset.

2.4 Significance and Engagement

N/A

2.5 Implications

Financial

There is funding required for master planning, which can be accommodated within existing budgets in the first instance. There are no further financial implications at this stage, however any implications identified will be reported to Council as decisions are made and detailed design is finalised.

Social & Policy

N/A

Risk

This report provides an update to Council on the process to date, and recommends an approach for the project as it progresses to the next phase.

The main risk at this stage is that Council pursues individual projects without master planning first and a secondary risk is that insufficient resources are allocated to procuring and appropriately skilled external provider to undertake the master planning exercise.

2.6 Options

N/A

2.7 Development of Preferred Option

Steering groups that guide the direction of a project are best practice and commonplace within the industry. A Steering Group was established for the Napier Library project, which proved to be an invaluable tool for ensuring transparency and a representative voice from the community through the representation of Councillors.

This is a complex challenging city changing project of a scale that requires careful consideration of the issues and opportunities. A steering group can provide the relevant focus required across the wide-ranging issues that will be encountered and provide recommendations to the Council on a way forward.

2.8 Attachments

- A Civic Precinct Steering Group - Terms of Reference [↓](#)
- B Library Project Update Memo to Council, 12 November 2019 [↓](#)



Civic Precinct Steering Group

Terms of Reference

Purpose

The Council has three major developments to work through on the Civic precinct site (refer Figure 1 attached). These are the new Napier City Library, the Civic Offices, and the establishment of a Hotel (or other commercial development should the Hotel prove not to be a viable option).

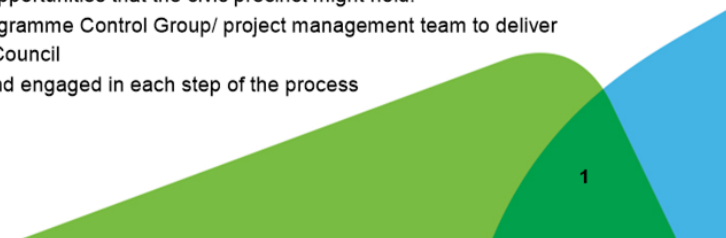
All three projects have had been advanced in isolation, however now that they are proposed to locate in the civic precinct it makes sense to manage the three projects in a coordinated way.

The library site selection process has already been successfully concluded through a steering group and it is proposed that a similar group now work through the next phase of project development.

The purpose then of the Civic Precinct Steering Group (the Steering Group) is to complete an options analyses for the development of this precinct. These include; the new Napier City Library, the Civic Offices, and the Hotel, develop community consultation gateways, keep council informed and engaged in the project and present the final options and recommendations to Council.

Objectives

- Develop a Master Programme for the Civic Precinct and Library Master Plan Project that will take this project from inception through to the endorsement of recommended development options by Council
- Acknowledge and engage with a range of interested parties and stakeholder groups in the development of the master plan.
- Undertake and/or to oversee the completion of a Business Case(s) that will consider all valid options available for the development of a new Napier Library on the former Napier Library site, and for the development of Civic Offices within the precinct, which may or may not include co-location with the Napier Library.
- Investigate opportunities of co-location opportunities within the precinct initially between the civic library and hotel. Explore opportunities with other possibilities for co-location where synergies exist
- Ensure best urban design initiatives are built into the business case including access ways through to civic court, customer service synergies between the library and civic functions and any other opportunities that the civic precinct might hold.
- Work closely with the Programme Control Group/ project management team to deliver the Business Case(s) to Council
- Keep Council informed and engaged in each step of the process



- Present recommendations to Council for a decision including stages requiring public consultation.
- Prepare and present to Council a Communications and Engagement Plan for each stage as appropriate

Principles

- Members bring objectivity and contribute proactively to achieve the objectives and working groups terms of reference
- Each member has expertise, knowledge and resources they will contribute to achieve the purpose
- Members ensure their views are expressed, and all views are explored to support a robust process.

Membership

The Steering Group comprises Napier City Council Staff, Councillors and independent members as required at stages of the process.

Standing working group members are:

<ul style="list-style-type: none"> • Adele Henderson, Director Corporate Services • Antoinette Campbell, Director Community Services • Richard Munneke, Director City Strategy • Darran Gillies, Library Manager • Paulina Wilhelm, City Development Manager • James Mear, Manager Design and Projects (Project Manager) • Brian Faulkner, Manager Property 	<ul style="list-style-type: none"> • Councillor Annette Brosnan Chair • Councillor Ronda Crystal (deputy Chair) • Councillor Tania Wright
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The Steering Group may engage external Project Management support (given the magnitude of the project this is recommended) who will help develop projects specialist support, future precinct work streams, and a building projects delivery team to deliver the Business Case(s) and present recommendations. This will include internal and external people resources.

At the Chairs discretion, additional members can be seconded to the steering group. This may be from other organisations who have an interest in cohabitating in the civic precinct (i.e. HBRC or Citizens Advice).



Also at the Chairs discretion, it may also be appropriate to form a community reference group of representative community persons to provide a sounding board for the steering group on the options to develop the civic and library sites or any other matter where community or a specific community group (i.e. friends of the library) views would be beneficial.

Role of members

- To provide knowledge and resources from their areas of expertise to guide the process.
- To share relevant information that contributes to the process.
- To undertake activities, including liaising with any key stakeholders, to achieve the objectives.

Role of the Chair

- Facilitates Steering Group meetings.
- Acts as a point of contact for the Steering Group.
- The Deputy Chair will act as the Chair in their absence.

Term

This group has been formed to assist with the Civic Precinct and Library Master Plan Project to deliver the stated objectives, and will conclude once that process is complete.

Meetings

- Fortnightly (initially).
- Notes are taken at each meeting and distributed to all members.

Communication Protocol

Media enquiries, media releases and statements about the process will be drafted by Council's communications team and signed off by the steering group through the Chair.

Councillor members will keep the wider Council informed on a regular basis and also recommend workshops and agenda items as appropriate.

Review Date

The Terms of Reference will be reviewed should the Steering Group continue beyond achieving its purpose.



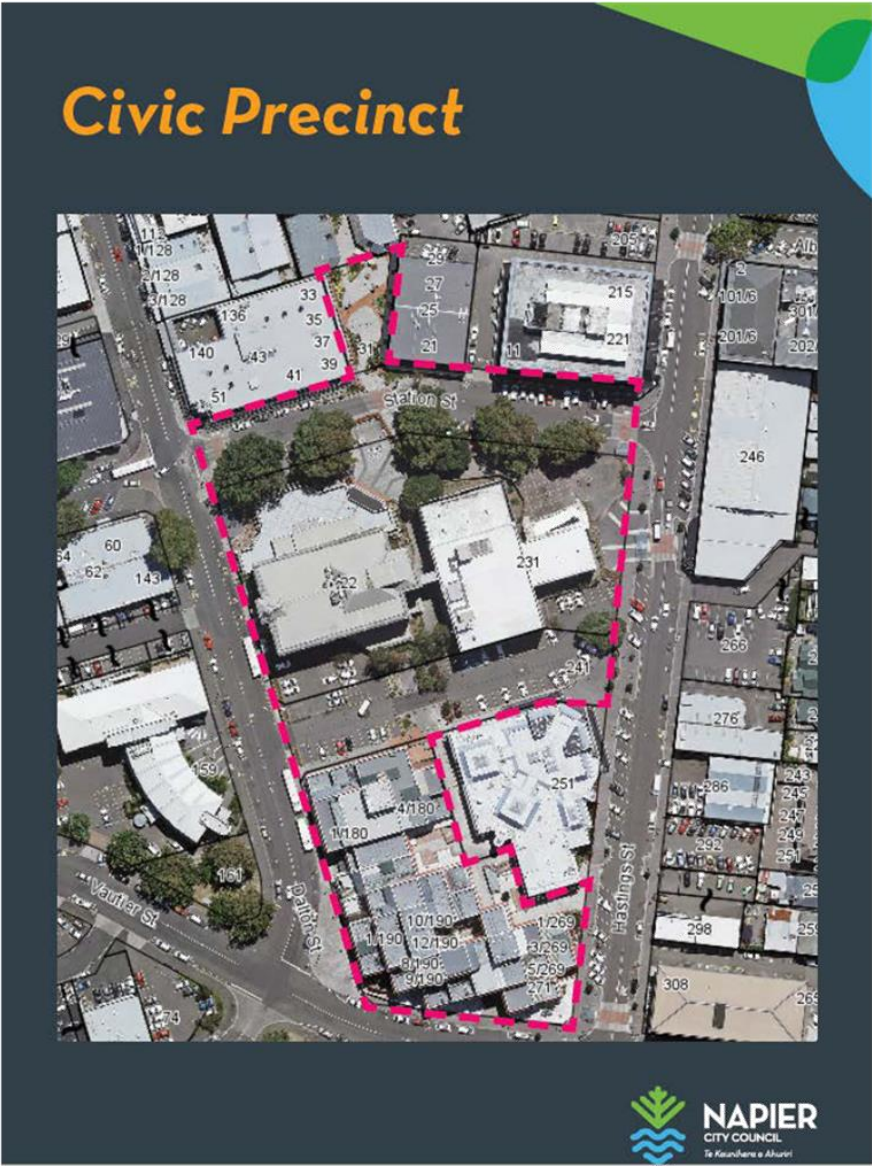


Figure 1: Extent of Civic Precinct

Memo

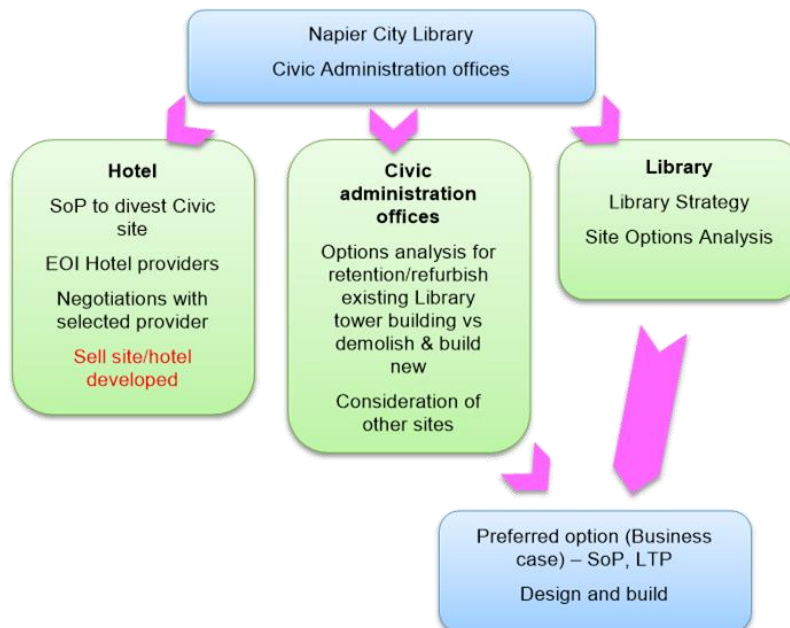
To:	NCC Mayor, Councillors		
Cc:	CE, SLT		
Date:	12 November 2019	File Ref:	[File Number]
Subject:	LIBRARY PROJECT UPDATE		

Introduction

The purpose of this memo is to update Council on the progress being made to provide Library services within a new Library building in the city. A timeline of events has previously been provided, and is attached as Appendix 1. The summary below provides further detail on the key steps taken, and decisions made thus far. Finally, a recommendation is presented on how Council can move forward with the project.

Project Trifecta

Following the evacuation of the Library and Civic Buildings on the Station street site, the future use and development of the site was coined 'Project Trifecta' by Council officers – representing projects associated with the Library, the Civic administration offices, and a new hotel. The progress and decisions made on each of these three projects, and in particular the Civic administration offices and the Library, are interconnected, as shown in the figure below:



Library Site Project Steering Group

Councillor Tania Wright (Chair)
Councillor Faye White
Councillor Claire Hague
Richard Munneke, Director City Strategy
Antoinette Campbell, Director Community
Services
Darran Gillies, Libraries Manager
Fleur Lincoln, Strategic Planning Lead

Georgina King, Urban Design Lead
Natasha Mackie, Manager Community
Strategies
Craig Ogborn, Communications and
Marketing Manager
Jane Simmons, Community Engagement
Lead

Library Site Selection Criteria

The criteria for determining the viability and success of any sites being considered for the new Library was driven primarily by the newly adopted Library Strategy, and the requirements it sets out for a modern library to service the current and future needs of the Napier community. Additionally, matters such as proximity to the city centre, city activation and urban design, connectivity, regulatory matters, and cost were included as criteria. Criteria were divided into two sections: Eligibility Criteria – those that must be met in order for a site to progress further; and Evaluation Criteria – those criteria that determine whether one site is better than others. Criteria were weighted (approved by Council) and scored. A copy of the Site Selection Evaluation Approach is provided in Appendix 2.

Potential Library Sites

A request was made to nominate potential sites for testing through the Site Selection Evaluation Approach. Officers also scoured the City for potential sites. In all, 16 sites were considered. Some of these were privately-owned, and so their selection was, and continues to be, kept **confidential**.

Each of the sites were taken through the scoring matrix presented by the Site Selection Evaluation Approach. As a result, six sites were determined ineligible from progressing further. Those highlighted in pink below were eliminated.

[illegible]

The remainder were scored using the Site Selection Evaluation Approach, with results shown below:

Site Option	Score
Clive Square Option A	74.75
[REDACTED]	67.25
Former Library site – 22 Station Street	66.25
[REDACTED]	65.75
Clive Square Option B	64.25
[REDACTED]	57
[REDACTED]	55.5
[REDACTED]	49
[REDACTED]	48.5
[REDACTED]	45.5

Council agreed to further pursue the top three sites through further due diligence. Council also requested that in addition, opportunities to co-locate with other Council facilities would be considered.

Due Diligence of Shortlisted Sites

Spatial analysis of each site, and further consideration of regulatory processes, risks, and costs were considered at this stage. A memo was sent to Councillors on 23 September 2019 summarising the results of this further due diligence and presenting a recommendation. This memo will provide additional information on the matters considered, and the findings.

A summary of each site option, as presented to the Library Site Project Steering Group, is provided in Appendix 3.

Clive Square

This option would have built a new two-story building primarily on Emerson Street between the two Squares, linking to the Women's Rest Building, and extending into Memorial Square in front of the Women's Rest Building. The remainder of Emerson Street between the two Squares would have been redeveloped as a forecourt area, with landscaping and hard surface areas for events. The numerous regulatory processes with this option presents the highest level of risk, time delay and cost. In addition, underground infrastructure would need to be redirected, and the historic status of Clive and Memorial Squares as a whole, and the various elements in which they contain, present additional challenges. Public opinion has been polarised by this option – with some criticising the impact it would have on heritage values, while others lauding the positive effect it will have on the revitalisation of the lower end of the City and the activation of the city's gardens.

The considerable uncertainty relating to the regulatory processes, and the associated time delays, as well as the vocal disapproval of this option has meant that pursuing this option further has not been recommended.

████████████████████

Inefficiencies of space within an existing building footprint would require the construction of an additional floor on the rooftop or the extension of the footprint at the rear in order to meet the required gross floor area. However, although this could be achieved, constraints that exist within the existing building (eg columns, floor heights etc) mean that the building would be difficult to configure in a way that delivers spaces suitable for a modern Library. In addition, the buildings heritage status means that the necessary changes would impact significantly on heritage values and there are risks in obtaining the necessary approvals to carry out the work. As such, ██████████ was eliminated from the shortlist as an option.

Former Library Building site, Station Street

Three options were considered for the Station Street: two that retained the existing Library tower building and rebuilt the Library annex at the front; and one that demolished the Library tower building and built a new combined Civic Centre and Library on a clear site.

Spatial analysis demonstrated that all options were feasible, although the reuse of the existing Library tower building would necessitate the Library extending into a portion of the first floor of the tower building resulting in reduced daylight access and some awkward team space configurations.

All options necessitate the occupation of the majority of public space on this site with building, making the redevelopment and use of Station Street and Civic Court that much more important.

Given this site is already owned by Council, would have limited regulatory issues, could be commenced almost immediately, and would have fairly certain costs, this site has been recommended as the site Council pursues for its future Library, in whatever form it takes.

Recommendation

It is recommended that Council pursue the development of a library on the Station Street site.

Darran Gillies

LIBRARIES MANAGER

Fleur Lincoln

STRATEGIC PLANNING LEAD

Documents available on request:

Project Steering Group Minutes
Information reports on each site
Clive & Memorial Square Conservation Plan
Clive & Memorial Square Regulatory Assessment
Full Site Score Sheet
Council seminar powerpoint presentation

215 Hastings Street, Napier 4110
Private Bag 6010, Napier 4142
www.napier.govt.nz

t +64 6 835 7579
f +64 6 835 7574
e info@napier.govt.nz

Appendix One

Timeline of events

	Library	Civic building
2017	<p>19 July 2017 – exit of staff from civic and library building</p> <ul style="list-style-type: none"> - receive the Detailed Seismic Assessment report undertaken by Strata Group - approve the decanting of staff to alternative locations within Napier - approve the capitalisation of improvement and lease costs associated with alternative premises to be funded from the building upgrade budget <p><i>a. That Council will undertake a Special Consultative Procedure on the proposed options for the Library, Civic Building and Commercial development opportunities in October 2017</i></p> <p>2 August 2018 – Civic and library building</p> <ul style="list-style-type: none"> <i>a. Receive the Detailed Seismic Assessment report undertaken by Strata Group.</i> <i>b. Approve the relocation of staff to alternative locations within Napier that meet the due diligence requirements.</i> <i>c. Approve the capitalisation of improvement and lease costs associated with alternative premises to be funded from the building upgrade budget.</i> <i>d. Seek any variance in funding through the Long Term Plan 2018-28.</i> <i>e. Note that Council will undertake a Special Consultative Procedure on the proposed options for the Civic Building and potential Commercial development opportunities approximately October 2017. A separate consultation on Library options will be undertaken once the Library Strategy has been completed.</i> <p>18 Sept 2017 – HBMT reports –</p> <ul style="list-style-type: none"> - Library temporary move/collection storage 	<p>28 June 2017 – update civic and library buildings – Councillor Seminar</p> <p>19 July 2017 – exit of staff from civic and library building</p> <ul style="list-style-type: none"> - receive the Detailed Seismic Assessment report undertaken by Strata Group - approve the decanting of staff to alternative locations within Napier - approve the capitalisation of improvement and lease costs associated with alternative premises to be funded from the building upgrade budget <p><i>f. That Council will undertake a Special Consultative Procedure on the proposed options for the Library, Civic Building and Commercial development opportunities in October 2017</i></p> <p>2 August 2017 – Civic and library building</p> <ul style="list-style-type: none"> <i>g. Receive the Detailed Seismic Assessment report undertaken by Strata Group.</i> <i>h. Approve the relocation of staff to alternative locations within Napier that meet the due diligence requirements.</i> <i>i. Approve the capitalisation of improvement and lease costs associated with alternative premises to be funded from the building upgrade budget.</i> <i>j. Seek any variance in funding through the Long Term Plan 2018-28.</i> <i>k. Note that Council will undertake a Special Consultative</i>

	<p>- Napier Library Relocation update – 3-4 years.</p> <p>9 November 2017 –HBMt - Library relocation</p> <p>1. The Napier City Council request to provide written consent to move the HBMt archives from the MTG building Napier Central, to the BAT building Ahuriri.</p> <p>2. The discharge of the Trustees fiduciary duties in regard to this consent.</p>	<p><i>Procedure on the proposed options for the Civic Building and potential Commercial development opportunities approximately October 2017. A separate consultation on Library options will be undertaken once the Library Strategy has been completed.</i></p> <p>13 Sept 2017 – Statement of Proposal civic site optimization</p> <p>Option 2 – Consolidate Council administrative functions within a strengthened and refurbished existing building with new building extensions on half of the Hastings Street site and divest either: a) Site A; or b) Site B for commercial development</p> <p><i>a. That the Statement of Proposal – Civic Site Optimisation be approved for consultation in accordance with the Engagement Plan Summary.</i></p> <p><i>b. That the Statement of Proposal is notified to the public on the 4th October 2017, with submissions closing 3 November 2017.</i></p> <p>22 November 2017 – civic building site optimization</p> <p><i>a. That Council receive and hear the submissions on the Civic Administration Site Optimisation Statement of Proposal.</i></p> <p><i>b. That based solely on the written submissions and other feedback received to date (13/11/2017), officers recommend the adoption of the Civic Administration Site Optimisation Statement of Proposal as notified.</i></p>
Feb 2018	Library Building vacated – temp location for library in MTG.	

June 2018	LTP – approved 15.8 mil for the Library Rebuild. Library strategy – to inform future direction and location of library. (see table below of all the other references to the Library).	31 July 2018 – Councillor seminar – civic building shortlist options workshop (external attendees too)
25 Sept 2018	Councillor Seminar – library strategy	
16 October 2018 (date of the committee meeting, council meeting would be following this)	Council approved: - approve library site project steering group TOR (community services committee meeting) – notes consultation on site selection will be undertaken. - approve release of Draft Napier library Strategy for stakeholder and public feedback	30 October 2018 – development civic building site – px – delegate authority for CE to enter into negotiations with preferred hotel developer to finalise terms of contract relating to sale or lease of site. Final conditions for sale and purchase of site will be brought to Council for approval.
Mid October-mid November	<i>Public consultation on library strategy</i>	
27 Nov 2018 (date of committee meeting, council meeting would be following this)	– Council adopted the Napier Library Strategy 2018 - future type of library service and type of library building identified. (states develop and recommend a process for site selection including assessment criteria, with reference to the civic building business case ...).	
30 Nov	Councillor seminar – library site selection method	
11 Dec 2018 Council meeting	- Approve the Napier Library site evaluation method. - (4 possible sites have already been presented to the public as part of the civic buildings optimisation statement of proposal). States – councils proposed option will be consulted on through a SPC where the community will be able to provide feedback by making a submission. This is likely to be incorporated into the Annual plan consultation depending on timing.	

2019	<ul style="list-style-type: none"> - 16 April 2019 – library site selection – councillor seminar - Early 2019 key stakeholders, councillors and Staff identify 16 sites and then undertook assessment-using council approved matrix methodology. - The results of Matrix scoring presented to Council seminar in April 2019. Council agreed that officers to undertake due diligence on the top scoring 3 sites while exploring possible co habitation options with wider council. Key stakeholder such as FOL library informed of progress. - Staff alongside external expertise undertook diligence that included bulk spatial drawings alongside site option analysis assessment criteria. <p>The due diligence work was presented to the Library Steering Group on Friday 13 September, indicated that we should continue to explore Library building options on the Station Street site.</p> <ul style="list-style-type: none"> - Councillors emailed memo (23 September 2019) on progress to date. 	3 July 2019 – Civic site development
For the new Council – post October 2019	- Report back on recommended site to the new council.	- 19 Nov 2019 – Civic Site update - PX

Appendix Two**Site Selection Evaluation Approach****Evaluation criteria**

Criterion	Sub Set	Weighting
1. Accessible Spaces		
a. Accessible to all	10%	25%
b. Access to suitable outdoor spaces	7%	
c. Flexible Spaces	8%	
2. Ease of development		
a. Cost	16%	25%
b. Compliance	6%	
c. Opposition	3%	
3. Appropriate city activation		
a. Profile/landmark	10%	25%
b. Leverage activity	15%	
4. Connectivity		
a. Active transport	7%	21%
b. Public transport	7%	
c. Private vehicle	7%	
5. Displacement Effects		4%

Evaluation attributes

Evaluation of attributes will be divided into two sections: the first being eligibility (yes or no); and the second providing a means to evaluate the desirability of one site over another.

Sites not able to make it past the eligibility section will not progress to the evaluation of attributes. There are three Eligibility criteria:

1. Location

The site must be located in the city centre.

2. Size

- a. Floorplate. The minimum floor space required is 2300m².

3. Tenure

Council must either own the property, have the ability to purchase it, or to lease it on a long-term basis.

The following attributes will be considered during the evaluation phase:

4. Accessible spaces

- a. Accessible to all. The facility is accessible to all users without barriers.
- b. Access to suitable outdoor spaces. The ability to access suitable outdoor spaces, whether this is created internally, on a roof terrace, a garden within the library grounds, or from a borrowed adjacent outdoor space.
- c. Flexible spaces. The degree to which the site can accommodate flexibility of spaces indoor and out.

5. Ease of development

- a. Cost. What are the estimated costs associated with the development? Consider matters such as the requirement for infrastructure, strengthening and retrofitting existing buildings, and land purchase or lease costs.
- b. Compliance. What regulatory processes are required to enable development? What is the likelihood of being able to comply? Do any existing buildings achieve at least 67% NBS, or can be strengthened/retrofitted to achieve this level of compliance?¹
- c. Opposition. What level of opposition is known to the development of the site for Library purposes?

6. Appropriate city activation

- a. Profile/landmark. The site is located in a high profile position. The new library will create a landmark for the city, and provides a sense of place. The site is located with visual access to open vistas.
- b. Leverage activity. The site is located in a place that could benefit from the additional foot traffic that the library will create, and would not result in activities such as retail being drawn away from the city centre. The library would be complementary to nearby activities.

7. Connectivity

- a. Active transport. The site is easily accessible by foot or bike from the CBD and the outer suburbs.
- b. Public transport. The site is located close to public transport.
- c. Private vehicle. The site has on-site or nearby car parking available and is accessible by private vehicle.

8. Displacement effects

- a. Displacement effects. What negative effects will be created as a result of locating a new library on the site and displacing the existing activity on that site?

¹ It is acknowledged that the likelihood of having access to engineering reports detailing the seismic performance and costs to strengthen for existing buildings is low. Where this information is not readily available and cannot be obtained within the necessary timeframes, the scoring may reflect these insufficiencies.

Grading scale for attributes

Each site will be evaluated against the eligibility criteria, and if they are deemed eligible, against the evaluation criteria. Points are awarded on a scale of 0 to 4 when grading attributes as outlined in the table overleaf.



Memo

Eligibility Criteria	Yes	No
Location. The site must be located in the city centre.		
Size. Is the site able to accommodate a building with 2300m ² in floor area?		
Tenure. Council must either own the property, have the ability to purchase it, or to lease it on a long-term basis.		

Criterion	Score				
	0 – does not meet	1 – partially meets	2 - demonstrates	3 – clearly demonstrates	4 – strongly demonstrates
1. Accessible spaces					
a. Accessible to all. The entire facility is accessible to all users without barriers.	The building and site cannot be modified to achieve minimal universally accessible requirements.	The building and/or site achieves or can be modified to achieve some universally accessible requirements.	Part of the building and/or site achieves or can be modified to meet universally accessible requirements.	Most of the building and/or site achieves or can be modified to meet universally accessible requirements.	All of the building and/or site achieves or can be modified to meet universally accessible requirements.
b. Access to suitable outdoor spaces. The ability to access suitable outdoor spaces, whether this is created internally, or within the site, on a roof terrace, a garden within the library grounds, or from a borrowed or adjacent outdoor space.	The site provides no ability to access outdoor space.	The site provides some ability to access a small amount of borrowed outdoor space, or man-made green space in an internal courtyard or roof terrace.	The site is able to access adequate outdoor space borrowed from an existing garden or streetscape.	The site has good access to outdoor spaces that could be used for multiple purposes, some borrowed and some within the site.	The building will sit within a high amenity green space with multiple opportunities to access outdoor spaces for multiple purposes.
c. Flexible spaces The degree to which the site can accommodate flexibility of spaces indoor and out.	Existing building with poor layout and no ability to modify.	Existing building with poor layout and limited ability to modify.	Existing building with the ability to modify with some limitations and/or Site size limits options for multiple flexible spaces – indoor and/or out.	Existing building can accommodate flexible spaces indoor and out.	New build with options for a variety of flexible space – indoor and out.
2. Ease of development					
a. Cost. What are the estimated costs associated with the development?	The development is likely to significantly exceed the funds allocated under the Long Term Plan. Opportunities to obtain additional funding for the project are negligible. There is significant difficulty and expense to service the site. There is no existing infrastructure present.	The development is likely to exceed the funds allocated under the Long Term Plan. Opportunities to obtain additional funding for the project are limited. There are considerable costs and some difficulty to service the site, and no existing infrastructure is present.	It is possible that the development could be completed within the allocated funds provided additional funding is able to be obtained from other sources. There are moderate costs to either upgrade existing or install new infrastructure to service the facility.	It is likely that the development can be completed within the allocated funding and preliminary exploration of alternative sources of funding has been completed, with indications that securing these funds could be successful. There are minimal costs to either upgrade existing or install new infrastructure to service the facility.	Council are confident that the development can be completed within the allocated funding. Alternative sources of funding have also been secured. No new infrastructure or modification is required.
	Regulation prohibits the project from proceeding.	There are significant risks in relation to multiple regulatory processes, with a strong likelihood that regulatory processes will result in the project not going ahead. Regulatory processes are	There are some risks in relation to regulatory processes. Some of these processes are time consuming, but the likelihood is that the project will go ahead.	The development requires some standard regulatory processes that do not prohibit the development from proceeding.	There are minimal standard regulatory processes to complete the project.

<p>b. Ease of Compliance. What regulatory processes are required to enable development? What is the likelihood of being able to comply?</p> <p>c. Opposition. What level of opposition is there, or likely to be, from any party to the development of the site.</p>		expensive, and time-consuming, with many co-dependencies.			
	Strong opposition known or likely from most of the community for any development on the site.	Opposition known or likely from some of the community for any development on the site.	Neither support nor opposition has been expressed.	Some support expressed, or some support is likely.	100% approval from all parties, or high level of support likely.
<p>3. Appropriate city activation</p> <p>a. Profile/landmark. The site is located in a high profile position. The new library will create a landmark for the city, and provides a sense of place. The site is located with visual access to open vistas.</p>	Low profile location in an existing building with no distinguishing features & no ability to modify.	Low profile location in an existing building that can be modified, or a new building.	Medium profile location; an existing building with no distinguishing features but can be modified.	Medium profile location; an existing building that is already an iconic building; or a new build. Some cultural significance with opportunities to incorporate cultural values and stories in design of Library/site.	High profile location; an existing iconic building, or a new build. Site with high cultural significance with opportunities to incorporate cultural values and stories in design of Library/site.
<p>b. Leverage activity. The site is located in a place that could benefit from the additional foot traffic that the library will create, and would not result in activities such as retail being drawn away from the city centre. The library would be complementary to nearby activities</p>	The Library in this location may result in drawing retail activities out of the central city. Activities surrounding a Library in this location are not complementary.	Activities surrounding a Library in this location are not complementary, and would have no benefit from the foot traffic generated by the Library.	Some adjacent activities would benefit from the additional foot traffic, and would be complementary to those activities of the Library.	Many of the adjacent activities and spaces would benefit from the additional foot traffic the Library brings with an improvement of perception of safety. Surrounding activities are complementary in nature.	The Library in this location would bring much needed foot traffic to an area of the city struggling with higher than average vacancies and lower rent, with an improvement to identified safety concerns/issues in the area. Surrounding activities are complementary in nature.

4. Connectivity a. Active transport. The site is easily accessible by foot or bike from the CBD. b. Public transport. The site is located close to public transport. c. Private vehicle. The site has on-site or nearby car parking available, and is easy to reach by private vehicle.	<p>The site requires the use of private vehicle to access, with no footpath or cycle infrastructure and no access for mobility aides (e.g. wheelchair, walkers etc)</p>	<p>The site is primarily accessed by private vehicle. Some footpaths exist but condition and connectivity is poor. No cycle infrastructure exists and poor access for mobility aides (e.g. wheelchair, walkers etc)</p>	<p>The site can be accessed by all modes, though footpaths are functional, connectivity to the wider area is limited, and there is some difficulty is reaching the site by bike and mobility aides.</p>	<p>The site can be accessed by all modes. Footpaths/pedestrian facilities are smooth, level and wide, with good connections to other activities and streets. Cycle lanes and facilities exist.</p>	<p>The site prioritises access by active modes, with excellent pedestrian facilities – well-lit, smooth, level and wide with visual impairment aides. High connectivity with other parts of the city. Off road cycle lanes connect to the site.</p>
	<p>Bus stop and other drop off points unable to be accommodated due to site constraints and location.</p>	<p>Bus stop and other drop off points can be accommodated but not within easy walking distance of the site. Footpath network in poor condition and low connectivity.</p>	<p>Bus stop and other drop off points within reasonable walking distance of the site. Bus services are regular but infrequent.</p> <p>Footpath network in average condition and connected to site.</p>	<p>The site is located within close proximity to a bus stop, taxi stand, or Uber drop-off point. Bus facilities provide shelter and signage. A limited amount of space for bus park facilities for group visits is available nearby</p>	<p>Bus stop and other drop off points right outside or able to be located outside the building. Other bus parks are available on-site for drop off/pick up of larger groups.</p>
	<p>The site is difficult to reach via private vehicle. The site is located where there is no on-site or on-street carparking within easy walking distance, and no ability to drop-off passengers in a loading zone or drop-off bay and no mobility parks.</p>	<p>The site can easily be reached via private vehicle, but is located in a space that is often congested. The site has access to a limited supply of on-street car parking that has a high occupation rate and is either paid parking or short-stay duration. A loading zone or drop-off bay is available nearby. Mobility parks some distance away.</p>	<p>Reaching the site via private vehicle is easy, with good connections and limited disruption to traffic flow. The site has access to on-street carparking with a medium occupation rate. Parking is either paid parking or limited duration stay. A loading zone or drop-off bay is available adjacent. The site contains a limited supply of 'on-site' carparking. Mobility parks available close to the site.</p>	<p>Reaching the site via private vehicle is easy, with good connections and limited disruption to traffic flow. The site has a mix of on-site and on-street carparking. Parking is either subsidised or available at limited duration stay (up to 2 hours). A loading zone or drop-off bay is available adjacent. Onsite mobility parks available.</p>	<p>Reaching the site via private vehicle is easy, with good connections and limited disruption to traffic flow. The site contains a large number of on-site carparks, free of charge. On-street carparks are also available nearby – these have a low occupation rate and are provided on a limited duration stay basis. A loading zone or drop-off bay is available on the site. Onsite mobility parks onsite and outside the entrance.</p>
5. Displacement effects What negative effects will be created as a result of locating a new library on the site and displacing the existing activity on that site?	<p>The development will result in numerous, ongoing and or permanent and negative effects (eg removal of heritage features)</p> <p>And/or</p> <p>Removes legitimate activity permanently.</p>	<p>The development may result in some negative effects and/or disrupts legitimate activity, requiring relocation (eg car parking).</p>	<p>The development does not result in any negative effects or disruption to existing activity.</p>	<p>The development will positively affect surrounding existing activities.</p>	<p>The development increases positive activity surrounding the site and activates the area.</p>


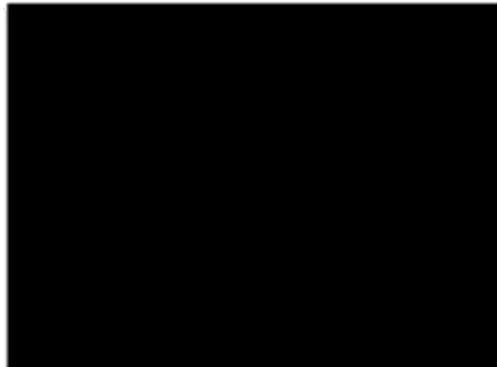
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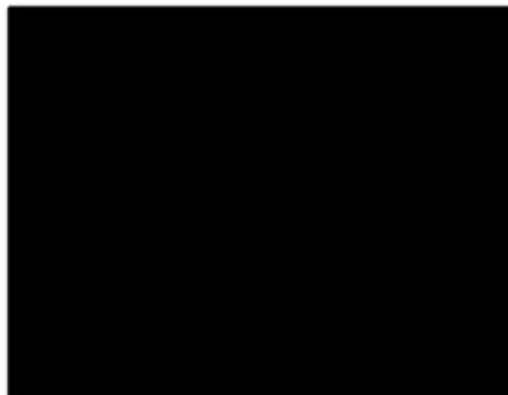
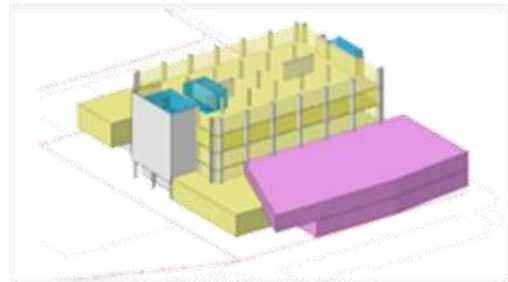
Appendix four

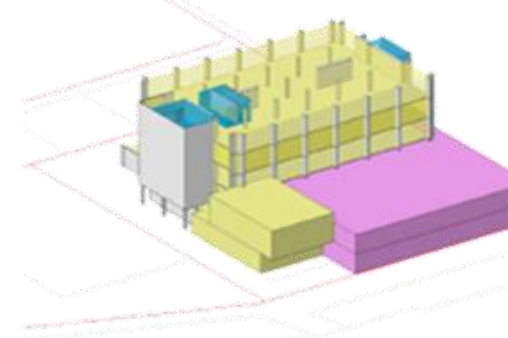

Shortlisted site assessment



● ● ● Denotes high, medium low rating of assessment criteria relative to each of the available options

Site	Assessment Criteria				
	Regulatory	Risk & Issues	Cost	Programme	Opportunities
Clive Square A new two-storey library incorporates the existing Women's Rest and gives an urban context to Memorial Square which is extended over the street to link with the green public space of Clive Square. 	<ul style="list-style-type: none"> Resource Consent would be required as a 'Discretionary Activity' or Notice of Requirement to designate the land for this purpose – both publicly notified processes Archaeological Authority would be required Change to reserve classification – a publicly notified process Road stopping/ closure process would also be publicly notified 	<ul style="list-style-type: none"> Significant time and expense involved in the publicly notifiable processes required Opposition to applications would further impact cost and time There is a real risk that any one of the publicly notified applications would be declined Relocation of network assets and services in the street would be required (costly) Likely overall delivery timeframes may impact opportunity to conclude Civic Building site selection Will require short term accommodation in MTG to become medium term – or another temporary accommodation option found 	<ul style="list-style-type: none"> Potential significant costs associated with regulatory processes Relocation of infrastructure services Cost risk in ground conditions and geo-tech New build costs apply (note escalation of materials and labour over longer period until construction would likely commence) Council owned site Costs estimates will need to allow for escalation based on likely delivery programme 	<ul style="list-style-type: none"> Extensive front-end programme for public notifiable processes (potential in vicinity of 3 years, if not more depending on if any opposition) New build construction approximately 18-24 month timeframe The project could likely be delivered within 5-6 years of inception/ regulatory processes assuming design occurs in parallel to obtaining regulatory approvals. If design commences once all regulatory approvals are obtained, then overall project could be completed in 6-7 years 	<ul style="list-style-type: none"> Highest scoring site in Council's site selection assessment New build allows opportunity for library requirements to be met in custom design Opportunity to incorporate Women's Rest building Council owned site reduces costs associated with options involving acquisition Significant urban design and city activation benefits
Option 1 This site is the only one requiring an existing building in its entirety is modified to suit the library use. The layout will be dictated not by the site but by building geometry. This is likely to mean a less efficient use of space than a new-build option. 	<ul style="list-style-type: none"> The building is Heritage listed and therefore alterations that would be necessary would require an Authority to do so. Heritage NZ may also not allow such alterations to occur Addition of another floor would trigger Resource Consent process as well as likely alterations to building entrance (providing this was acceptable to Heritage NZ) 	<ul style="list-style-type: none"> The public library space brief area (2000 m²) does not fit on the 2 main floors An extension at the 2nd floor would be required to accommodate space requirements – potential push back on this as an option given significant Modification needed to fit library function Staff space is largely located in the basement and requires vehicular access so a ramp to this would be required at the rear of the building Building geometry creates ineffective floor plates resulting in additional space requirements (significant more over new build) Consultation and approval by Heritage NZ to allow the alterations necessary to accommodate library function 	<ul style="list-style-type: none"> Privately owned. Cost of acquisition (CV \$2.34m) Cost of refurbishment and addition of new floor would at face value be cheaper than new building costs however potential inherent issues with the existing building (asbestos, mould, services at end of life, etc) can quickly escalate if the necessary investigations aren't undertaken and accurately understood and documented. This could potentially see refurbishment costs on par, or exceeding, new build costs Careful and diligent estimating will be necessary including robust contingencies Costs estimates will need to allow for escalation based on likely delivery programme 	<ul style="list-style-type: none"> Likely 24-month construction period following acquisition, design and approvals Regulatory approvals process much simpler in comparison to Clive Square Design period would be on par with new build as all existing details and interface been new and existing need to be documented Overall construction delivery from project inception could be 4-5 years 	<ul style="list-style-type: none"> This listed building has presence and with its courtyard space on the corner already has a public feel to it 85% NBS rating (at IL2) – generally structurally sound

Site	Assessment Criteria				
	Regulatory	Risk & Issues	Cost	Programme	Opportunities
Option 2 This option shows what would be required to achieve close to the brief of 2000 m ² of public space on the ground and 1st floors.  <i>* Comments on Assessment Criteria for option 1 stand unless where specifically noted to the right</i>		<ul style="list-style-type: none"> - Additional space provided in this option gets close to the space requirements but does not achieve it - To gain vehicular access to the basement staff area would require that the laneway to the west of the building is ramped down from Browning Street to get to the basement level - This would have considerable structural impact on the building. Alternatively, some of the proposed ground floor infill could be used for the ramp at the rear of the building with the resultant loss in ground floor public space 	<ul style="list-style-type: none"> - Costs likely similar to that of the above option 	<ul style="list-style-type: none"> - Delivery timeframes likely similar to the above option 	<ul style="list-style-type: none"> - Does not change outward street frontage appearance of building as the option above does
Station Street (existing site) – Option 1 The new library replaces the old one on the same site with public space spread across two levels and taking 2/3 of the ground floor plate of the tower. It is assumed that the upper floors of the tower will house council offices A column free council chamber of higher ceiling space is located to the south of the tower core. 	<ul style="list-style-type: none"> - No Resource Consent required providing setback and height limit within District Plan. 	<ul style="list-style-type: none"> - Assumes the old library building is remediated/ refurbished and becomes Civic accommodation – requires alignment with Civic Accommodation strategy - Consideration around connection of new to existing buildings will be required (seismic separations, etc) - Outdoor space, design flexibility, and individual presence is limited - Some compromises to daylight access in Civic offices 	<ul style="list-style-type: none"> - No acquisition costs as Council own asset - New build costs are applicable and will need to account for escalation - Cost risk in ground conditions and geo-tech 	<ul style="list-style-type: none"> - Likely the shortest of the programmes of all sites as there is no acquisition, regulatory approval process is simpler and is new build construction - Construction delivery from project inception could be 3-4 years 	<ul style="list-style-type: none"> - Makes use of existing Council asset - Addresses current vacated Civic precinct - Brings Civic and Library functions together - With the library upper level outside the line of the tower 1st floor it is possible for a higher ground floor space - New build allows opportunity for library requirements to be met in custom design as well as Council chambers - Would re-activate Civic Court businesses and public space

Site	Assessment Criteria				
	Regulatory	Risk & Issues	Cost	Programme	Opportunities
Station Street (existing site) – Option 2 <p>This option uses less space at the ground level than option 1 does to give more space for a Council entry and customer services area. To provide enough library space a portion of the tower 1st floor is used for library space.</p> <p>The new Council chamber is placed on the north face of the tower over the new entry giving greater presence for the Council entry than option 1 does.</p>  <p><i>* Comments on Assessment Criteria for option 1 stand unless where specifically noted to the right</i></p>		<ul style="list-style-type: none"> - This option encroaches into Civic building (and assumes the old library building becomes Civic Accommodation) 			<ul style="list-style-type: none"> - The new Council chamber is placed on the north face of the tower over the new entry giving greater presence for the Council entry than option 1 does. - Brings Civic and Library functions together with visual street presence of the two functions together (albeit separate entrances)
Station Street (existing site) – Option 3 <p>This option sees the entire existing building demolished and site cleared to allow for the construction of a new Library building and Council chambers.</p>  <p><i>* Comments on Assessment Criteria for option 1 stand unless where specifically noted to the right</i></p>		<ul style="list-style-type: none"> - There would have to be strong and defensible reasoning as to why the existing building could not be retained and re-used should this be a preferred option 	<ul style="list-style-type: none"> - the highest cost option of the three options as this needs to allow for the complete demolition of the existing building and clearance of the site - Additional costs associated with re-routing or replacing services infrastructure to suit a new building layout 	<ul style="list-style-type: none"> - this option should not necessarily add any additional time to that of options 1 and 2 as it would be expected that demolition and site clearance could occur within the new building design timeframes. 	<ul style="list-style-type: none"> - This option allows for a purpose-built facility for both the Library and Council chambers with the least constraint and optimal positioning of the buildings on the site - The building positioning can be setback to allow for generous public space to the North - Brings Civic and Library functions together into the same building with shared entrances creating the greatest level of democratic openness and the ability for it to become part of the community focus for the library - Potential to retain and re-use a portion of the existing buildings basement

3. MAREWA SHOPPING CENTRE - TRANSPORT SAFETY IMPROVEMENTS

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Traffic Regulations
<i>Document ID:</i>	909468
<i>Reporting Officer/s & Unit:</i>	Robin Malley, Team Leader Transportation

3.1 Purpose of Report

To inform Council of the process followed and progress towards a design for the Marewa Shops Safety Improvement project.

Officer's Recommendation

That Council:

- a. Note the intent of the project is to improve safety for road users, particularly vulnerable road users.
- b. Note that further engagement is planned, particularly a more targeted engagement with stakeholders to ensure that construction has a minimal impact on the vibrancy of the area.
- c. Note that a communications and engagement strategy will be developed following approval of proposed changes.
- d. Approve the proposed changes to the Kennedy Road/Douglas McLean Avenue and Kennedy Road/Nuffield Avenue/Wilding Avenue intersections and separation of the Marewa Shops parking lane.

Mayor's Recommendation

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

3.2 Background Summary

The section of Kennedy Road between and including its intersections with Nuffield Avenue and Douglas McLean Avenue, serving the Marewa shops has a high crash history with a number of serious crashes over the last 10 years. Improving the safety on this section of road is therefore a high priority for Council. The intent is to provide separation between those travelling through and those accessing the shopping centre and provide clearer routes and access points for pedestrians, cyclists and motor vehicles.

Due to the high traffic volumes it can be difficult for vehicles entering and exiting the parking area which results in queuing on Kennedy Road and within the parking area. The current angle parking adjacent to the shops results in vehicles reversing in to live traffic and also on to the on road cycle lane. This poor driver behaviour results in manoeuvring conflicts and given the proximity of the on road cycle lane it is a hazardous area for vulnerable road users. In addition to this; the uncertainty this creates can result in nose to tail crashes many of which can go unreported to the Police and therefore are not reflected in crash statistics.

The lack of separation for cyclists is a significant safety concern and seen as a barrier to cyclists using Kennedy Road which is an important link to and from the city.

Pedestrians wishing to cross Kennedy Road are faced with 6.5m of carriageway on the northern side of Kennedy Road which includes the cycle lane and the through traffic lane. On the southern side this distance is 7.5m and includes the through traffic lane, cycle lane and flush median. The flush median on the southern side is used for vehicles wanting to enter/exit the parking area which can mean that there are multiple lanes of traffic travelling at different speeds, often concentrating on different objectives. An example of this is shown on the below extract from Google Maps Street View.

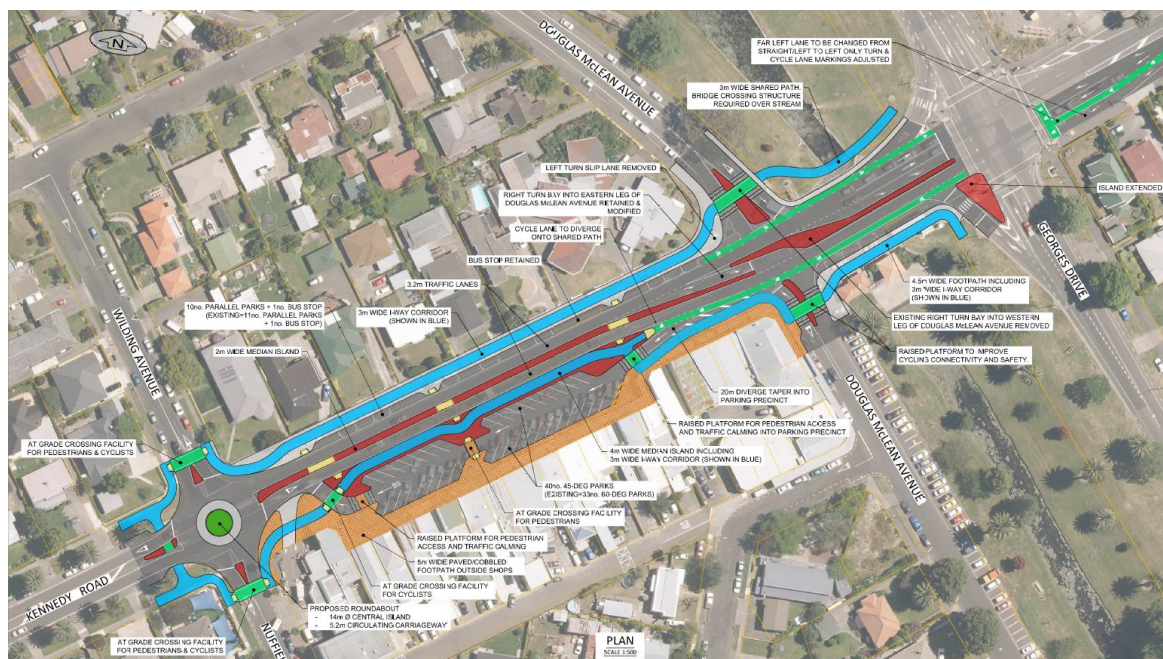


Figure 1 - Example of informal lane use (Google Maps 2012)

There have been 92 crashes on this section of Kennedy Road since 2006 which includes 3 serious and 14 minor crashes. 54% of all crashes were rear end type crashes which can be attributed to the congested parking and manoeuvring arrangement. 28% of all crashes were crossing or turning type crashes predominantly at the intersections.

The project seeks to reduce the risk of crashes and provide a safer road environment for all road users. Due to the complexity of the problem and a number of design 'red lines' (retention of parking, accessibility for vulnerable users, no loss of footpath space), the development of proposals has been an iterative process, with most concepts being shared with the community through street meetings, letter drops, displays and meetings.

A number of options were investigated to address the safety issues and the concept design, shown as Plan 1 below, was developed and presented to the affected property and business owners in November 2018 during a street meeting at the shopping precinct. This provided valuable feedback on the design and also informed the public as to the objectives of the project.



Plan 1 – Original concept design (NTS)

Feedback highlighted that accessibility to the parking area was a key consideration for the property owners who requested that a roundabout at Douglas McLean Avenue be investigated.

In addition to accessibility, there were concerns that if the footpath and kerb line were to be altered then the construction period would be greatly increased which would impact businesses financially.

All of the feedback was considered and the concept plan was revised following detailed traffic modelling of the roundabout option which was followed by an internal safety review. The two roundabout concept is shown at Plan 2, below.

This was presented to the stakeholder group in May 2019 at a second on street consultation event. This consultation was, in the main, very positive with the attendees being supportive of the revised plan. The plan was displayed at two of the businesses for several months following the consultation.



Plan 2 – Revised two roundabout concept design (NTS)

Following this positive consultation, it was decided to proceed to detail design of the project which included an independent safety audit. The independent safety audit raised some concerns with the design of the roundabouts including cyclist safety at the roundabouts; movements across Kennedy Road by vulnerable users; conflicts at the entry and exit to the parking area; and the geometric design of the roundabouts. These concerns were given consideration and the design developed further.

Both roundabouts were altered and linked to the median island effectively forming a single elongated roundabout. This enabled all existing traffic movements to be retained, but removed a number of conflicts, increasing cycle safety, improving pedestrian accessibility and creating a slower environment for vehicles entering the area. The concept is shown below as Plan 3 with larger version at Appendix A.



Plan 3 – Final concept design (NTS)

This concept was reassessed via a further independent road safety audit, with the auditor acknowledging the improvements over the previous design. A number of minor observations were made, which will be incorporated into the design as it progresses from concept to detail stage.

Given the proximity of the project area to the George's Drive (SH51)/Kennedy Road intersection, the concept was modelled using the citywide micro-simulation model for the model base year of 2017 and future scenarios of 2026 and 2046. This was undertaken to ensure that the major intersection with the State Highway would not be adversely affected. A summary of the model output for both the 'Two Roundabout' and 'Elongated Roundabout' options is included at Appendix B.

For the preferred, elongated roundabout option, the results of the modelling shows overall improvements at each of the three intersections, although some movements will see some increased delay in the future scenarios due to unbalanced demands. Queue build-up at the Georges Drive/Kennedy Road intersection for City-bound vehicles is not significant for the morning peak, in the afternoon peak it is marginally longer compared to the base scenario.

This model output provides a good level of confidence that the key movement functions of the State Highway and Kennedy Road will be retained. Additional delays to the through traffic on Kennedy Road would result in travellers shifting to an alternative route, which will generally be less favourable than using the arterial route. Further, the delays experienced on side roads would generally be self-regulating to a degree (those who live on the routes served will continue to use them, those seeking short cuts would divert to routes with lower delays). This effectively reduces the impact of increasing volumes on the residential streets and aligns with Council's intent of making sure the right traffic is using the right roads.

3.3 Issues

Given the high level of use of the neighbourhood centre and Kennedy Road, the project will be of interest to the wider Napier Community. Consultation to date has concentrated on understanding the needs of stakeholders to assist with developing a design that meets critical needs.

The project has been the subject of some misinformation circulating among the stakeholders and concerns raised by this resulted in a petition being presented to Council. This was addressed by the project team in October 2019 at a community meeting held at Kennedy Park and attended by Mayor Wise.

Once stakeholders understood what was proposed and were able to put the rumours aside, the feedback was very positive and the proposed concept approved by all attendees.

Further consultation was undertaken with representatives of Blind and Low Vision NZ, who have assisted the project team in working towards a truly accessible environment. This relationship will continue as the design progresses.

Future engagement will comprise general information on the project, its objectives, scope and design; followed by a more targeted engagement with stakeholders to ensure that construction has a minimal impact on the vibrancy of the area.

Subject to the Council's decision on this paper, the project team will develop a communications and engagement strategy to inform the form and programme of engagement.

3.4 Significance and Engagement

This project does not meet the criteria of the Significance and Engagement Policy

3.5 Implications

Financial

The project is budgeted for within the Long Term Plan and is approved for funding assistance from NZTA. Capital funding for the project is proposed to be deferred to the 2020/21 Financial Year to allow community engagement to occur and detailed design to be developed.

The evolutions of the project design have not resulted in major increases in estimated project cost.

Social & Policy

The intent of the project is to improve safety for road users, particularly vulnerable road users. Marewa shops provide key social functions for the community including doctors' surgery, pharmacy, post shop and cafes. Further, regular bus services have stops within the precinct boundaries. Ensuring a safe, accessible and pleasant environment assists these activities and supports their continued viability and availability to the community.

Risk

Not continuing with the project or delaying further exposes users to an acknowledged sub-optimal road environment.

There are risks relating to accessibility during construction which may impact businesses; and there may be a reduction in customer numbers as drivers become accustomed to the new layout.

To address these risks, the construction methodology will be developed to minimise the impact of construction. Once constructed, easier crossing of Kennedy Road and the opportunity to U-turn to access parking or continue a journey should balance any customers lost from not being able to turn in at the last moment when seeing an available parking space.

3.6 Options

The options available to Council are as follows:

- a. Do nothing.
- b. Progress the latest concept as the most suitable to address the underlying safety risks for all road users and supporting the local community and economy.
- c. Continue to investigate further options.

3.7 Development of Preferred Option

As outlined above considerable effort has gone into determining the preferred design option through an iterative, transparent process. Through multiple stakeholder engagement meetings, public consultation and safety audits the design has progressed to a stage where all stakeholders have been heard and their observations are represented where practical. There are still several key design stages to progress though that provide an opportunity to address any further technical issues that may arise.

Some stakeholders have indicated a preference for the 'Two Roundabout' design which gives greater freedom of movement to vehicles, particularly at the Douglas McLean/Kennedy Road intersection. This is correct but comes at a cost with a number of compromises identified. Firstly, the full roundabout option presents an additional give-way on Kennedy Road, the main arterial. This increases the risk of drivers selecting an alternative route, which will often include less appropriate roads. Secondly, the inclusion of the roundabout enables a direct connection between the northern and southern sections of Douglas McLean Avenue, duplicating the State Highway but avoiding traffic signals and railway crossings. Modelling showed a significant increase in traffic volumes on Douglas McLean Avenue under this scenario. These diverted vehicles introduce further delay to the main road traffic. Thirdly, while roundabouts are an excellent way to manage traffic, the fewer conflicts between all road users provides for better outcomes and the preferred option has fewer points of conflict between vehicles and other modes.

Further concerns have been raised about potential effects of drivers using the rear service lane as a short cut to bypass the area of higher activity on Kennedy Road. This is unlikely to occur, as the time taken to negotiate the service lane and then give way onto either Douglas McLean Avenue or Nuffield Avenue would not be less than using the formal routes. Notwithstanding this, the Transportation team will undertake post-construction monitoring of speeds around the area and manage any problem areas. This may include adding to the speed humps in the service lane.

There is always an option to continue investigating alternative ways of addressing a problem in an effort to minimise compromises and provide a more complete solution. This project has a number of conflicting priorities and these have been considered from the outset. The designs have been developed through an iterative process and have involved Council engineers, designers and planners, external engineers and independent auditors. It is considered that the elongated roundabout option presents a solution to the identified problems and accommodates a wide range of modes and users without introducing unmanageable compromises to any group.

3.8 Attachments

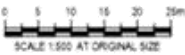
- A Marewa Safety Improvements - Preferred Option Plan [!\[\]\(31b03e46ee8a80a1f1467b8c03bd76e8_img.jpg\)](#)
- B Summary of traffic model outputs. [!\[\]\(7d9665ff04f9d2270c38081c6215a724_img.jpg\)](#)



PLAN
SCALE 1:500

NOT FOR CONSTRUCTION

REV	REVISION DESCRIPTION	DRAWN	CHECKED	APPROVED	DATE
D	VARIOUS CHANGES FROM PROJECT TEAM MEETING	SG	RG	RG	22.09.19
C	EXTEND MID BLOCK THROUGH TO ROUNDABOUT ISLANDS	SG	RG	RG	02.09.19
B	REMOVE CYCLE CROSSING FOLLOWING STAKEHOLDER FEEDBACK	SG	RG	RG	28.07.19
A	VARIOUS AMENDMENTS FOLLOWING CLIENT STAKEHOLDER FEEDBACK	SG	RG	RG	04.07.19



	NAME	DATE
SURVEYED	N/A	--
DESIGNED	R. GRUITERS	01.04.19
DESIGN CHECK	S. GREEN	01.04.19
DRAWN	R. GRUITERS	01.04.19
DRAWING CHECK	S. GREEN	01.04.19
APPROVED	--	--

NAPIER CITY COUNCIL
KENNEDY ROAD SAFETY IMPROVEMENTS
MAREWA SHOPPING CENTRE
OPTION 5 - PARKING PRECINCT + TWIN RAB'S

STATUS:		PRELIMINARY	
DATE: 12.09.2019		SCALE AT A1: AS SHOWN	
DRAWING NO. 17-015-SK501D		REV D	

Traffic Modelling Level of Service Summary - Weighted averages for each intersection (Morning Peak)

Intersection	Model Base			Two Roundabout Option		
	2017	2026	2046	2017	2026	2046
Kennedy/Nuffield/Wilding	C	F	F	A	A	D
Kennedy Douglas McLean	A	B	B	B	C	E
Georges/Kennedy	B	B	D	B	B	E

Intersection	Model Base			Elongated Roundabout Option		
	2017	2026	2046	2017	2026	2046
Kennedy/Nuffield/Wilding	C	F	F	A	B	C
Kennedy Douglas McLean	A	B	B	A	B	B
Georges/Kennedy	B	B	D	B	B	D

Traffic Modelling Level of Service Summary - Weighted averages for each intersection (Afternoon Peak)

Intersection	Model Base			Two Roundabout Option		
	2017	2026	2046	2017	2026	2046
Kennedy/Nuffield/Wilding	C	F	F	A	A	A*
Kennedy Douglas McLean	A	E	C	B	A	B
Georges/Kennedy	B	C	D	B	B	D

Intersection	Model Base			Elongated Roundabout Option		
	2017	2026	2046	2017	2026	2046
Kennedy/Nuffield/Wilding	C	F	F	A	B	A
Kennedy Douglas McLean	A	E	C	B	C	B
Georges/Kennedy	B	C	D	B	C	E

* - Misrepresentation: the intersection is starved due to other network conditions, resulting in low delay levels.

4. QUARTERLY REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2019

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	895738
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

4.1 Purpose of Report

To consider the Quarterly Report for the six months ended 31 December 2019.

Officer's Recommendation

That Council:

- a. Receive the Quarterly Report for the six months ended 31 December 2019.

Mayor's Recommendation

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

4.2 Background Summary

The Quarterly Report summarises the Council's progress in the second quarter of 2019/20 towards fulfilling the intentions outlined in the Annual Plan. Quarterly performance is assessed against income, total operating expenditure, and capital expenditure.

4.3 Issues

No issues

4.4 Significance and Engagement

N/A

4.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

4.6 Development of Preferred Option

Receive the quarterly report for the six months ended 31 December 2019.

4.7 Attachments

- A Quarterly report for the six months ended 31 December 2019 (*Under Separate Cover*) ➡

5. DISTRICT PLAN REVIEW - PANDORA INDUSTRIAL AREA REZONING OPTIONS

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	910369
<i>Reporting Officer/s & Unit:</i>	Catherine Reaburn, Senior Policy Planner

5.1 Purpose of Report

To obtain endorsement from Council to proceed with further analysis and stakeholder engagement on a potential Stormwater Overlay for the full Pandora Industrial Area; and relaxation of the existing Mixed Use Zone at Pandora (for the land between Pandora Road, Humber Street and Thames Street). No change in zoning for the existing Industrial zone is currently proposed.

Officer's Recommendation

That Council:

- a. Endorse officers to proceed with further analysis and stakeholder engagement on Option 4: Stormwater Overlay and relaxation of existing Mixed Use Zone; and
- b. To request officers to report the conclusions of the further analysis and stakeholder engagement for Council's consideration prior to adopting a policy position for the draft District Plan release in November 2020

Mayor's Recommendation

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

5.2 Background Summary

As part of the District Plan Review, a report has been commissioned from external consultants (Stradegy) to inform the zoning and planning provisions for the Pandora Industrial Area. This report is attached as **Appendix A**. The review seeks to determine the most appropriate planning response to give effect to the key outcome sought from various Council's strategies and policy directives, including the Ahuriri Estuary and Coastal Edge Masterplan and the draft Regional Industrial Land Strategy. There also needs to be due consideration given to the legislative requirements set by the Resource Management Act and all related documents stemming from this Act.

Key themes from the relevant strategies, policy directives and from preliminary engagement with key stakeholders, were summarised for the purpose of analysing different planning response options. The key themes identified are:

1. Improve water quality, which in this context is reduce contaminants and improve stormwater management
2. Avoid inappropriate development within the coastal environment and land environment adjacent to this
3. Avoid increasing the risk of coastal hazards

4. Retain urban development within existing and planned zones
5. Recognize the value of infrastructure and ensure the efficient use of existing infrastructure (which involves establishing business activities in close proximity to major transport hubs, multi-modal transport networks and labour supplies)
6. Avoid reverse sensitivity issues
7. Embrace Napier's seaside town character
8. Support and consider the Port
9. Avoid the loss of industrial zoned land and preserve the area for future industrial/distribution/freight opportunities
10. Provide time for existing initiatives to improve stormwater management before introducing change/risk

The options analysed are:

Option 1: No Change (status quo)

Option 2: Introduction of a Stormwater Quality Overlay

Option 3: Stormwater Quality Overlay and Mixed Use Zone along Estuary Frontage

Option 3A: Mixed-Use Zone along Estuary Frontage

Option 4: Stormwater Quality Overlay and Relaxation of the Existing Mixed-Use Zone

Option 4A: Relaxation of the Existing Mixed-Use Zone

Option 5: Rezone to Mixed-Use with a Stormwater Quality Overlay

Option 5A: Rezone to Mixed-Use

The review recommends that Council progress with Option 4: Stormwater Quality Overlay and Relaxation of the Existing Mixed-Use Zone. In order to progress this option to the next stage the report recommended the following actions:

- Undertake engagement with Tangata Whenua and affected landowners/occupiers
- Assess the implications of potential coastal inundation over the Mixed-Use Zone to be relaxed
- Confirm servicing capacity
- Consider the extent to which the Mixed Use Zone is to be relaxed – e.g. enable quality medium density housing
- Assess and quantify potential effects on industrial land capacity
- Develop a Master Plan to guide the pattern of development and connectivity to roads and areas of public open space
- Develop rules and/or conditions to be included in the District Plan to improve stormwater management on sites within the area, in line with the Stormwater Bylaw 2020

The review concludes that the potential for a change in land-use along the Estuary interface as per Option 3 could be reconsidered at a later date.

This report seeks endorsement from Council to pursue with the recommendations of the review. The outcome of the further engagement and analysis will be reported back to Council for consideration prior to release of the draft District Plan in November 2020.

5.3 Issues

The potential rezoning of land needs to follow due legislative process. The recommendation at this stage involved scoping options and recommending a preferred approach for achieving Councils overall strategic objectives for the Pandora area. Adoption of the recommendation in this report will trigger initiation of the next stage of preparing the necessary documentation to support a rezoning and imposition of a new overlay, provided it meets the tests prescribed by the Resource Management Act. It is envisaged that at the completion of this stage the proposal (if adopted) would become part of the Draft District Plan.

5.4 Significance and Engagement

The zoning and planning provisions for Pandora are significant for all landowners and business operators in the area, as well as the community more broadly given the potential impacts on the Ahuriri Estuary, the transportation network and economic wellbeing.

Strategy has already undertaken engagement with key stakeholders, landowners and business owners as part of the initial review. The recommendations include engagement with tangata whenua and further discussions with landowners and business owners in further analysing Option 4. This allows more targeted engagement on a specific planning approach.

The further analysis will inform Council's policy position for release of the non-statutory draft District Plan for feedback in November 2020 – February 2021. This will provide a major opportunity for people to understand how Councils overall objectives and strategic directions manifest themselves in specific plan provisions, including in the Pandora area, and to provide feedback/comments. Feedback on the draft District Plan will inform development of the formal proposed District Plan to be released for submissions in 2021.

There are therefore multiple opportunities for engagement with stakeholders and the wider community throughout the District Plan Review process.

5.5 Implications

Financial

The cost of the additional analysis and engagement will be funded from the existing District Plan Review budget.

Social & Policy

The review seeks to ensure that the District Plan provisions for Pandora align with Council's current strategic priorities, plans and policies. The further analysis on Option 4 recommended by the review will provide more information to enable Council to make an informed policy position to be included as part of the release of the draft District Plan.

Risk

The risk in not adopting the recommendation is that either:

- There will be insufficient information to inform decision making on a policy position for Pandora for the draft District Plan; or

- An alternative option is selected which may not meet the strategies and policies of Council and/or the legislative requirements of the Resource Management Act 1991.

5.6 Options

The options available to Council are as follows:

- a. Endorse officers to proceed with further analysis and stakeholder engagement on Option 4: Stormwater Overlay and relaxation of existing Mixed Use Zone; or
- b. Request officers to further consider alternative options.

5.7 Development of Preferred Option

The preferred option is for Council to proceed with additional analysis and engagement on the recommended option. This will assist officers in having sufficient information to provide a recommended policy position for Pandora that meets the legislative requirements of the Resource Management Act 1991 and that can be included into the Draft District Plan.

5.8 Attachments

- A Pandora Zone Review - Final Draft [↓](#)



Pandora Environment Zone Review for Napier City Council

Analysis and Recommendation Report

19089REC
10 March 2020



Pandora Environment Zone Review for Napier City Council

Analysis and Recommendation Report

19089REC
10 March 2020

Status: Draft

Prepared by:

A handwritten signature in blue ink, appearing to read 'C. Drury'.

Cameron Drury BRP(HONS) MNZPI
Principal Planner | Director

Reviewed
and
Approved for
Release by:

A handwritten signature in blue ink, appearing to read 'R. Sutton'.

Rebecca Sutton BA MRP(HONS) MNZPI
Senior Planner

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EXECUTIVE SUMMARY

Napier City Council is in the early stages of a full District Plan review, which provides the opportunity to implement Council strategies. This project sits alongside this full review but is a separate project that may or may not be integrated within it.

As part of its Objective for ecological excellence, Napier City Council is seeking to improve the health and attractiveness of the Ahuriri estuary. It has been identified that one method to achieve this may be to change the nature of land-use within the Pandora Industrial Zone.

However, there are mixed messages regarding the appropriate strategic focus for the locale, and the Council would still like to retain the focus of Pandora as an industrial zone for large footprint industries with locational needs associated with the Port.

The purpose of this exercise is to provide a recommendation to Napier City Council of the appropriate zone, combination of zones, and/or other District Plan mechanisms for the long-term management of land-uses in Pandora to achieve the following objectives (as set by Napier City Council):

- Improve the health and attractiveness of the Ahuriri estuary¹ and
- Retain the strategic focus of Pandora as an industrial zone for large footprint industries with locational needs associated with the Port.

To do this, an initial review has been undertaken to make sense of competing variables and has involved:

- 1) An analysis of the statutory and non-statutory documents to understand the direction sought by these, and,
- 2) Consultation with owners, occupiers and interested parties to gain an understanding and appreciation of their values and issues, and how, if at all, those parties would like to see the area managed/progressed.

In terms of (1), the following statutory and non-statutory documents were considered to be the most relevant:

- New Zealand Coastal Policy Statement
- National Policy Statement for Urban Development Capacity
- National Policy Statement for Freshwater Management
- Heretaunga Plains Urban Development Strategy
- Regional Policy Statement
- Regional Land Transportation Plan
- Napier City Vision
- Ahuriri Estuary and Coastal Edge Master Plan
- Sub Regional Industrial Land Strategy (Draft)

In terms of (2), a workshop was held with interested parties and another with landowners/occupies. While attendance was limited, there was good representation and valuable contributions were made.

¹ As set out in the Ahuriri Estuary and Coastal Edge Masterplan.



A number of key messages were identified/interpreted from these exercises, allowing a number of options to be developed. Noting the need to maintain the availability of the area for some degree of industrial land-use, it was difficult to envisage wholesale change to a commercial, residential, rural or open space based environment, and for this reason, options across an industrial based spectrum taking cues from the analysis already undertaken were identified. These included:

Option 1:	No Change
Option 2:	Introduction of Stormwater Quality Overlay
Option 3:	Stormwater Quality Overlay and Mixed Use Zone along Estuary Frontage
Option 3A:	Mixed Use Zone along Estuary Frontage
Option 4:	Stormwater Quality Overlay and Relaxation of the Mixed Use Zone
Option 4A:	Relaxation of the Mixed Use Zone
Option 5:	Rezone to Mixed Use with a Stormwater Quality Overlay
Option 5A:	Rezone to Mixed Use

To assess the options, the messages identified were consolidated to develop core 'themes' for each option to be considered against. There were certainly conflicting messages, and a spectrum of themes resulted, which included:

- 1) Improve water quality, which in this context is reduce contaminants and improve stormwater management
- 2) Avoid inappropriate development within the coastal environment and land environment adjacent to this
- 3) Avoid increasing the risk of coastal hazards
- 4) Retain urban development within existing and planned zones
- 5) Recognize the value of infrastructure and ensure the efficient use of existing infrastructure (which involves establishing business activities in close proximity to major transport hubs, multi-modal transport networks and labour supplies)
- 6) Avoid reverse sensitivity issues
- 7) Embrace Napier's seaside town character
- 8) Support and consider the Port
- 9) Avoid the loss of industrial zoned land and preserve the area for future industrial/distribution/freight opportunities
- 10) Provide time for existing initiatives to improve stormwater management before introducing change/risk

Taking these into account, and while they were not weighted, Option 4 involving a Stormwater Quality Overlay in the District Plan to better manage the effects of land-uses in relation to on-site stormwater management and relaxation of the Mixed Use Zone along Pandora Road between Humber Street and Thames Street scored the highest, with Options (2) and (4A) following.

The following recommendations were made to progress the project towards a formal Plan Change process:

- 1) Engagement be undertaken with tangata whenua and affected landowners/occupiers.
- 2) Implications of potential coastal inundation be assessed over the Mixed-Use Zone to be relaxed.
- 3) That servicing capacity be confirmed.
- 4) That consideration be given to the extent to which the Mixed-Use Zone is to be relaxed (land-use and bulk and location considerations) – with a view to providing for greater residential



uptake than what is currently provided for within the Mixed Use Zone and less barriers to residential development - including the risk of reverse sensitivity.

- 5) Potential effects on industrial land capacity be assessed and quantified.
- 6) That a Master Plan be developed to guide the pattern of development and connectivity to roads and areas of public open space.
- 7) That rules and/or conditions to improve stormwater management on sites within the area, in line with the Stormwater Bylaw 2020, be developed to be included in the District Plan.

It is noted however, that with greater certainty around demands on the area from an economic/market perspective and the success or otherwise of Option 4 in relation to relaxing the Mixed Use Zone, the potential for a change in land-use along the Estuary interface as per Option 3 could be reconsidered at a later date.

Further, and regardless of whether the above or an alternative is progressed, it is recommended that:

- 1) Existing initiatives for the improvement of stormwater management in the area continue to be supported and committed too.
- 2) The Council work with landowners to remove private infrastructure within NCC drainage reserves.
- 3) That Thames Street be upgraded to introduce stormwater quality improvement methods,
- 4) A decision be made as to whether or not to reinstate/provide trade waste services in the area.



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1. Summary of Regional Policy Statement Provisions
2. Stakeholder Engagement Plan
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1. INTRODUCTION

1.1 Purpose and Scope

Napier City Council is in the early stages of a full District Plan review, which provides the opportunity to implement Council strategies. This project sits alongside this full review but is a separate project that may or may not be integrated with it.

As part of its Objective for ecological excellence, Napier City Council (Council) is seeking to improve the health and attractiveness of the Ahuriri estuary. It is acknowledged that the Pandora area has an established strategic focus as an industrial zone for large footprint industries with locational needs associated with the Port, however various strategies and matters have combined to initiate a review of the planning framework pertaining to this area.

The purpose of this review is to provide a recommendation to Napier City Council of the appropriate zone, combination of zones, and/or other District Plan mechanisms for the long-term management of land uses in Pandora to achieve the following objectives (as set by Napier City Council):

- Improve the health and attractiveness of the Ahuriri estuary (as set out in the Ahuriri Estuary and Coastal Edge Masterplan),
- Retain the strategic focus of Pandora as an industrial zone for large footprint industries with locational needs associated with the Port.

The recommended approach is to work aside non-RMA measures (including the stormwater bylaw and infrastructure improvements).

There are competing interests in the area, as well as conflicting messages in the various planning documents pertaining to the area, and this is evidenced in the tension between the above objectives.

A key component of this review is to understand the basis of the various messages leading to the perceived conflict, and to make sense or rationalise the realistic options for the area to arrive upon a well-considered recommendation.

To do this, the review has involved two main aspects:

- 1) An analysis of the statutory and non-statutory documents to understand the direction sought by these, and,
- 2) Consultation with owners, occupiers and interested parties to gain an understanding and appreciation of their values and issues, and how, if at all, those parties would like to see the area managed/progressed.

The purpose of the above exercises is to identify/interpret key messages, from which options and subsequent themes for these options to be considered against can be developed. Finally, a preferred option is recommended together with additional recommendations to



progress the project towards a Plan Change process. More general recommendations are also made for the Council to consider regardless of the whether or not the project proceeds.

1.2 Context and Limitations

This exercise is not a formal Plan Change and the analysis of statutory provisions has been purposely limited to high-level observations, as opposed to a critical review of specific provisions and terminology. This was so that general messages could be identified in order to make sense of conflicting directions or visions so that a preferred option can then be tested in a more technical or academic manner moving forward.

The timeframe and budget for the project was limited. In this regard, technical input around matters such as transportation, servicing, hazards and potential trade distribution effects (or similar) has not been sought at this stage.

Similarly, and primarily owing to the Christmas/New Year break, workshops with stakeholders could not be undertaken until February, meaning critical input was not able to be sourced until late in the project timeframe. There was also insufficient time prior to delivery to undertake further engagement. Owing to similar reasons, specific input from tangata whenua has not yet been obtained.

However, despite these constraints, broad inputs have been identified and valuable contributions from stakeholders have been made.

In response to some of these limitations, and should the project proceed beyond this initial exercise; it is recommended that further engagement be undertaken with interested parties, owners/occupiers and tangata whenua. In addition, technical inputs would need to be obtained where required, to test views and advance support or otherwise for the recommended approach.

2. REVIEW AREA

The area subject to this review is shown in **Figure 1** below and essentially includes the Pandora Industrial Zone and a small area of the Mixed Use Zone on the west side of Pandora Road as shown in **Figure 2**.

The study area adjoins but is not located within the coastal environment as defined in the Regional Coastal Environment Plan (and illustrated in **Figure 3** below). Therefore, it falls within the Regional Plan component of the Regional Resource Management Plan rather than the Regional Coastal Environment Plan. Similarly, it is not subject to any rules pertaining to coastal hazards in the Regional Plans. It does however adjoin a Significant Conservation Area and Class CR (HB) water. Although not with the Coastal Marine Area, it does adjoin it.



Figure 1: Review Area



Figure 2: District Plan





Figure 3: Regional Coastal Environment Plan



The following outlines:

- 1) Current District Plan considerations,
- 2) Existing land ownership and use,
- 3) Cultural Values and Statutory Acknowledgements,
- 4) Stormwater quality challenges.



2.1 District Plan Considerations

The current District Plan describes the Pandora Industrial Zone as supporting a wide range of industrial and commercial activities and identifies the following four resource management issues as significant within Napier's industrial environments:

- 1) Maintenance of a predictable industrial operating environment,
- 2) Impacts of sensitive land uses within or adjacent to existing industrial areas,
- 3) Management of any adverse effects on the environment generated by land uses within industrial areas,
- 4) Increasing competition for the Industrial Land Resource.

It is these issues that the ensuring Objectives, Policies and rule frameworks within this zone seek to address.

The rule framework provides for a limited degree of non-industrial landuses, but these in general still need to have a relationship with an industrial activity undertaken on the site. Overall, the intention of the Zone is to provide primarily for industrial activities and to avoid the generation of reverse sensitivity effects that may otherwise affect new and existing industrial activities.

The Mixed Use Zone is slightly different and is characterised by a mix of industrial, commercial and residential land uses. The provisions of the zone seek to retain this mix of uses, but still seeks to provide an environment in which industry can continue to operate (subject to the management of adverse environmental effects). Although the limits around office and retail activities are more stringent than the Main Industrial Zone, residential activities together with other 'residential based' activities such as day care centres, travellers accommodation and residential care facilities are provided for as a Permitted Activity subject to limits and compliance with specific performance standards.

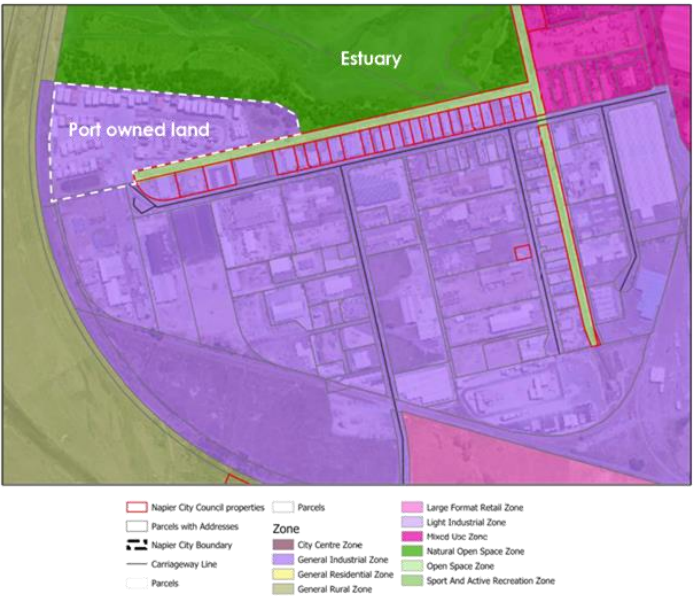
2.2 Land Ownership and Use

There are a number of individual landowners in the area including the Napier Port (Port) and Council, which as shown in **Figure 4** below, are the predominant owners of land between Thames Street and the Estuary.

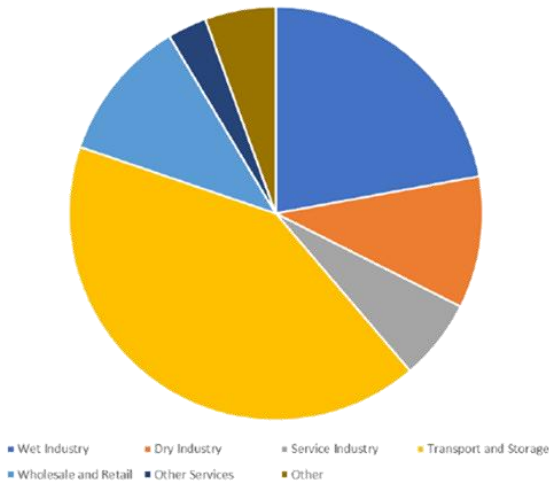
The Port-owned land currently accommodates container storage, while the Council-owned land is leased to individual parties who either operate industrial activities or sub-lease to other parties who operate industrial activities.



Figure 4: Landownership



Existing use in the area is well summarised in the Regional Industrial Land Strategy (RILS), which is introduced and discussed in more detail in Section 5.9 below. Here, the following activity category mix is presented as follows:





2.3 Cultural Values and Statutory Acknowledgments

As part of process to inform Plan Change 9 to the Regional Plan (relating to the Tūtaekuri, Ahuriri, Ngaruroro and Karamū (TANK) catchments) a cultural values assessment for the Ahuriri Estuary was prepared by the Mana Ahuriri Trust.

While there are multiple groups with interests in the Estuary which may express different views, this document is a useful guide for developing a high-level awareness of the cultural values pertaining to the area for the purposes of this exercise. Further assessment and engagement would be anticipated should the project progress.

The document describes the area pre and post the 1931 earthquake and provides commentary around habitat values and threats. In terms cultural values:

- As Te Whanganui o Orotu, the great lagoon at the mouth of the Tutaekuri River, it identifies that Ahuriri has long been an area of huge cultural, spiritual and practical value to Ngati Kahungunu, represented locally by seven hapu.
- At least three major pa (Otetara, Heipipi, and Te Pakake) and several lesser pa sites overlook the area.
- It states that the lagoon was a source of eels, shellfish, coastal fish, birds, flax, and raupo, as well as providing a safe-haven for launching waka for fishing and longer voyages.
- In 1824, Te Pakake pa (situated close to the location of the Inner Harbour today) was the site of a massacre inflicted upon the inhabitants (Ngati Kahungunu and representatives of allied iwi) by a much larger war party from the Waikato; an alliance of Ngati Tuwharetoa, Ngati Maniopoto, Ngati Raukawa, and possibly Nga Puhi.

Our understanding is that the area is not located within a Statutory Acknowledgment Area.

2.4 Stormwater Quality Challenges

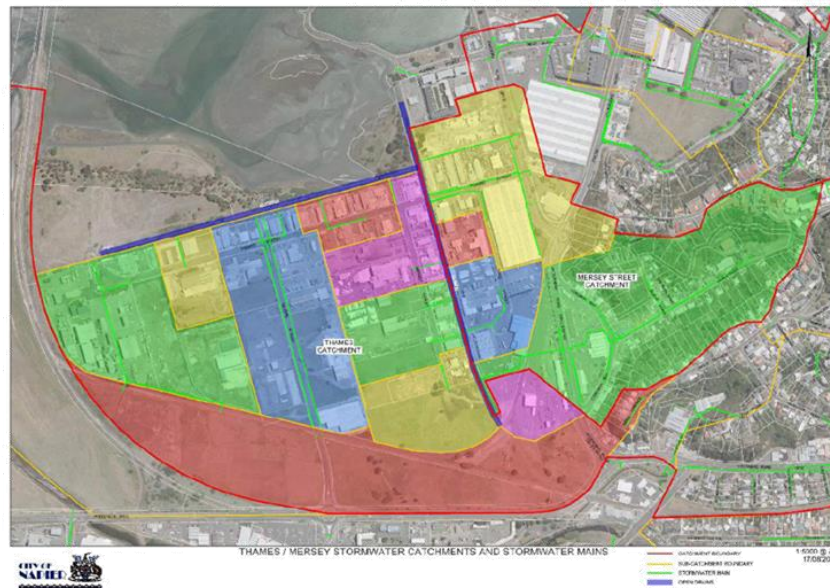
Stormwater from the area is drained to the Ahuriri Estuary under Resource Consent DP110266W, with the Consent holder being Napier City Council. Specifically, the consent is to:

"divert and discharge stormwater, excluding runoff that is not a consequence of rain, from any open drain system or piped stormwater drainage system to water, including discharges to land in a manner that subsequently results in the stormwater entering water (Thames and Tyne Waterways), within the following catchments as shown in Attachment A."

Attachment A of the Consent is illustrated in **Figure 5** below.



Figure 5: Attachment A of DP110266W



In summary, DP110266W required/requires:

- Pollution Prevention Plans to be prepared by high risk facilities.
- Education material addressing both sediment control and other contaminants to be prepared for developers and builders.
- At a broader level, a Stormwater Education Programme (SEP) designed to increase the public's understanding and awareness of stormwater management and environmental effects to be prepared.
- Street, catchpit and sump cleaning to be undertaken to minimise contaminants entering the stormwater system.
- Spill response and enforcement procedures to be developed for accidental or illegal discharge incidents.
- A Catchment Management Plan to be prepared to better understand the network and effects of stormwater discharges and to determine options for managing existing and future stormwater flooding and environmental effects.
- Stormwater infrastructure in new development areas to be constructed in accordance with the approved Catchment Management Plan (CMP), or the Hawke's Bay Regional Council Waterway Guidelines (Stormwater Management (May 2009) and Low Impact Design (April 2009)) or equivalent until the CMP is approved.
- The formation and facilitation of a Stormwater Working Group.
- Discharge and receiving environment sampling.
- Commitment to and facilitation of cultural monitoring.



Stormwater challenges still exist in the area however, and according to the report prepared by Coast to Catchment Limited²:

- Key contaminants of concern appear to be zinc and microbial contaminants.
- Inputs of zinc are significant and appear to be stormwater related, and along with other sources, potentially have a reasonably broad-scale impact on the biota of Ahuriri Estuary.
- Microbial contaminant concentrations in the Thames-Tyne inlet were substantially higher than those at other sites in Ahuriri Estuary, suggesting the catchment is a source of microbial contaminants rather than a sink. The data also indicated that microbial contaminants were entering the Thames-Tyne waterways during dry weather, and there appeared to be a regular spatial and daily pattern to microbial inputs. Nutrient levels were also moderately elevated in the inlet, with total nitrogen and total phosphorus concentrations being similar to those in the upper, estuarine section of the Ahuriri.

In response, and in addition to the requirements of DP110266W, Napier City Council has undertaken/commenced the following initiatives:

- Strategic retreat of private infrastructure within NCC drainage reserve i.e. encroachment of adjoining activities onto the Drainage Reserve,
- Working with all landowners to prepare environmental management plans rather than just those identified as being high risk sites,
- Dry weather assessments of discharge points,
- Wider special discharge and receiving environment sampling,
- Increased monitoring of trade waste discharges,
- Full tidal sampling at the consented point of discharge,
- Preparation of a new stormwater bylaw,
- Core sediment sampling analysis to better understand legacy issues,
- Monitoring of private direct outfalls into the stormwater network.

The strategic retreat exercise involved identifying activities that had, over time, encroached onto the Drainage Reserve with the view to resolve this so as to enable access to the drainage reserve. This access would have provided the requisite space for maintenance, monitoring and the establishment of instream water quality improvement solutions. Acknowledging the cost implications on land owners, and that at that stage the Council was somewhat uncertain as to what the land would be used for, this exercise was put on hold.

The Stormwater Bylaw 2020 came into force on 1 February 2020, with the purposes being to:

- a) protect the public stormwater system, and the land, structures, and infrastructure associated with that network from damage, misuse or loss.
- b) manage the development, maintenance and use of the public stormwater network, and the land, structures, and infrastructure associated with that network, and provide for the conditions on which connections to the public stormwater network may be made or maintained.

² Thames-Tyne monitoring, 2017–18, Napier City Council, May 2019



- c) ensure that discharges into the public stormwater network are appropriately managed at source, and do not damage the network or compromise the Council's ability to comply with any applicable network discharge consent and Council's water quality targets for receiving environments.

Key components of the Bylaw include:

- Requirements/provision for all connections to the NCC stormwater network to require approval from Council,
- An ability for the Council to require a Site Management Plan to accompany an application for connection,
- The ability to monitor and undertake enforcement action related to bylaw breaches, including implementation of Site Management Plans.

The anticipated outcomes of the Bylaw for the area include:

- Individuals will responsibility for their discharges,
- The elimination of dry weather and process water discharges,
- Treatment at source (where required),
- Improved stormwater quality within the drainage network,
- Contribution to improved water quality in receiving surface water bodies.

One limitation of the Bylaw is that it only applies to new activities at the time of applying for a connection. There may be some benefit to considering how its requirements (or similar) could be signaled and considered earlier in the land development process. The District Plan may have a role to play here.

Broader projects relating to stormwater management in the City include:

- Private outfall inventory and investigation,
- Establishment of monitoring points on urban streams,
- Source tracking of contaminants,
- A City-wide urban water way study to identify areas of concern and solutions to be implemented through capital projects,
- Review of the District Plan and Code of Practice for Subdivision and Land Development.

Internal processes have also been established to give greater attention to the assessment of Resource Consent and Engineering Approval applications with regard to sediment control and erosion.



3. REVIEW METHODOLOGY

The review has involved two main aspects:

- 1) An analysis of the statutory and non-statutory documents to understand the direction sought by these, and,
- 2) Consultation with owners, occupiers and interested parties to gain an understanding and appreciation of their values and issues, and how, if at all, those parties would like to see the area managed/progressed.

4. REPORT STRUCTURE

- Section 5 reports on the analysis of the relevant planning documents to identify key 'messages',
- Section 6 reports on the consultation undertaken with owners, occupiers and interested parties to identify key 'messages',
- Using the above 'messages', Section 7 identifies options i.e. for improving the health and attractiveness of the Ahuriri estuary while retaining the strategic focus of Pandora as an industrial zone for large footprint industries,
- Section 8 analyses the options against 'themes' derived from the identified 'messages',
- Section 9 provides recommendations for improving the health and attractiveness of the Ahuriri estuary while retaining the strategic focus of Pandora as an industrial zone for large footprint industries.

5. ANALYSIS OF RELEVANT PLANNING DOCUMENTS

There are a number of statutory and non-statutory planning documents pertaining to the area that may or may not apply depending on the planning process concerned.

For the purposes of this exercise however, the following are considered to be the most relevant for identifying key messages from which options for the area can be developed and themes for them to be considered against derived:

1. New Zealand Coastal Policy Statement
2. National Policy Statement for Urban Development Capacity
3. National Policy Statement for Freshwater Management
4. Heretaunga Plains Urban Development Strategy
5. Regional Policy Statement
6. Regional Land Transportation Plan
7. Napier City Vision
8. Ahuriri Estuary and Coastal Edge Master Plan
9. Sub Regional Industrial Land Strategy



Each is considered below. Further detail and assessment of these together with additional documents is likely to be required should the project progress to a formal Plan Change process. Indeed, the purpose of this initial analysis is to identify key messages to help guide this review exercise rather than being a substantive evaluation against them.

5.1 New Zealand Coastal Policy Statement

The purpose of the NZCPS is to state policies to achieve the purpose of the Act in relation to the coastal environment of New Zealand.

District Plans must give effect to the NZCPS, and while the study area may not be within the Coastal Marine Area, nor the Coastal Margin or wider Coastal Environment of the Regional Coastal Environment Plan³, Policy 4 of the NZCPS provides for the integrated and co-ordinated management of activities between the coastal marine area and land. When considering the effects of land-use activities on the coastal environment, it is a matter of weight to be afforded to the provisions NZCPS.

When considering either a new, or change in land-use, aspects of different provisions are certainly worthy of mention, particularly in the case of this exercise. Here we note:

Objective 1 - To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:

- maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;
- protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and
- maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.

Objective 2 - To preserve the natural character of the coastal environment and protect natural features and landscape values through:

- recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;
- identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and
- encouraging restoration of the coastal environment.

Objective 3 - To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:

³ The Regional Coastal Environment Plan applies over what is defined in the Plan as the entire 'coastal environment' in order to provide integrated management of the coastal marine area and any related part of the coastal environment. It is this Plan that the HBRC use to deliver the policies of the NZCPS.



- recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;
- promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;
- incorporating mātauranga Māori into sustainable management practices; and
- recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.

Objective 4 - To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:

- recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;
- maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and
- recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.

Objective 5 - To ensure that coastal hazard risks taking account of climate change, are managed by:

- locating new development away from areas prone to such risks;
- considering responses, including managed retreat, for existing development in this situation; and
- protecting or restoring natural defences to coastal hazards.

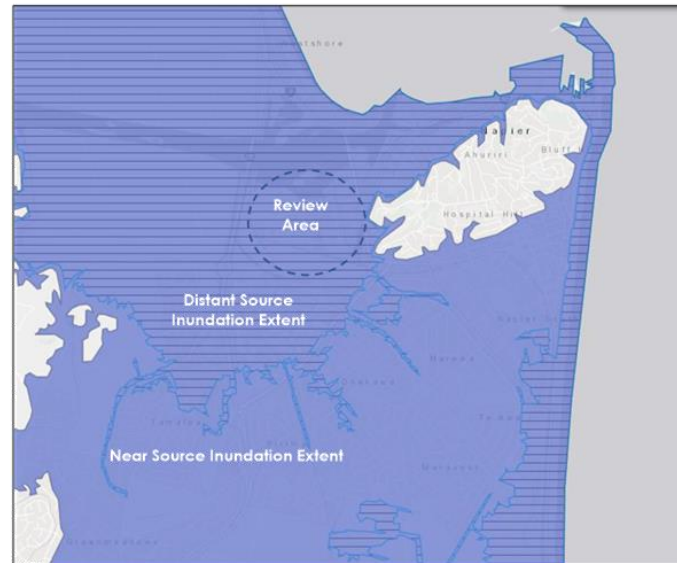
Objective 6 - To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:

- the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
- some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;
- functionally some uses and developments can only be located on the coast or in the coastal marine area;
- the coastal environment contains renewable energy resources of significant value;
- the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;
- the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;
- the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and
- historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.



In terms of Objective 5, the area is outside the coastal erosion and inundation zones identified in the Regional Coastal Environment Plan, is located within the 'Tsunami Near Source Inundation Extent' and 'Tsunami Distant Source Inundation Extent' as shown in **Figure 6**. Although this is characteristic of much of Napier's urban environment, Tsunami is a relevant hazard to consider.

Figure 6: Tsunami Inundation Extents



Similarly, although outside the current 'regulatory' coastal erosion and inundation zones, **Figure 7** indicate the coastal inundation extent for a 1% AEP event for the present day, 2065 and 2120 based on what is referred to on the Hawkes Bay Hazard Portal as 'new information 2016' under 'Coastal Hazards (Supplementary)'.

This indicates that the impact of the risk of coastal inundation in the area is likely to increase over time.



Figure 7: Supplementary Coastal Inundation Extents



Present Day



2065



2120



Without going into further detail around the Policies, key 'messages' from the NZCPS include:

- Restore the coastal environment and protect significant natural ecosystems.
- Maintain or enhance coastal water quality.
- Allow development but avoid inappropriate development.
- Recognise and protect characteristics of the coastal environment that are of special value to tangata whenua.
- The coastal marine area is an extensive area of public space for the public to use and enjoy.
- Carefully consider the risks of coastal hazards.
- The potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land.
- The coastal marine area is a limited resource.

5.2 National Policy Statement on Urban Development Capacity

District Plans must give effect to any National Policy Statement. The National Policy Statement for Urban Development Capacity provides direction to decision-makers under the RMA on planning for urban environments and covers development capacity for both housing and business.

While it is stated that it is up to local authorities to make decisions about what sort of urban form to pursue, the NPS aims to ensure that planning decisions enable supply to meet projected demand, and essentially requires Councils to provide enough development capacity (including a buffer) in their Plans to ensure that demand can be met.

The overarching theme running through this national policy statement is that planning decisions must actively enable development in urban environments and do so in a way that maximises wellbeing now and in the future. This does not anticipate development occurring with disregard to its effect however, and local authorities still need to consider a range of matters in deciding where and how development is to occur.

This national policy statement requires councils to provide in their plans enough development capacity to ensure that demand can be met. This includes both the total aggregate demand for housing and business land, and also the demand for different types, sizes and locations.

Importantly, the provision of development capacity must also be supported by infrastructure. The national policy statement requires development capacity to be serviced with development infrastructure, with different expectations from this infrastructure in the short, medium and long-term. It encourages integration and coordination of land-use and infrastructure planning.

Another key theme running through the NPS is for planning to occur with a better understanding of land and development markets, and in particular the impact that planning has on these.



Planning can impact on the competitiveness of the market by reducing overall opportunities for development and restricting development rights to only a few landowners. This NPS requires local authorities to prepare a housing and business development capacity assessment; and to regularly monitor market indicators, including price signals, to ensure there is sufficient development capacity to meet demand. Local authorities must respond to this information. If it shows that more development capacity needs to be provided to meet demand, local authorities must then do so. Providing a greater number of opportunities for development that are commercially feasible will lead to more competition among developers and landowners to meet demand.

It also places a strong emphasis on planning coherently across urban housing and labour markets, which may cross local authority administrative boundaries. It is noted in the policy statement that this will require coordinated planning between local authorities and includes collaboration between regional councils and territorial authorities who have differing functions under the RMA.

The overarching Objectives of the NPS-UDC include (relevant aspects highlighted):

Objective Group A – Outcomes for planning decisions

- OA1: Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.
- OA2: Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.
- OA3: Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.

Objective Group B – Evidence and monitoring to support planning decisions

- OB1: A robustly developed, comprehensive and frequently updated evidence base to inform planning decisions in urban environments.

Objective Group C – Responsive planning

- OC1: Planning decisions, practices and methods that enable urban development which provides for the social, economic, cultural and environmental wellbeing of people and communities and future generations in the short, medium and long-term.
- OC2: Local authorities adapt and respond to evidence about urban development, market activity and the social, economic, cultural and environmental wellbeing of people and communities and future generations, in a timely way.

Objective Group D – Coordinated planning evidence and decision-making

- OD1: Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other.



OD2: Coordinated and aligned planning decisions within and across local authority boundaries.

Without going into further detail around the Policies, key 'messages' from the NPS-UDC include:

- Provide options for different types of business.
- Ensure a good understanding of market trends, influences and developments before making changes that may affect business.
- Opportunity is needed to stimulate growth.
- Plan across local authority boundaries and consider opportunities enabled by other regions.
- Ensure land use and infrastructure are integrated.

5.3 National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management (NPSFM) took effect on 1 August 2014 (Amended 2017). It generally relates to freshwater quantity and quality matters, but also contains a suite of further provisions relating to integrated management, setting national objectives, monitoring plans, information recording, tangata whenua roles and interests and a progressive implementation programme.

Relevant to the matter of improving water quality are Objectives A1 - A4 as follows:

- | | |
|---------------------|--|
| Objective A1 | To safeguard: <ul style="list-style-type: none"> a) the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, of fresh water; and b) the health of people and communities, as affected by contact with fresh water; in sustainably managing the use and development of land, and of discharges of contaminants. |
| Objective A2 | The overall quality of fresh water within a freshwater management unit is maintained or improved while: <ul style="list-style-type: none"> a) protecting the significant values of outstanding freshwater bodies; b) protecting the significant values of wetlands; and c) improving the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated. |
| Objective A3 | The quality of fresh water within a freshwater management unit is improved so it is suitable for primary contact more often, unless: <ul style="list-style-type: none"> a) regional targets established under Policy A6(b) have been achieved; or b) naturally occurring processes mean further improvement is not possible |
| Objective A4 | To enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing freshwater quality, within limits. |



Objectives C1 and D1 are also relevant.

Objective C1 seeks to improve integrated management of fresh water and the use and development of land in whole catchments, including the interactions between fresh water, land, associated ecosystems and the coastal environment.

Objective D1 seeks to provide for the involvement of iwi and hapū, and to ensure that tangata whenua values and interests are identified and reflected in the management of fresh water including associated ecosystems, and decision-making regarding freshwater planning, including on how all other objectives of this national policy statement are given effect to.

The NPS-FM has been given effect through Plan Change 5 to the RPS and in the introduction of Chapter 3.1A pertaining to the Integrated land Use and Freshwater Management. The RPS has a whole is considered in Section 5.5 below where key messages pertaining to freshwater quality and the integrated management of freshwater and landuse are identified.

5.4 Heretaunga Plains Urban Development Strategy

The Heretaunga Plains Urban Development Strategy (HPUDS) is a collaborative approach by the Hastings District Council, Napier City Council and Hawke's Bay Regional Council to plan for urban growth on the Plains for the period 2015-2045. HPUDS takes a long-term view of land-use and infrastructure and is regularly reviewed to ensure it is kept up-to-date and relevant. The Strategy went through its first review cycle during 2016 and was adopted by the three partner councils in early 2017.

The Strategy is based on a preferred settlement pattern of 'compact design' for the Heretaunga Plains. In particular, this recognises the community's preference to maintain the versatile land of the Heretaunga Plains for production purposes.

The direction for growth through to 2045 relies on Napier and Hastings having defined growth areas and urban limits, with a need to balance increased intensification and higher densities close to the commercial nodes and higher amenity areas in the districts, against the provision of lifestyle choice.

Defined growth areas are a key element of the settlement pattern. They are more efficient and cost effective from an infrastructure and servicing point of view, and ensure land use and infrastructure can be co-ordinated, development well planned, and growth on the versatile land of the Heretaunga Plains avoided as much as possible.

Changes to zones that may affect how and where different land-uses are accommodated require careful consideration in regard to (1), how existing zones are relied on to accommodate growth, (2), the release of planned greenfield areas to accommodate growth, and (3), infrastructure planning.



HPUDS is embedded within the Regional Policy Statement and is implemented through Chapter 3.1B pertaining to 'Managing the Built Environment'.

Relevant provisions and key 'messages' of the RPS (for the purpose of this exercise) are expanded upon in Section 5.5 below.

In terms of HPUDS itself, key 'messages' include:

- The Pandora Industrial Zone is an existing area contributing to the supply of industrial zoned land,
- The extent of the Industrial Growth Areas to accommodate future demand has been developed assuming the Pandora Industrial Zone will remain,
- Demand for industrial land arising from any changes to the Pandora Industrial Zone has not been accounted for and may lead to increased demand on the identified Industrial Growth Areas, and possibly demand for additional areas, which may affect the preservation of versatile land resource.

5.5 Regional Policy Statement

District Plans must give effect to any Regional Policy Statement. In this regard, the Regional Policy Statement (RPS) is contained in Chapter 3 of the Regional Resource Management Plan document.

The RPS identifies 16 topics for which policy frameworks have been developed to manage/address them. Those that are most relevant to this exercise are highlighted:

- Integrated land use and freshwater management
- Managing the Built Environment
- Coastal Resources
- Loss and Degradation of Soil
- Scarcity of Indigenous Vegetation and Wetlands
- Effects of Conflicting Land Use Activities
- Agrichemical Use
- Management of Organic Material
- Groundwater Quality
- Groundwater Quantity
- Surface Water Quantity
- Surface Water Quality
- River Bed Gravel Extraction
- Natural Hazards
- Physical Resources
- Matters of Significance to Iwi/Hapu

A summary of the provisions pertaining to 'Managing the Built Environment' is provided below, with a summary of the remaining relevant provisions provided in **Appendix 1**. Both summaries are undertaken for the purpose of identifying key messages relating to this area/review.



Chapter 3.1B – Managing the Built Environment

These provisions set a vision for compact and well-designed urban developments within defined urban limits so as to limit encroachment onto the Heretaunga Plains soil resource. They seek a staged approach to releasing different areas of land for development in order to ensure optimal integration with public infrastructure, as well as a balanced supply across different areas of Napier, Hastings and Havelock North to provide opportunities for all levels of the market. In summary:

- Objective UD1 seeks to establish a compact and strongly connected urban form that;
 - Avoids, remedies or mitigates reverse sensitivity effects,
 - Avoids unnecessary encroachment on versatile land,
 - Avoid or mitigates increasing the frequency or severity of risk to people and property from natural hazards,
- Objective UD3 states that land requirements for the growth of business activities should be provided in a manner consistent with Objective UD1,
- Objectives UD4 and UD5 seek to manage urban development through a planned and staged manner that is integrated with the provision of strategic and other infrastructure,
- Objective UD6 seeks to ensure that the planning for, and provision of, transport infrastructure is integrated with development and settlement patterns while limiting network congestion, reducing dependency on private motor vehicles, reducing emission of contaminants to air and energy and promoting the use of active transport nodes.

Policy UD1 goes on to state:

In providing for urban activities in the Heretaunga Plains sub-region, territorial authorities must place priority on:

- a) the retention of the versatile land of the Heretaunga Plains for existing and foreseeable future primary production, and
- b) ensuring efficient utilisation of existing infrastructure, or
- c) ensuring efficient utilisation of planned infrastructure already committed to by a local authority, but not yet constructed.

In terms of the provision for business activities, Policy UD2(b) promotes the utilisation, redevelopment and intensification of existing commercial land and (d) the utilisation of existing infrastructure availability, capacity and quality as far as reasonably practicable. Consistent with the overarching principle of HPUDS, (e) seeks to avoid unnecessary encroachment onto the versatile land of the Heretaunga Plains. Sub policies (g) and (h) seek to ensure close proximity to major transport hubs, multi-modal transport networks and to promote close proximity to labour supply respectively.

Finally, Policy UD11 states that any rezoning for the development of urban activities should be accompanied by a structure plan for inclusion in the district plan. The matters to be considered are outlined in Policies UD10.3, UD10.4 and UD12. Relevantly, and given this exercise is all about considering the merits of change, sub policy (m) requires (to the extent



reasonably possible) the avoidance of reverse sensitivity effects on existing strategic and other physical infrastructure.

Key 'messages' from the Regional Policy Statement include:

- land uses can impact the coastal environment.
- Integrated land use and freshwater management involves working collaboratively with the catchment communities.
- Protect the coastal environment from inappropriate use and development.
- Avoid, remedy or mitigate reverse sensitivity effects, particularly on existing strategic and other physical infrastructure, acknowledging that it may be possible for solutions to be found in safeguards applied to each activity concerned.
- Avoid unnecessary encroachment on versatile land.
- Avoid or mitigate increasing the frequency or severity of risk to people and property from natural hazards.
- Consider transport infrastructure.
- Ensure the efficient utilisation of existing infrastructure, and the efficient utilisation of planned infrastructure that may be committed to, but not yet constructed.
- Promote the utilisation, redevelopment and intensification of existing commercial land
- Establish business activities in close proximity to major transport hubs, multi-modal transport networks and labour supply.
- Manage coastal water quality.
- Protect the coastal environment from inappropriate use and development.
- Carefully consider coastal hazard risks.
- An appropriate level of development and industry within the coastal environment can be supported.
- The Ahuriri Estuary is identified as a Significant Conservation Area, meaning it has significant conservation values, particularly cultural, ecological, historic, or wildlife values.
- water quality should be suitable for sustaining or improving aquatic ecosystems.
- Owing to its location to the transport network and the Port, the Pandora Industrial Zone is regionally significant asset.
- Recognise tikanga Maori values, provide for cultural values and involve tangata whenua in decision making.

5.6 Regional Land Transportation Plan

Prepared by the Regional Transport Committee (with members from all councils in the region and NZTA, and a number of specialist advisers), the Regional Land Transport Plan (RLTP) describes Hawke's Bay's strategic transport objectives to 2025. It was reviewed in 2018, with the next review to be undertaken in 2020-21.

The Plan's main objectives are to achieve a resilient and efficient transport system that supports economic development and social and environmental well-being, while reducing the risk of death or serious injury on Hawke's Bay roads.



The Regional Land Transport Plan must be consistent with the Government Policy Statement (GPS) on Land Transport, which is reviewed three yearly and sets the Government's direction for land transport. At a regional level, Matariki, Hawke's Bay's economic development strategy, which was adopted in 2016, sets out a number of work areas which the RLTP contributes to, one of which is ensuring safe and efficient access to Napier Port.

According to the RLTP, the Port of Napier is the fourth largest port in New Zealand by overseas export volumes. It accounts for 10% of New Zealand's export tonnages and is therefore a nationally significant asset. In dollar terms, Napier Port is reported to support more than \$3.4 billion of Hawke's Bay's Gross Regional Product.

Prebensen Drive provides a critical link to the port and among other projects, safety and efficiency improvements on the Hawke's Bay Expressway between Pakipaki and Watchman Road involving slip lane extensions at roundabouts, targeted seal widening median/side barriers and improvements to the Prebensen Drive/Hyderabad Road roundabouts have already been recommended by the Napier Port Access Study and adopted in Matariki.

The RLTP goes on to state that there have been significant increases in the freight flow through the Port, with overall tonnages growing by 70% between 2006 and 2016, from 2.3 million tonnes to 3.9 million tonnes, and that Napier Port predicts that growth in key freight types through the Port will increase truck movements by 187% (being 171,000 truck movements) along the critical Ahuriri access corridor in the nine years to 2027.

In response, and among others, working with neighbouring regions to maximise the efficiency and resilience of transport routes throughout Napier Port's catchment area is identified a priority. As part of this, a further key priority is to ensure High Productivity Motor Vehicle⁴ capability on the region's strategic routes and local road connections. This involves improvement to remove impediments to the use of HPMV's between the Hawke's Bay Region and the Horizons Region, in particular the freight hubs of Palmerston North. The Saddle Road across the Tararua Ranges is already suitable for HPMV use, and once bridge structures in the Hawke's Bay Region are strengthened, HPMV use will be possible on what would be a nationally strategic link.

With access to the Port being via urban Napier however, there is the potential for conflict between the need to maintain amenity values and the need for efficient access to the Port. In this regard, Ahuriri in particular has experienced a recent resurgence in retail, light commercial, tourism and residential activity, so growth in traffic to the Port via State Highway 50 has the potential to cause conflict with these activities. In response the RLTP suggests that any further development in the Ahuriri area needs to be managed carefully in light of the predicted traffic growth.

⁴ High Productivity Motor Vehicle. A longer or heavier (greater than 44 tonnes) truck that must travel on a specified route permitted by all relevant road controlling authorities



Key 'messages' from the Regional Land Transportation Plan include:



- Roading decisions in the area will be greatly influenced by the needs of the Port.
- Increased traffic through the area can be expected.
- Planning decisions should take account of potential reverse sensitivity matters arising.

5.7 Napier City Vision

The City Vision document was finalised over 2015/16 and sets out a general vision and strategic framework to guide Napier. The Vision reinforces the three key areas of the city, these being the City Centre, Ahuriri and the Waterfront, as the showcase for shopping, professional services, creative talent and visitor attractions.

A key component of the City Vision is the 6 City Vision principles, these being putting people first, open for business, a port and coastal city, our people our stories, ecological excellence and pedal power. These principles are intended to underpin any future decisions made on projects and guide Council in 'how' it will operate – it's priorities, its relationship with the community and stakeholders, and its internal working environment.

The Area Framework strategies and initiatives have been informed by a comprehensive urban analysis of those opportunities presented by the natural and built context and are intended to provide direction on future projects for Council. In this case, both the Ahuriri and Waterfront and Port Area Frameworks are relevant. The strategies for these areas are summarised (reproduced from the City Vision document) below.

<p style="text-align: center;">AHURIRI</p>  <p>STRATEGY 1 - INTEGRATE THE WATERFRONT AND CHARACTER PRECINCTS The varied quality of the public spaces in Ahuriri's distinct character precincts and attractions will be made coherent through careful design and consideration of materials, and through undertaking catalyst projects.</p> <p>STRATEGY 2 - INVEST IN THE AHURIRI BUSINESS PARK - THE MIXED-USE WAREHOUSE PRECINCT Ahuriri Business Park in the mixed-use warehouse precinct will become a centre for Napier's entrepreneurial culture and leverage the Business Hub and the unique setting with design qualities that reflect its emerging identity.</p> <p>STRATEGY 3 - INTELLIGENTLY MANAGE THE PORT ROUTE The safe and efficient flow of people across Bridge Street (state Highway 2) needs to be balanced with the need to transport goods and people to the Port with minimum delay and maximum ease. Intelligent design will ensure both these objectives are met.</p> <p>STRATEGY 4 - COMMUNICATE AHURIRI'S UNIQUE HERITAGE AND IDENTITY The large scale size and materials of Ahuriri's saw-tooth warehouses and marine industry features provide the ideal canvas for communicating Ahuriri's unique heritage and identity.</p>	<p style="text-align: center;">WATERFRONT & PORT</p>  <p>STRATEGY 1 - ONE WATERFRONT, MULTIPLE DESTINATIONS, 100+ THINGS TO DO The waterfront will be developed as a coherent entity from the Pandora Estuary to Georges Drive with a place-led approach to create destinations with distinct identities and multiple attractions.</p> <p>STRATEGY 2 - WATERFRONT STRUCTURE AND DESIGN The scope of waterfront projects will extend into the City Centre and Ahuriri to maximise project benefits, and build in resilience by incorporating hazard mitigation into the landscape. Design will be improved with a place-specific palette of materials and public space features to support use.</p> <p>STRATEGY 3 - A CONTEMPORARY AND MULTI-FUNCTIONAL WATERFRONT The waterfront will become a multi-functional and multi-layered experience with ecological and aesthetic values, unified lighting, and memorable creative and cultural expression.</p> <p>STRATEGY 4 - PORT AND CRUISE SHIP STRATEGY The Cruise ship tourism experience will be expanded into Ahuriri and strengthened with a creative and adaptable pop-up approach, and the Port's development will be supported with on-going improvement of safety, access, site planning, and operations.</p>
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Key 'messages' from the City Vision document include:

- Continual spotlight on the functional needs of the Port.
- Embrace the seaside town character and identity.
- Build resilience to coastal hazards and climate change.
- Identify, capitalise and enhance our ecological assets (Ahuriri Estuary).
- Encourage design renewal.

5.8 Ahuriri Estuary Coastal Edge Master Plan

The Ahuriri Estuary and Coastal Edge Masterplan was finalised in July 2018. It is centred on Napier's unique estuary environment and presents Napier City Council's long-term vision for the estuary and surrounding coastal edge spaces. Essentially, this plan gives effect to the principles and strategies of the City Vision document (where applicable).

The purpose of the masterplan is to highlight the opportunities in the city's interface with the estuary and coastal edge to help create a resilient estuary environment. In particular, addressing water quality issues and encouraging and facilitating appropriate uses; whilst managing the challenges of competing uses. Relevant to this exercise are initiatives 9 -10, being:

- 9 Facilitate a high quality, mixed use interface to the estuary.
- 10 Upgrade Thames & Severn Streets to deliver water quality & amenity improvements.
- 11 Prepare Structure Plan to guide the future development of Pandora.

Overviews of these initiatives are re-produced from the Ahuriri Estuary and Coastal Edge Masterplan below. In summary, in response to the push for industry adjoining the estuary to significantly reduce the contaminants discharging, or the risk of contaminants discharging to the estuary, Initiative (9) responds to the possibility that some industrial businesses may choose to locate elsewhere. It suggests that this re-location of activity, together with the location of sites facing the estuary to the north and Thames Street to rear, may present opportunities to use the land for alternative purposes such as 'live-work' land uses under a mixed-use character framework. This type of mixed use framework is suggested to be more sensitive to the vulnerable nature of the estuary.

Initiative (10) seeks to upgrade the Thames Street streetscape with a primary focus on improving the quality of stormwater runoff, while maintaining safe access for vehicles and improving amenity, and seeks to encourage truck movements along Severn Street and Prebensen Drive rather than Thames Street and Pandora Road.

Initiative (11) acknowledges the potential for industrial land use to present a challenge in regard to water quality within the estuary, and again, with the north facing aspect across the estuary, the areas location in relation to the mixed-use areas of Ahuriri, and relative proximity to the CBD, identifies opportunity for this area of land. To this end, the initiative recommends that a Structure Plan be prepared to plan for the long term land use of the Pandora area – while addressing coastal inundation, land use zoning, connectivity, street design, vehicle access and circulation, the estuary interface, and land uses.



9 Facilitate a high quality, mixed use interface to the estuary.

Given the push for industry adjoining the estuary to significantly reduce the contaminants discharging, or the risk of contaminants discharging to the estuary, it is possible that some industrial businesses may choose to locate elsewhere, where the right infrastructure exists to accommodate the needs of these industries. This opens up opportunities to use the land for alternative purposes. The northerly aspect of sites facing the estuary, to the rear of those facing Thames Street, would be ideal for live-work land uses, and for sites in this part of Pandora to be more of a mixed-use character. These uses would be more sensitive to the vulnerable nature of the estuary and instill a sense of ownership/responsibility for the estuary environment.

Next steps

Review existing zoning with a view to transferring from Industrial Zone to Mixed-Use Zone.
Review infrastructure needs heavy industrial activities, and where in the city, or region, is the most appropriate for this land use.

9	Estimated Timeframe 2020-2038	Estimated Cost \$14M (land purchase)
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High quality mixed use building precedents.



Mixed use interface and water quality improvement works along the estuary edge.

10 Upgrade Thames & Severn Streets to deliver water quality & amenity improvements.

Upgrade Thames Street streetscape with a primary focus on improving the quality of stormwater runoff, while maintaining safe access for vehicles and improving amenity. Encourage truck movement along Severn Street and Prebensen Drive, rather than Thames Street and Pandora Road.



Thames Street existing



Thames Street existing

Next steps

Prepare options study for stormwater quality improvements within Pandora catchment.

10	Estimated Timeframe 2020-2021	Estimated Cost \$541k
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11 Prepare a Structure Plan to guide the future development of Pandora.

The Pandora industrial area is of a similar size to the city centre, and is serviced by a network of only five streets, three of which are dead-ends. It is currently zoned Main Industrial, and along with Onekawa and Awatoto provides for industrial land uses within Napier city.

The industrial land use interface with the sensitive estuary environment presents a challenge, particularly evident in the current water and sediment quality issues within the estuary. The north facing aspect across the estuary, the location in relation to the mixed-use areas of Ahuriri, and relative proximity to the CBD presents an opportunity for this area of land.

Although some industrial land-uses present limited threats to the health of the estuary, others (particularly wet industries) would, in the longer term, be better accommodated at alternative sites, releasing areas for lighter industrial or mixed-uses.

In addition to those opportunities already identified in this Masterplan are the ongoing needs of infrastructure to service the Port of Napier, the potential for higher quality and higher density commercial development on Pandora Road, and the on-going development of Large Format Retail along Prebensen Drive.

It is recommended that a structure plan be prepared to plan for the long term land use of the Pandora area. Addressing coastal inundation, land use zoning, connectivity, street design, vehicle access and circulation, the estuary interface, and land uses.

Next steps

Prepare a Structure Plan for the Pandora area in consultation with key stakeholders.

Review existing zoning with a view to transferring from Industrial zone to a Mixed Use/Commercial Zone in the District Plan.

11	Estimated Timeframe tbc	Estimated Cost tbc
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Key 'messages' from the Ahuriri Estuary and Coastal Edge Masterplan include:

- The strip between the Estuary and Thames Street presents an opportunity for alternative land uses involving 'live/work' activities within a mixed-use character framework.
- Upgrade Thames Street to introduce stormwater quality improvement methods.
- Encourage truck movements along Severn Street and Prebensen Drive rather than Thames Street and Pandora Road.
- A Structure Plan should be prepared to plan for the long-term land use of the Pandora area.
- Coastal inundation requires consideration/addressing.

5.9 Sub-Regional Industrial Land Strategy

The Regional Industrial Land Strategy (RILS) is the first joint industrial strategy initiative of the Napier City Council (NCC) and Hastings District Council (HDC). Prepared in 2019, it considers the 30-year horizon and seeks to recommend specific actions over the next 10 years to enable effective and efficient industrial development across both Napier City and Hastings District.

This strategy considers appropriate industry types for each industrial location and identifies constraints and opportunities over the medium to long term. This involved analysing existing industry and identifying the predicted growth in terms of industry type, business employment growth and the optimal zone location for new industry across the two territorial authority areas. The Strategy identifies the land areas and infrastructure required to facilitate sustainable industrial development across Napier and Hastings and provides recommendations on key actions for each Council to utilize opportunities.

The area covered by the Strategy is consistent with the subject area of HPUDS; with two of its principal functions being to assist with informing the next review of HPUDS with regard to providing future industrial land requirements across the Heretaunga Plains, and to consider the likely industrial land supply needs out to 2030.

Emerging issues relating to industrial development that the Strategy seeks to address are all considered to effectively apply to the area subject to this exercise, and include the following:

- General concerns for the environment and the potential effects of industrial development, including consideration of:
 - Stormwater quality and quantity and contaminant run off to the Ahuriri estuary and other waterbodies (with stormwater runoff from Pandora being a particular concern),
 - Protection of drinking water supplies,
 - Provision of sustainable supplies of process water for industry, and
 - General environmental cleanliness;
- Considering the potential effects of Climate Change;
- Uptake of industrial land supply for non-industrial uses, including:
 - Higher value commercial and residential activities, and



- RSE worker accommodation (particularly in the Hastings District);
- Lack of available greenfields industrial land within Napier City;
- Whether the available greenfields industrial land in the sub-region provides for the various industrial activity types including wet industry (with a need for process water and trade waste discharge).

In terms of the Pandora area of the Main Industrial Zone, the Strategy identifies the following with regard to 3-waters servicing and transport:

- Water ➤ Sufficient service available
- Wastewater ➤ Sufficient service available but resilience could be improved with a new line.
➤ Stormwater needs to be separated from wastewater.
- Stormwater ➤ Major stormwater quality issues in this area. Runoff runs directly via open drain to the Ahuriri Estuary.
➤ NCC currently working with industry to improve site management and minimise contamination of stormwater.
➤ Potential for stormwater treatment via wetlands to the south west.
- Trade Waste ➤ The trade waste network within the area is currently not functioning. NCC seek to either reinstate this or convert to a domestic wastewater line.
➤ There are 6 – 10 trade waste customers in Pandora. For environmental reasons, there is a preference of no further trade waste connections, however this conflicts with the opportunity to make the existing trade waste line operational as additional connections would make it economically efficient.
- Transport Constraints:
➤ There is potential for further commercial / industrial growth north of Prebensen Drive (Large Format Retail and Lagoon Farm), which would cause significant issues and shift driver patterns/routes.
➤ A weighbridge has recently established on Severn Street which is generating queuing of trucks onto Prebensen Drive.
Planned and Potential Solutions:
➤ Prebensen Drive has been shifted from local road to State Highway (SH50) between the Expressway and Hyderabad Road.
➤ NZTA has sought Notice of Requirement for upgrades to the Prebensen Drive / Hyderabad Road intersection. However, this is now on hold due to lack of funding.
➤ The old KiwiRail yard (now vacant) with access from Sh50/Hyderabad Road could be redeveloped for high traffic generating activity such as a truck weighbridge but is dependent on KiwiRail's plans.
➤ Potential for a walkway connection around the west of this area back over Prebensen Drive.



It references Initiatives 9, 10 and 11 of the Ahuriri and Coastal Edge Masterplan identified above and goes on to touch on constraints and opportunities. The primary constraint is identified as its proximity to the Estuary and Salt Water Creek in terms of effects on water quality, and the opportunities identified as being redevelopment to cleaner industries with locational advantages to the port, airport, railway and state highway road network. Based on these locational advantages it was considered important to retain the Pandora area as part of the industrial land resource.

In the preparation of the Strategy, interviews were undertaken with various stakeholders including local councils, transportation providers, business organisations and representatives of significant industries. Feedback of relevance to Pandora was summarised as follows:

Discussion Point	Feedback Summary
Important Industrial Activities	Shipping container storage, abattoir, Pacific Leathers, Lowe tannery, engineering. Could accommodate logging truck weighing and scaling station.
Important Industrial Locations	Pandora mentioned by multiple stakeholders. Council desire to relocate heavy wet industry out of the area was noted. Container storage close to Port is an important activity.
Significantly Growing Industrial Activities	Logistics and distribution.
Anticipated Growth Industries Over Long Term	Importer logistics and distribution.
Key Issues in Accommodating Industrial Activity in Napier	Concerns over environmental issues relating to heavy industry and stormwater runoff and visual issues with port container storage identified. Others identify port container storage as an essential activity to be accommodated.

In summary, the Strategy recommends caution in regard to implementing the initiatives of the Ahuriri and Coastal Edge Masterplan. For example, there is the potential for introduction of new reverse sensitivity issues as a result of introducing a Mixed Use zoning

The extent of this caution is explained however, in that any such rezoning should be limited to an additional area of Mixed Use Zone on the northern side of Thames Street and to the east of the Severn Street intersection. To ensure no net loss of Main Industrial Zone land, it is further recommended that an equivalent area of Mixed Use Zone between Humber and Thames Street, without Estuary frontage, revert to a Main Industrial Zoning as is reflective of existing activities. This area is shown in **Figure 8** below (although we note the presence of the residential apartments already along Humber Street to the north and the potential conflict within or adjacent to a more Industrial Zone).

This is consistent with the theme of the Strategy seeking to maintain this area of the City for industrial purposes, as evidenced in the following recommendations:

- 1) Restriction on further subdivision through the introduction of a minimum lot size to maintain the large-scale nature of the properties for industrial activities.



- 2) Maintain Trade waste capacity in the interim for the established industries to keep operating with reduced environmental impact as per their existing use rights, while encouraging a shift of these industries to other industrial areas with trade waste capacity in less sensitive environments over the medium term.
- 3) Potential location for rail freight hub and or truck weigh station and scaling in rail yards area if accessibility issues can be overcome.

Figure 8: Area suggested to revert to the Main Industrial Zone



Finally, the Strategy recommends developing a Structure Plan for the area with consideration of the above recommendations, in addition to the Ahuriri and Coastal Edge Masterplan recommendations relating to Pandora.

The strategy also considers the Port, and of relevance to this exercise, identifies a lack of available land as a key constraint. Feedback from interviews with various stakeholders identified the link to, and availability for, container storage at Pandora as important to the Port. These findings align with the recommendations made above.

Key 'messages' from the Regional Industrial Land Strategy for the area include:

- There is sufficient water and wastewater services in the area.
- Stormwater servicing improvements in relation to infrastructure as well as onsite management and treatment need to be made.
- Reinstated/provide trade waste services or not?
- Potential for significant transport network issues.
- No net loss of industrial zoned land.
- Reverse sensitivity issues should be avoided.



- Container storage and accommodating the Port is important.
- A secure linkage to the Port is important.

6. STAKEHOLDER ENGAGEMENT

Targeted engagement was undertaken with primary stakeholders and landowner/ occupiers according to the Stakeholder Engagement Plan prepared in December 2019 provided in **Appendix 2**. Section 6.1 outlines the engagement undertaken with interested parties and owners/occupiers, and Section 6.2 the engagement undertaken with Tangata Wheuna.

6.1 Interested Parties and Owners/Occupiers

Both letters and emails were sent to all addresses within the study area and identified stakeholder organisations, to invite parties to attend workshops – one for stakeholders and one for owners/occupiers.

The purpose of the workshops was not to achieve agreement on any one option, rather provide an opportunity to explain the project and hear from people with a particular interest in the area in terms of the issues they perceive, their values over the area and any visions they may have for it. Key messages were to be identified and used to inform this review, alongside the messages obtained from the analysis of the relevant planning documents.

The workshops were held consecutively on 12 February 2020 at the Napier Conference Centre. Opportunity for face-to-face meetings or phone calls were also offered to the targeted engagement group.

Although attendance at each workshop was relatively limited, there was good representation and discussion was free-flowing with a high level of participation from all those who attended.

A summary of the discussions from the two workshops is provided in **Appendix 3**.

Key messages from stakeholders and owners/occupiers include:

- Is the driver for change the effects of land-use activities on water quality – if so, the challenge is wider than just Pandora, and time should be given for existing initiatives before changing/introducing risk.
- Landowners have embraced new initiatives around improving stormwater management.
- The Port plays a critical role in strengthening the Napier economy and facilitating successful businesses within the city, region and New Zealand, and in this regard The Pandora Industrial Zone is in a key strategic location.
- Thames Street is likely to be able to accommodate heavy traffic from both directions in the future.
- Reverse sensitivity is a considerable risk to existing businesses.



- The activities that operate in the Pandora Industrial Zone are influenced by the local and global market.
- The future of the zone is likely to be storage and distribution in support of the rural and food production sector

6.2 Consultation with Tangata Whenua

Guided by Napier City Te Taiwhenua o te Whanganui ā Orotu was contacted as the appropriate tangata whenua.

Initial correspondence introduced the project, explained its infancy and sought guidance as to how Te Taiwhenua o te Whanganui ā Orotu would like to be involved.

Te Taiwhenua o te Whanganui ā Orotu responded to clarify whether Napier City Council intended to engage the Taiwhenua for cultural advice and input into the investigation. Further correspondence explained that the project was at a very early stage and not at the point of engaging specific expert assessments, rather initial engagement was to socialise some of the issues and directions in the different planning documents. At this early stage, engagement is seen to gather ideas and feedback on what some of the directions may be – for further work to be undertaken should any of those directions carry enough interest.

As well as being invited to the workshops, a separate meeting was also suggested. Within the timeframe of this project however a meeting was not able to be convened, and key representatives from the Taiwhenua were unable to attend the workshop due to other commitments.

Although direct engagement with Tangata Whenua has not been possible as part of this initial exercise, **'messages' from the cultural values statement⁵ include:**

- Domestication introduces threats to flora and fauna,
- Land modification and landuse activities can have effects on water quality,
- The community must be encouraged to take ownership of the lagoon as a wildlife habitat through continuing wetland restoration and public education programmes.

Further engagement with tangata whenua is recommended should the project progress.

7. OPTIONS

In considering the messages from the above sources, the need to maintain the availability of the area for some degree of industrial land-use is clear, and as such, it is difficult to envisage wholesale change to a commercial, residential, rural or open space based environment. This is consistent with retaining the strategic focus of Pandora as an industrial zone for large footprint industries.

⁵ Referred to in Section 2.3 and prepared by the Mana Ahuriri Trust for the Ahuriri Estuary





For this reason, the following options have been developed across an 'industrial based spectrum' taking cues from the messages identified. The general basis for each is summarised below.

Of particular note, although the Regional Land Strategy suggested that an equivalent area of Mixed Use Zone between Humber and Thames Street revert to a Main Industrial Zone in the event an additional area of Mixed Use Zone is established on the northern side of Thames Street, this has not been included in Option 3 pertaining to such an approach.




This is because a considerable area of the Humber/Thames Street block is already characterised by non-industrial and residential uses which could give rise to reverse sensitivity issues under such a change, and the block is situated within area of high public use where a focus on industrial activities may not be the best urban outcome. Furthermore, and if required, the existing Mixed Use Zone would still allow industrial activities and activities in support of the Port to establish.

Further commentary around the proposed Stormwater Quality Overlay (including in Options 2-5) and what a 'relaxed' Mix Use Zone (Option 4) may look like is provided below.

Table 1: Options

Option 1:	No Change Gives full effect to retaining the strategic focus of Pandora as an industrial zone for large footprint industries.	
Option 2:	Introduction of Stormwater Quality Overlay Gives full effect to retaining the strategic focus of Pandora as an industrial zone for large footprint industries but introduces an overlay to impose specific rules on land-use to improve the quality of stormwater being discharged from sites within the area so as to continue to improving the water quality of receiving water bodies.	



<p>Option 3:</p>	<p>Stormwater Quality Overlay and Mixed Use Zone along Estuary Frontage</p> <p>Achieves Option 2 and generally achieves Option 1 by retaining most of the area under the existing Main Industrial Zone but provides opportunity for non-industrial land-uses to establish along the Estuary interface that may carry less risk of discharging contaminants into the receiving environment.</p>	
<p>Option 4:</p>	<p>Stormwater Quality Overlay and Relaxation of the Mixed-Use Zone</p> <p>Derived from Option 3, this option achieves Options 1 and 2 and provides for non-industrial land-uses within an area where there is likely to be less reverse sensitivity risks.</p>	
<p>Option 5:</p>	<p>Rezone to Mixed Use with a Stormwater Quality Overlay</p> <p>Achieves Option 2 while also introducing opportunities for non-industrial land-uses that may carry less risk of discharging contaminants into the receiving environment.</p>	

Stormwater Quality Overlay

Although the Stormwater Bylaw 2020 introduced mechanisms to better manage existing activities, one of its limitations is that it only applies to new activities at the time of applying for a connection. Including rules in the District Plan and signalling requirements earlier in the process would likely lead to better stormwater quality outcomes.



In this regard, the Stormwater Quality Overlay is envisaged to be used as a tool to introduce specific rules relating to the on-site management of stormwater in the area. These rules are expected to mirror the requirements and outcomes of the Stormwater Bylaw to ensure that the consideration of such matters is undertaken at the beginning of any development process. The approach would essentially see both instruments working together to achieve improved stormwater management in the area; with the District Plan generally regulating new development and the Bylaw existing development.

There are multiple options here. For example, each site could be subject to a Controlled Activity rule that requires an Environmental Management Plan (or similar) to be prepared according to a specific schedule contained in the District Plan (to ensure consistency and completeness). Although resource consent for a Controlled Activity must be granted, this approach would provide the Council with an opportunity to ensure adequate management of stormwater at the beginning of the development process. Alternatively, a risk management approach could be taken where the nature of the landuse, potential contaminants, or the size of impervious areas are used as triggers to require further assessment through a resource consent process.

The key outcomes envisaged include:

- Consideration of stormwater treatment at the beginning of the development process,
- Treatment at source (where required),
- Improved stormwater quality within the drainage network.

A 'Relaxed' Mixed Use Zone

Option 4 refers to a 'relaxed' Mixed Use Zone. This would involve a relaxation of District Plan rules around residential activities in terms of both bulk and location and activity status. The intention would be to better enable medium density housing and to break down barriers to achieving it.

This could be achieved through reviewing density and open space controls, providing for a non-notified consent processing pathway (via a rule framework precluding notification perhaps) and developing an urban design guideline that could be embodied in rules or otherwise. Provision for greater community interaction and connectivity with existing open space assets would be key considerations.

Figure 9: Medium Density Housing Examples



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Summary

A further 3 options derived from options 3-5 without the Stormwater Quality Overlay component are worthy of consideration. These options take cues from the message that landowners/occupiers have embraced new initiatives around improving stormwater management and time is needed to allow them to come to fruition before introducing further change.

Section 8 therefore goes on to consider the following 8 options:

- Option 1:** No Change
- Option 2:** Introduction of Stormwater Quality Overlay
- Option 3:** Stormwater Quality Overlay and Mixed-Use Zone along Estuary Frontage
- Option 3A:** Mixed-Use Zone along Estuary Frontage
- Option 4:** Stormwater Quality Overlay and Relaxation of the Mixed-Use Zone
- Option 4A:** Relaxation of the Mixed-Use Zone
- Option 5:** Rezone to Mixed-Use with a Stormwater Quality Overlay
- Option 5A:** Rezone to Mixed-Use

8. OPTIONS ANALYSIS AND DISCUSSION

Section 8.1 summarises the messages sourced from both the analysis of the relevant planning documents and the consultation undertaken and consolidates them to develop core 'themes' for each option to be considered against. Section 8.2 lists a number of observations relevant to the analysis and preferred option.

8.1 Analysis of Messages and Options

Table 2 provides a summary of the messages sourced from the analysis of the relevant planning documents in Section 5 and the consultation undertaken as reported on in Section 6. These messages are consolidated to develop core 'themes' for each option to be considered against. It is not uncommon for there to be conflicting messages and themes.



Table 2: Summary of Messages and Consolidated Themes

Source	Messages	Themes
New Zealand Coastal Policy Statement	Restore the coastal environment and protect significant natural ecosystems Maintain or enhance coastal water quality Allow development but avoid inappropriate development Recognise and protect characteristics of the coastal environment that are of special value to tangata whenua The coastal marine area is an extensive area of public space for the public to use and enjoy Carefully consider the risks of coastal hazards The potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land The coastal marine area is a limited resource.	1) Improve water quality, which in this context is reduce contaminants and improve stormwater management
National Policy Statement for Urban Development	Provide options for different types of business Ensure a good understanding of market trends, influences and developments before making changes that may affect business Opportunity is needed to stimulate growth Plan across local authority boundaries and consider opportunities enabled by other regions Ensure land use and infrastructure are integrated.	2) Avoid inappropriate development within the coastal environment and land environment adjacent to this
Heretaunga Plains Urban Development Strategy	The Pandora Industrial Zone is an existing area continuing to the supply of industrial zoned land The extent of the Industrial Growth Areas to accommodate future demand has been developed assuming the Pandora Industrial Zone will remain Demand for industrial land arising from any changes to the Pandora Industrial Zone has not been accounted for and may lead to increased demand on the identified Industrial Growth Areas, and possibly demand for additional areas, which may affect the preservation of versatile land resource.	3) Avoid increasing the risk of coastal hazards
Regional Policy Statement	land uses can impact the coastal environment Integrated land use and freshwater management involves working collaboratively with the catchment communities Protect the coastal environment from inappropriate use and development Avoid, remedy or mitigate reverse sensitivity effects, particularly on existing strategic and other physical infrastructure, acknowledging that it may be possible for solutions to be found in safeguards applied to each activity concerned Avoid unnecessary encroachment on versatile land Avoid or mitigate increasing the frequency or severity of risk to people and property from natural hazards Consider transport infrastructure Ensure the efficient utilisation of existing infrastructure, and the efficient utilisation of planned infrastructure that may be committed but not yet constructed Promote the utilisation, redevelopment and intensification of existing commercial land Establish business activities in close proximity to major transport hubs, multi-modal transport networks and labour supplies Manage coastal water quality Protect the coastal environment from inappropriate use and development Carefully consider coastal hazard risks An appropriate level of development and industry within the coastal environment can be supported The Ahuriri Estuary is identified as a Significant Conservation Area, meaning it has significant conservation values, particularly cultural, ecological, historic, or wildlife values water quality should be suitable for sustaining or improving aquatic ecosystems Owing to its location to the transport network and the Port, the Pandora Industrial Zone is regionally significant asset Recognise tikanga Maori values, provide for cultural values and involve tangata whenua in decision making.	4) Retain urban development within existing and planned zones 5) Recognize the value of infrastructure and ensure the efficient use of existing infrastructure (which involves establishing business activities in close proximity to major transport hubs, multi-modal transport networks and labour supplies)
Regional Land Transportation Plan	Roadway decisions in the area will be greatly influenced by the needs of the Port Increased traffic through the area can be expected Planning decisions should take account of potential reverse sensitivity matters arising.	6) Avoid reverse sensitivity issues
Napier City Vision	Continual spotlight on the functional needs of the Port Embrace the seaside town character and identity Build resilience to coastal hazards and climate change Identify, capitalise and enhance our ecological assets (Ahuriri Estuary) Encourage design renewal.	7) Embrace Napier's seaside town character
Ahuriri Estuary and Coastal Edge Master Plan	The strip between the Estuary and Thames Street presents an opportunity for alternative land uses involving 'live/work' activities within a mixed-use character framework Upgrade Thames Street to introduce stormwater quality improvement methods Encourage truck movements along Severn Street and Prebensen Drive rather than Thames Street and Pandora Road A Structure Plan should be prepared to plan for the long-term land use of the Pandora area Coastal inundation requires consideration/address.	8) Support and consider the Port
Sub Regional Industrial Land Strategy	There is sufficient water and wastewater services in the area Stormwater servicing improvements in relation to infrastructure as well as onsite management and treatment need to be made Reinstated/provide trade waste services or not? Potential for significant transport network issues No net loss of industrial zoned land Reverse sensitivity issues should be avoided Container storage and accommodating the Port is important A secure linkage to the Port is important.	9) Avoid the loss of industrial zoned land and preserve the area for future industrial/distribution/freight opportunities
Stakeholders and landowners/occupiers	Is the driver for change the effects of landuse activities on water quality – if so, the challenge is wider than just Pandora, and time should be given for existing initiatives before changing/introducing risk Landowners have embraced new initiatives around improving stormwater management The Port plays a critical role in strengthening the Napier economy and facilitating successful businesses within the city, region and New Zealand, and in this regard The Pandora Industrial Zone is in a key strategic location Thames Street is likely to be accommodate heavy traffic from both directions in the future Reverse sensitivity is a considerable risk to existing businesses The activities that operate in the Pandora Industrial Zone are influenced by the local and global market The future of the zone is likely to be storage and distribution in support of the rural and food production sector.	10) Provide time for existing initiatives to improve stormwater management before introducing change/risk
Cultural values	Domestication introduces threats to flora and fauna Land modification and landuse activities can have effects on water quality The community must be encouraged to take ownership of the lagoon as a wildlife habitat through continuing wetland restoration and public education programmes.	



Table 3 below provides an analysis of how each option can be considered against the identified themes. Given the preliminary nature of this piece of work and unlike a Goals Achievement Matrix approach, the themes have not been weighted, rather a sliding scale as outlined below has been adopted to score each option.

- 1 = unlikely to achieve
- 2 = may achieve with further consideration
- 3 = likely to achieve with further consideration
- 4 = likely to achieve

'Further consideration' as referred to in scores (2) and (3) refers to the development of specific District Plan rules or conditions.



Table 3: Analysis of options

Themes	1 Reduce contaminants and improve stormwater management	2 Avoid inappropriate development within the coastal environment and land environment adjacent to this	3 Avoid increasing the risk of coastal hazards	4 Retain urban development within existing and planned zones	5 Recognize the value of infrastructure and ensure the efficient use of existing infrastructure	6 Avoid reverse sensitivity issues	7 Embrace Napier's seaside town character	8 Support and consider the Port	9 Avoid the loss of industrial zoned land and preserve the area for future industrial/ distribution/ freight opportunities	10 Provide time for existing initiatives to improve stormwater management before introducing change/risk	Total
Options 1 = unlikely to achieve 2 = may achieve with further consideration 3 = likely to achieve with further consideration 4 = likely to achieve											
Option 1 No Change	1	2	3	4	4	4	1	4	4	4	31
Option 1 is unlikely to achieve any improvements in water quality beyond those anticipated by existing initiatives. It does however preserve the zone for future industrial use and introduces the lowest level of change. There are benefits in this regard to existing and future potential use of the area for industrial activities, however there would be no benefit in terms establishing activities on the margin of the coastal environment that may have less environmental impact and embracing Napier's seaside town character.											
Option 2 Introduction of Stormwater Quality Overlay	4	2	3	4	4	4	1	4	4	2	32
Option 2 is anticipated to produce the same outcomes as Option 1, but with greater potential for improved stormwater management. This option does however introduce additional regulation around stormwater management beyond existing initiatives.											
Option 3 Stormwater Quality Overlay and Mixed Use Zone along Estuary Frontage	4	3	3	4	4	2	2	4	3	2	31
Option 3 introduces additional regulation around stormwater management and introduces the opportunity to establish landuses along the margin with the Estuary that may have a lower risk profile in terms of effects on water quality, and which may provide opportunities to better engage with the coastal environment. Providing such an opportunity does however risk a minor loss of industrial land, although limited, and also increases the risk of reverse sensitivity given the potential for residential activities to establish, albeit on a limited scale. Overall however, with strip of land between Thames Street and the Estuary being relatively narrow, there would on balance be little change in how the broader zone operates in terms of industrial activities and its relationship with the Port.											
Option 3A Mixed Use Zone along Estuary Frontage	1	3	3	4	4	2	2	4	3	4	30
Option 3A is anticipated to produce the same outcomes as Option 3, but with less potential for improved stormwater management. This option does however provide time for existing initiatives to come to fruition before introducing additional regulation.											
Option 4 Stormwater Quality Overlay and Relaxation of the Mixed Use Zone	4	3	3	4	4	3	4	4	3	3	35
Option 4 introduces additional regulation around stormwater management and introduces the opportunity to establish land-uses that may have a lower risk profile in terms of effects on water quality along a margin of the Estuary and in an area with greater connectivity to existing residential and recreational land-uses. It provides opportunities to better engage with the coastal environment with arguably less risk around the loss of industrial land, on the basis that existing land uses along within this area already of a mixed-use nature e.g. commercial offices, industrial activities, car sales and residential. Situated further from Thames Street and the core industrial zone and close to mixed use environments, the risk of reverse sensitivity is likely to be less. Similarly, there would be little change in how the broader zone operates in terms of industrial activities and its relationship with the Port.											
Option 4A Relaxation of the Mixed Use Zone	1	3	3	4	4	3	4	4	3	3	32
Option 4A is anticipated to produce the same outcomes as Option 4, but with less potential for improved stormwater management. This option does however provide time for existing initiatives to come to fruition before introducing additional regulation.											
Option 5 Rezone to Mixed Use with a Stormwater Quality Overlay	4	2	3	3	3	2	2	3	3	2	27
Option 4 introduces additional regulation around stormwater management and introduces the opportunity to establish landuses throughout the zone that may have a lower risk profile in terms of effects on water quality. It provides opportunities to better engage with the coastal environment but does increase the risk of reverse sensitivity issues arising and risks the loss of industrial land that may affect the supply and existing approaches around managing demand. It may also compromise opportunities in the future for larger storage/distribution facilities, particularly given the location of the area in relation to the Port and railway.											
Option 5A Rezone to Mixed Use	2	2	3	3	3	2	2	3	3	4	27
Option 5A is anticipated to produce the same outcomes as Option 5, but with less potential for improved stormwater management. This option does however provide time for existing initiatives to come to fruition before introducing additional regulation. On balance however, it achieves the less in terms of improving stormwater management and providing for industrial landuses/opportunities.											



8.2 Discussion

The following builds on the discussion undertaken within Table 3 above and makes key points and observations with regard to the consideration of scores and outcomes:

- Theme 1 '*reduce contaminants and improve stormwater management*' is scored in the context of potential improvements beyond existing initiatives.
- In scoring each option against theme 2 '*Avoid inappropriate development within the coastal environment and land environment adjacent to this*', although industrial development is not considered to be outright inappropriate, it does bring potential for greater effects on natural character and water quality compared some other land-uses. To this effect, options involving land-uses with lower risk around these matters have been scored higher.
- With the entire study area essentially being characterised by the same coastal hazard risk (being inundation), each option can be scored in the same manner in terms of theme 3 '*Avoid increasing the risk of coastal hazards*' – not discounting that consideration of natural hazards is still a key item.
- Theme 4 '*Retain urban development within existing and planned zones*' stems from avoiding encroachment onto the versatile soil resource and is born out of different messages to those forming theme 9 '*Avoid the loss of industrial zoned land and preserve the area for future industrial/ distribution/ freight opportunities*', which acknowledges the locational values of this particular industrial zone.
- In scoring Theme 8 '*Support the Port*', it was considered that a complete rezoning with the opportunity for non-industrial activities to establish was a step back from supporting the needs of the Port. This was taken into account in scoring Options 5 and 5A when compared to the remaining options which involved much smaller areas of land being provided with the opportunity to accommodate non-industrial activities.
- Option 1 '*No Change*' scores relatively high on the basis that it effectively meets all the themes with the exception of making any additional progress towards reducing contaminants in stormwater beyond what existing initiatives may achieve.
- Option 2 scores high for the same reasons but does makes some progress towards reducing contaminants in stormwater. This does however cut across the theme of providing time for existing initiatives to come to fruition.
- Of a similar score is Option 3, which builds on Option 2 and introduces a Mixed-Use Zone between the Estuary and Thames Street. Although this may present an opportunity to establish alternative land-uses along the margin with the Estuary that may have a lower risk profile in terms of effects on water quality, this option is still characterised by a considerable industrial environment across the remainder of the area. This means the introduction of the stormwater overlay is likely to be more influential in reducing contaminants in stormwater from the study area as a whole than simply providing for different land-uses within a narrow strip of the zone alongside the Estuary interface.
- This proposition would also apply to Option 4, but with the Stormwater Overlay in place, and the ability to establish residential land-uses (more likely than not of medium-high density scale) in close proximity to existing residential and recreation facilities, Option 4 scores higher.

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- Although improvements in stormwater management are likely to be same as Option 3, Option 4 scores higher on the basis that such change would have less impacts on the industrial land resources and the Port, and a lower risk of reverse sensitivity effects arising from nearby landuses as well as transport corridors.
- In locating residential development in an area where it can embrace the seaside, there is potential for broader benefits in relation to housing options and vibrancy to be achieved from Option 4 that have not been factored into this analysis.
- In terms of Option 3, if an equivalent area of Mixed Use Zone between Humber and Thames Street was to revert to a Main Industrial Zone to offset the change along Thames Street as suggested in the Regional Industrial Land Strategy, theme 9 'Avoid the loss of industrial zoned land and preserve the area for future industrial/ distribution/ freight opportunities' could be scored higher, however this would only increase Option 3's score to 32, still less than Option 4 at 35.
- Likewise, if the extent of the new Mixed Use Zone along Thames Street under Option 3 was to be bought back to the eastern side of the Severn Street intersection, there is unlikely to be any significant change in score.
- Interestingly, rezoning the entire area to Mixed Use scores the lowest. This is because it effectively cuts across the majority of themes and essentially carries with it more risk/uncertainty across all themes.
- With greater certainty around demands on the area from an economic/market perspective and the success or otherwise of Option 4 in relation to relaxing the Mixed Use Zone, the potential for a change in land-use along the Estuary interface as per Option 3 could be reconsidered at a later date.

9. RECOMMENDATION

It is recommended that Option 4 be pursued, that being:

<p>Option 4: Stormwater Quality Overlay and Relaxation of the Mixed-Use Zone</p> <p>Derived from Option 3, this option achieves Options 1 and 2 and provides for non-industrial land-uses within an area where there is likely to be less reverse sensitivity risks.</p>	
--	--

Alternative options are Options 4A and 2, these being:

- Option 2:** Introduction of Stormwater Quality Overlay
- Option 4A:** Relaxation of the Mixed-Use Zone



In relation to progressing with Option 4, it is recommended that:

- 1) Engagement be undertaken with relevant Tangata Whenua and affected landowners/occupiers.
- 2) Implications of potential coastal inundation be assessed over the Mixed-Use Zone to be relaxed.
- 3) Servicing capacity be confirmed.
- 4) Consideration be given to the extent to which the Mixed Use Zone is to be relaxed (land-use and bulk and location considerations) – with a view of providing for greater residential uptake than what is currently provided for within the Mixed Use Zone and in particular less barriers to residential development, including the risk of reverse sensitivity.
- 5) Potential effects on industrial land capacity be assessed and quantified.
- 6) That a Master Plan be developed to guide the pattern of development and connectivity to roads and areas of public open space.
- 7) That rules and/or conditions to improve stormwater management on sites within the area, in line with the Stormwater Bylaw 2020, be developed to be included in the District Plan.

A project plan to progress the recommendation to a formal Plan Change status can then be determined.

As outlined above, with greater certainty around demands on the area from an economic/market perspective and the success or otherwise of Option 4 in relation to relaxing the Mixed Use Zone, the potential for a change in land-use along the Estuary interface as per Option 3 could be reconsidered at a later date.

Further, and regardless of whether the above or an alternative is progressed, it is recommended that:

- 1) Existing initiatives for the improvement of stormwater management in the area continue to be supported and committed too.
- 2) The Council work with landowners to remove private infrastructure within NCC drainage reserves.
- 3) That Thames Street be upgraded to introduce stormwater quality improvement methods.
- 4) A decision be made as to whether or not to reinstate/provide trade waste services in the area.

Appendix 1

Summary of RPS Provisions



Summary of Regional Policy Statement Provisions

Chapter 3.1A – Integrated land Use and Freshwater Management

It is identified in Chapter 3.1A that integrated management of land use and water quality increases the ability to promote sustainable management of the region's natural and physical resources.

In response, Objective LW1 seeks the integrated and sustainable management of land and freshwater resources. It includes a number of further objectives, with those relevant to this exercise being:

- protecting wetlands, including their significant values.
- recognising that land uses, freshwater quality and surface water flows can impact on aquifer recharge and the coastal environment.
- recognising the benefits of industry good practice to land and water management, including audited self management programmes.
- recognising and providing for the recreational and conservation values of fresh water bodies.
- promoting the preservation of the natural character of the coastal environment, and rivers, lakes and wetlands, and their protection from inappropriate subdivision, use and development.

Objective LW2 seeks the management of land use and freshwater use that recognises and balances the multiple and competing values and uses of those resources within catchments.

Policy LWA1 sets out further work to be undertaken by the Regional Council for future changes to the RPS and in preparing a Regional Biodiversity Strategy, while Policy LW2 sets out priorities for maintaining and enhancing the primary values for specified catchments. It is stated that this framework is only to be applied when preparing Regional Plans and considering applications for resource consents. The primary and secondary values and uses identified for the Greater Heretaunga / Ahuriri Catchment Area are nevertheless outlined in **Figure 1** below.

Of greater relevance is Policy LW1, which sets out to adopt an integrated management approach to fresh water and the effects of land use and development within each catchment area, that among other outcomes:

- provides for mātauranga a hapū and local tikanga values and uses of the catchment.
- provides for the inter-connected nature of natural resources within the catchment area, including the coastal environment; takes a strategic long term planning outlook of at least 50 years to consider the future state, values and uses of water resources for future generations;
- aims to meet the differing demand and pressures on, and values and uses of, freshwater resources to the extent possible.
- involves working collaboratively with the catchment communities and their nominated representatives.
- ensures the timely use and adaptation of statutory and non-statutory measures to respond to any significant changes in resource use activities or

the state of the environment.

- recognises and provides for existing use and investment.

Figure 1

Catchment Area	Primary Value(s) and Uses – in no priority order	Secondary Value(s) and Uses – in no priority order
Greater Heretaunga / Ahuriri Catchment Area	<ul style="list-style-type: none"> • any regionally significant native water bird populations and their habitats • Cultural values and uses for: <ul style="list-style-type: none"> ○ mahinga kai ○ nohoanga ○ taonga raranga ○ taonga rongoa • Fish passage • Individual domestic needs and stock drinking needs¹ • Industrial & commercial water supply • Native fish habitat in the Ngaruroro River and Tutaeakuri River catchments • Recreational trout angling and trout habitat in: <ul style="list-style-type: none"> ○ the Mangaone River ○ the Mangatutu Stream ○ the Ngaruroro River and tributaries upstream of Whanawhana cableway ○ the Ngaruroro River mainstem between the Whanawhana cableway and confluence with the Maraekakaho River ○ the Tutaeakuri River mainstem above the Mangaone River confluence • The high natural character values of the Ngaruroro River and its margins upstream of Whanawhana cableway, including Tararua River • The high natural character values of the Tutaeakuri River and its margins above the confluence of, and including, the Mangatutu Stream • Trout spawning habitat • Urban water supply for cities, townships and settlements and water supply for key social infrastructure facilities • freshwater use for beverages, food and fibre production and processing and other land-based primary production 	<ul style="list-style-type: none"> • Aggregate supply and extraction in Ngaruroro River downstream of the confluence with the Mangatutu Stream • Amenity for contact recreation (including swimming) in lower Ngaruroro River, Tutaeakuri River and Ahuriri Estuary • any locally significant native water bird populations and their habitats • Native fish habitat, notwithstanding native fish habitat as a primary value and use in the Tutaeakuri River and Ngaruroro River catchments • Recreational trout angling, where not identified as a primary value and use • Trout habitat, where not identified as a primary value and use

Chapter 3.2 – The Sustainable Management of Coastal Resources

Chapter 3.2 sets out the following 7 Objectives pertaining to the sustainable management of coastal resources (relevant aspects highlighted).

- OBJ 4** Promotion of the preservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use and development.
- OBJ 5** The maintenance and where practicable and in the public interest, the enhancement of public access to and along the coast.
- OBJ 6** The management of coastal water quality to achieve appropriate standards, taking into account spatial variations in existing water quality, actual and potential public uses, and the sensitivity of the receiving environment.
- OBJ 7** The promotion of the protection of coastal characteristics of special significance to iwi, including waahi tapu, tauranga waka, taonga raranga, mahinga kai and mahinga mataitai.
- OBJ 8** The avoidance of further permanent development in areas prone to coastal erosion or inundation, taking into account the risk associated with global sea level rise and any protection afforded by natural coastal features.
- OBJ 9** Appropriate provision for economic development within the coastal

environment, including the maintenance and enhancement of infrastructure, network utilities, industry and commerce, and aquaculture.

OBJ 10 Enabling safe and efficient navigation.

There are no specific policies relating to the coastal environment part of the RPS.

Chapter 3.4 – Scarcity of Indigenous Vegetation and Wetlands

The scarcity of indigenous vegetation, wetlands, and habitats of indigenous fauna as a result of vegetation modification or clearance and land drainage is identified as a significant resource management issue for the region. In response Objective 15 is the preservation and enhancement of remaining areas of significant indigenous vegetation, significant habitats of indigenous fauna and ecologically significant wetlands.

Interestingly, the Ahuriri Estuary is not identified as a priority wetland in the context of Chapter 3.4 of the RPS. It is however identified as a Significant Conservation Area in the Regional Coastal Environment Plan, which means an area identified as having significant conservation values, particularly cultural, ecological, historic, or wildlife values.

Chapter 3.5 – Effects of Conflicting Land Use Activities

Chapter 3.5 seeks to address the issue of offsite impacts or nuisance effects, especially odour, smoke, dust, noise, vibrations, agrichemical spray drift and increased traffic caused by the location of conflicting land use activities.

The RPS identifies that complaints about existing activities made by new neighbours are of particular concern to industries. The viability of existing business activities may be threatened as a result of effects which were not perceived as a problem when the activities were first established. Commonly this occurs when rural lifestyle subdivisions are allowed in traditional farming areas. Odours, noise, agrichemical and fertiliser applications, and dust may be considered to be incompatible with the new adjacent activity. Similar situations arise when residential areas encroach onto industrial areas.

Such effects need to be planned and managed in an effective manner to ensure established infrastructure is not compromised by the location of sensitive activities nearby, and that existing land uses are not adversely affected by the use and development of new infrastructure.

The crux of the 'reverse sensitivity' principle is that where an existing activity produces a situation that a new activity would likely regard as noxious, dangerous, offensive or objectionable, then the new activity should not be sited next to the existing one. Alternatively, safeguards should be put in place to ensure that the new activity does not curtail the existing one.

The approach of the RPS is not to simply disallow mixed use environments, rather the Policy 6 seeks to recognise that the future establishment of potentially conflicting land use activities adjacent to, or within the vicinity of each other is appropriate -

provided no existing land use activity (which adopts the best practicable option or is otherwise environmentally sound) is restricted or compromised – indicating it is possible for solutions to reverse sensitivity to be found in safeguards applied to each activity concerned.

Chapter 3.10 – Surface Water Resources

Chapter 3.10 seeks to address the potential degradation of the values and uses of rivers, lakes and wetlands in Hawke's Bay as a result of (a), the taking, use, damming and diversion of water that may adversely affect aquatic ecosystems and existing lawfully established resource users, especially during droughts, (b), non-point source discharges and stock access that cause contamination of rivers, lakes and wetlands, and degrade their margins, and (c), point source discharges that cause contamination of rivers, lakes and wetlands.

There are a number of Objectives and Policies that follow pertaining to water allocation, transfers, minimum flows, allocatable volumes, effects of new takes, monitoring, environmental guidelines and animal buffer zones.

Although not applying to the Ahuriri Estuary itself, and while the urban streams running through the area are defined as being part of the stormwater network upstream of the point of discharge, the RPS, at a high level, would still seek that water quality is suitable for sustaining or improving aquatic ecosystems, and for other freshwater objectives identified in accordance with a catchment-based process set out in Policy LW1 and Policy LW2 as applicable.

Chapter 3.12 – Natural Hazards

Chapter 3.12 relates to the susceptibility of the region to flooding, droughts, earthquakes, volcanic ash falls, and tsunamis, and the potential impact of these on people's safety, property, and economic livelihood. Objective 31 is the avoidance or mitigation of the adverse effects of natural hazards on people's safety, property, and economic livelihood, while Policy 55 relates to the use of non-regulatory methods as the principal means of addressing hazard avoidance and mitigation.

Chapter 3.13 – Maintenance and Enhancement of Physical Infrastructure

Chapter 3.13 relates to the sustainable management of the physical infrastructure of the region that underpins the economic, cultural, and social wellbeing of the region's people and communities.

In the context of the RPS, the industrial Zone itself may not be defined as 'physical infrastructure' in the way a road or a pump station maybe. The Airport and Port are however referred to as 'transport infrastructure', and at a high level, the following questions can be taken from Objectives 32-33B:

- That the Pandora Industrial Zone should be maintained (Objective 32 is the ongoing operation, maintenance and development of physical infrastructure that supports the economic, social and/or cultural wellbeing of the region's people and communities and provides for their health and safety).
- Owing to its location to the transport network and the Port, the Pandora Industrial Zone is a regionally significant asset (Objective 33 is recognition that

some infrastructure which is regionally significant has specific locational requirements).

Objective 33A states that adverse effects on existing physical infrastructure arising from the location and proximity of sensitive land use activities are avoided or mitigated. This raises the risks of reverse sensitivity once again.

Chapter 3.14 – Recognition of Matters of Significance to Iwi/Hapu

Chapter 3.14 relates to matters of significance to iwi. Here Objectives 34 to 37 and Policies 57 to 66 are relevant. Objective 34 is to recognise tikanga Maori values and the contribution they make to sustainable development and the fulfilment of HBRC's role as guardians, as established under the RMA, and tangata whenua roles as kaitiaki, in keeping with Maori culture and traditions. Policy 57 relates to policy development, while Policy 58 seeks to share information on matters of resource management significance to Maori and on processes to address them.

Objective 35 seeks to consult with Maori in a manner that creates effective resource management outcomes. This is supported by Policies 59-60. Key points include:

- Consultation with tangata whenua should be undertaken in a manner that acknowledges Maori values, with the fundamental approach in consultation being "kanohi ki te kanohi" (face to face) or personal contact,
- To encourage hapu to develop resource management plans, and to use the plan, when recognised by an iwi authority, to assess the incorporation of Maori values in the planning process,
- Resource management decisions made subsequent to consultation shall show regard for that consultation,
- Where the issue is at a macro, region-wide level consultation be with iwi,
- Where the issue is localised, yet non site-specific, consultation be with hapu,
- Where the issue is site-specific consultation be with whanau,
- Consultation involving iwi or hapu is expected generally to be undertaken on a marae.

Finally, Objective 36 sets out to protect and where necessary aid the preservation of waahi tapu (sacred places) and tauranga waka (landings for waka), while Objective 37 sets out to protect and where necessary aid the preservation of mahinga kai (food cultivation areas), mahinga mataitai (sea-food gathering places), taonga raranga (plants used for weaving and resources used for traditional crafts) and taonga rongoa (medicinal plants, herbs and resource). Policies 64-66 state:

- Activities should not have any significant adverse effects on waahi tapu, or tauranga waka.
- Activities should not have any significant adverse effects on taonga raranga, mahinga kai or mahinga mataitai.
- The importance of coastal, lake, wetlands and river environments and their associated resources to Maori should be recognised in the management of those resources.

Appendix 2

Stakeholder Engagement Plan





Pandora Environment Zone Review for Napier City Council

Stakeholder Engagement Plan

19089ENGAGPL
7 December 2019



Pandora Environment Zone Review for Napier City Council

Stakeholder Engagement Plan

19089ENGAGPL
7 December 2019

Prepared by:

Philippa Mackay
Consultant Planner

**Reviewed and
Approved for
Release by:**

Cameron Drury BRP(HONS) MNZPI
Principal Planner | Director

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1. INTRODUCTION

As part of its Objective for ecological excellence, Napier City Council (Council) is seeking to improve the health and attractiveness of the Ahuriri estuary, and while the strategic focus of Pandora as an industrial zone for large footprint industries with locational needs associated with the Port is very much acknowledged, various matters have recently combined to suggest that a review of the planning framework and ensuing landuse opportunities may be necessary.

There are competing interests in the area, with some matters and planning documents suggesting a change in landuse is appropriate and some seeking to maintain existing landuses.

In considering the matter, Council is undertaking a strategic review of issues associated with landuse type within the Main Industrial and Mixed Use Zones adjoining the Ahuriri Estuary in Pandora. The aim is to determine whether or not there are other zoning options and/or other District Plan mechanisms for the long term management of landuses in Pandora, with particular consideration given to the interface of industry with the Ahuriri Estuary and effects on water quality matters and ecological habitat values.

The review of existing planning documents and strategies pertaining to the area and associated matters is a key component of the work, but so too is early and meaningful engagement with owners and occupiers of land within the area and key stakeholders.

To help inform the review and the development of options, initial engagement with owners and occupiers (refer Figure 1), tangata whenua, and key stakeholders will be undertaken via a series of workshops. The stakeholder engagement process is also an essential part of understanding broadly, the views and opinions of those who have a vested interest in the area.

Owing to time constraints, and acknowledging the infancy of the project, there will be no further public consultation as part of the scope of this work, however, discussion with special interest groups may be considered.

It is anticipated that further consultation will be undertaken with owners and occupiers, stakeholders and the wider public should the project progress further. This would be facilitated via a further Engagement Plan prepared for that purpose.



Figure 1: Stakeholder Engagement Area (Planning Maps)



Figure 2: Stakeholder Engagement Area (Aerial Photo)





2. PROJECT CONTEXT

Napier City Council is in the early stages of a full District Plan review, which provides the opportunity to implement Council strategies.

This project sits alongside this full review but is a separate project that may or may not be (eventually) integrated with it.

Essentially, the purpose of the project is to provide a recommendation to Napier City Council of the appropriate zone, combination of zones, and/or other District Plan mechanisms for the long term management of land uses in Pandora. The recommended approach is to work aside non-RMA measures (including the stormwater bylaw and infrastructure improvements) to achieve the following objectives:

- Improve the health and attractiveness of the Ahuriri estuary (as set out in the Ahuriri Estuary and Coastal Edge Masterplan),
- Retain the strategic focus of Pandora as an industrial zone for large footprint industries with locational needs associated with the Port.

It is acknowledged there may be tension between these two key objectives. It is therefore necessary to consider the costs and benefits of various options (in a manner consistent with a RMA Section 32 framework) in achieving these objectives, before coming to a preferred recommendation.

3. STAKEHOLDER ENGAGEMENT

The purpose of this initial engagement is not to achieve agreement on any one option, rather provide an opportunity to hear from people on any issues and potential solutions that they might have on the overall objective to improve the Ahuriri estuary while retaining industrial opportunities, which will then be taken into account in developing and reporting on recommended options for Council to potentially pursue, which as outlined above, would involve further engagement, review and development.

Stakeholder engagement will be facilitated by holding 2 workshops, one with owners/occupiers and one with key interest groups including tangata whenua (noting that a further opportunity will be provided to tangata whenua if desired).

The workshops will generally involve:

- Identifying and explaining matters of concern to Council,
- Highlighting the outcomes sought for the area under the different planning documents and strategies – noting there may be some competing directions,
- Welcoming feedback and discussion around matters of concern and opportunities from the perspective of owners/occupiers and stakeholders,



- Introduction of conceptual options for discussion and more focused contributions/feedback.

The feedback and information received from these workshops will inform the Options Report that will be presented to Council.

3.1 Resources

The following resources will be available to assist discussion:

- Summary of issues
- Summary of directions/competing outcomes
- Conceptual options

4. THE APPROACH

The Engagement Plan is outlined in **Table 1** below, with key actions and anticipated timeframes outlined **Table 2** following. In summary:

- The engagement period will be over January – February 2020.
- Targeted engagement will be undertaken with primary stakeholders through the delivery of workshops.
- Options for individual meetings on request will be provided following the workshops.
- Consultation will be undertaken with Te Taiwhenua o Te Whanganui ā Orotū to determine appropriate engagement methods and processes. This exercise may identify additional groups to be involved.
- Letter invites to the primary stakeholder workshops will be sent over the period late December 2019 - mid January 2020.
- Stakeholder workshops will be held mid February 2020.
- A summary of matters discussed/general themes of the workshops will be provided to attendees and made available to other stakeholders over March.



Table 1: Engagement Plan

Engagement Organisation	Contact Details	Level of Engagement	Purpose of Engagement	Method	Objective of Method	What does success look like?	Timing/ Project Member
Engagement Partners							
Napier City Council	Dean Moriarity: Team Leader, Senior Policy Planner Catherine Reaburn: Workstream Lead, Senior Policy Planner Emma Morgan: Senior Advisor Policy	Inform and Consult	To ensure Council is kept informed about how engagement is being undertaken	Meetings Update emails/ phone calls when necessary	Outline and confirm consultation approach including any Council processes to be followed Approval for letter/ postcard wording Liaise on venue, time/ dates of workshops Provide any further contacts to be consulted on project	Well informed client that supports approach and content being communicated Council feel all stakeholders have been well informed and given opportunity to have their say No surprises	Cam/ Pip to provide ongoing communications with Council
Iwi	Te Taiwhenua o Te Whanganui ā Orotū (The need to engage with other groups may be identified through this process)	Inform and Consult	To understand the view of Tangata Whenua in relation to the project	Attendance at workshops / one on one meeting(s) (guided by initial contact)	Inform project details and seek feedback on concerns/ views	Participation in workshops (or one-on-one meetings), clear understanding of issues and interests, the identification of matters that should be considered in the options	Cam/pip to make initial contact mid December to introduce project and organize preferred engagement method

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Engagement Organisation	Contact Details	Level of Engagement	Purpose of Engagement	Method	Objective of Method	What does success look like?	Timing/ Project Member
Key Industry Groups – owners and occupiers of the land							
Owners and occupiers of the land	See Appendix 1	Inform and Consult	Understand key issues and potential opportunities for the area from perspective of the owners and occupiers to inform development of options for assessment	Letter, email, workshop, opportunity for meeting	<p>Engaging early with key stakeholders will help to set the 'right' tone for future discussion of proposed options</p> <p>Encourage opportunity for key stakeholders to influence and provide key information that could help with development of key options</p> <p>Understand the level of resistance or receptiveness to proposed options</p> <p>Seek to frame in a way that provides stakeholders a chance to be a part of the solution rather than a feeling of being 'pushed out', with no other option</p>	<p>Options proposed for the area that have buy-in from the industrial community and have been developed in collaboration with those who work and have an interest in the area</p> <p>Robust and practical options for the future land use adjacent to Pandora Pond</p> <p>Stakeholders have enough info about the project</p> <p>Stakeholders are aware of opportunities to have their say</p> <p>Proactive action from industry towards assisting with the outcomes and objectives sought by the proposed plan change</p>	Cam/Pip - Workshops held mid February with a short period following for further one-one-on meetings if requested



Engagement Organisation	Contact Details	Level of Engagement	Purpose of Engagement	Method	Objective of Method	What does success look like?	Timing/ Project Member
Key interest groups							
Groups that do not own or occupy specific land parcels but do have an interest in the wider health and attractiveness of the Ahuriri Estuary	See Appendix 2	Inform and Consult	To understand the view of wider stakeholder groups in relation to the plan change options	Letter, email, workshop, opportunity for meeting	Engaging early with key stakeholders will help to set the 'right' tone for future discussion of proposed options Encourage opportunity for key stakeholders to influence and provide key information that could help with development of key options	Participation in workshops, clear understanding of issues and interests, the identification of matters that should be considered in the options Stakeholders have enough info about the project Stakeholders are aware of opportunities to have their say	Cam/Pip - Workshops held mid February with a short period following for further one-one-on meetings if requested



Table 2: Key Actions and Timeframes

Action	Due Date	Who
Initial contact with Te Taiwhenua o Te Whanganui ā Orotū	Dec	Cam/Dean
Book venues for workshops	Dec	Catherine/ Emma
Send invite letters/emails to workshops (number of letters TBC)	Dec	Pip – draft letter and clean database.
	Mid Jan (at the latest)	Catherine/ Emma – organise letter to be printed and sent
Review docs to summarise for workshops; - Summary of issues - Summary of directions/competing outcomes	Dec/Jan	Cam
Develop concept ideas to assist workshop discussion	Jan	Cam
Organise resources	Early Feb	Pip
Venue set up/organise refreshments	Mid Feb	Catherine/ Emma (TBC)
Undertake 2X workshops - Owners/occupiers - Key stakeholders	Mid Feb	Cam/Pip
Opportunity for one-on-one meetings following workshops	Late Feb	Cam
Prepare summary notes from workshops to inform Options report	Late Feb	Pip
Report back to attendees/stakeholders	March	Pip

Appendix 1

Owners and Occupiers within Engagement Area



Address1	Address2	Address3	Postcode	Contactname	Businessname	RSVP
6 Mersey Street	Pandora	Napier	4110	The Manager	Eastbridge Premises Limited	
9 Mersey Street	Pandora	Napier	4110	Bruce	Fresh Meats	
17 Mersey Street	Pandora	Napier	4110	Blair Cooper	Fresh Meats	
19 Mersey Street	Pandora	Napier	4110	Robin Holthusen	Kakapo Joinery	
19 Mersey Street	Pandora	Napier	4110	Dan Hewitt	Woodcuts Ltd	
24 Mersey Street	Pandora	Napier	4110	Grant MacInnes	Napier Sandblasting	
25 Mersey Street	Pandora	Napier	4110	Ben Goodridge	Devine Plumbing	
26 Mersey Street	Pandora	Napier	4110	Bob Hawley	Red Steel	
27 Mersey Street	Pandora	Napier	4110	Kerry Tong	K.R. Tong Engineering	
28 Mersey Street	Pandora	Napier	4110	Jason Dickey	Dickey Boats	
31 Mersey Street	Pandora	Napier	4110	Bruce Wills	SPCA	
33 Mersey Street	Pandora	Napier	4110	Barry	HB Mobile Crushing	
35 Mersey Street	Pandora	Napier	4110	Frank Burgess	Burgiss Contracting	
1 Pandora Road	Pandora	Napier	4110	Alan Bevin	All Secure Storage	
21 Pandora Rd	Pandora	Napier	4110	Stephen Hill & Anthony Man	Stephen Hill Motors	
31 Pandora Rd	Pandora	Napier	4110	Lester Wagner	Firth Industries	
11 Severn Street	Pandora	Napier	4110	Brian	Nikau Processors Ltd	
14 Severn Street	Pandora	Napier	4110	Alex Hayes	Alex Hayes Log Transport	
16 Severn Street	Pandora	Napier	4110	Kelvin Read & Murray Camy	CDC Pharmaceuticals Ltd	
19 Severn Street	Pandora	Napier	4110	Richard Buxton	Ravensdown	
22 Severn Street	Pandora	Napier	4110	David Barton	C3	
24 Severn Street	Pandora	Napier	4110	Steven Smith	Gough Cat	
24 Severn Street	Pandora	Napier	4110	Quinton van Aarde	Gough Cat	
24 Severn Street	Pandora	Napier	4110	Mathew Johnston	Gough Cat	
28 Severn Street	Pandora	Napier	4110	Simon	Hawkes Bay Ice Company	
30 Severn Street	Pandora	Napier	4110	Andrew Harvey	Fulton Hogan	
38 Severn Street	Pandora	Napier	4110	Renata Neilson	Bridgestone	
43 Severn Street	Pandora	Napier	4110	Richard Kells	Kells Wool	
10 Thames Street	Pandora	Napier	4110	Paul Brown	Napier Auto Supplies	
11 Thames Street	Pandora	Napier	4110	Vaughan Walsh	Walsh & Associates	
12 Thames Street	Pandora	Napier	4110	Tim McDougal	A & M Panel Repair	
14 Thames Street	Pandora	Napier	4110	Jordan Lewis	Accurate Automotive	
15 Thames Street	Pandora	Napier	4110	Eddie Crawshaw	Polymer Systems	
16 Thames Street	Pandora	Napier	4110	Barry Swayn	Sprayrite Car Painters	
2-20 Thames Street	Pandora	Napier	4110	Bobby-jo Wilkie	Napier Auto Upholstery	
1-20 Thames Street	Pandora	Napier	4110	The Manager	Tuckerbox Lunchbar	
22 Thames Street	Pandora	Napier	4110	Gavin Foulsham	Classic Sheepskins	Yes
27 Thames Street	Pandora	Napier	4110	Brad Ellison & Kevin O'Neill	Tech Mechanical Services	
30 Thames Street	Pandora	Napier	4110	Gavin Bell	Efficient	
31 Thames Street	Pandora	Napier	4110	Andrew Crompton	Eastbridge	
41 Thames Street	Pandora	Napier	4110	Richard Millea & Sandra Ain	Galvanising HB	
54 Thames Street	Pandora	Napier	4110	Bill Lepper	Energy and Marine Service Centre	
55 Thames Street	Pandora	Napier	4110	Jamie Webster	Tumu ITM	
56 Thames Street	Pandora	Napier	4110	Wayne zaloum	Napier Collision Repair Centre	
59 Thames Street	Pandora	Napier	4110	Paul Botha	Weldwell	
60 Thames Street	Pandora	Napier	4110	Victor Bourke	Napier Provedoring Co Ltd	
65 Thames Street	Pandora	Napier	4110	Karen Blair & Terence Tayl	The Pallet Company	
66 Thames Street	Pandora	Napier	4110	The Manager	The Hidden Fence Co	
68 Thames Street	Pandora	Napier	4110	VJ Rieper	AKK Management Services	
68 Thames Street	Pandora	Napier	4110	The Manager	F1 Wholesale Ltd	
84 Thames Street	Pandora	Napier	4110	Murray Gillies	Crawford's Radiator Centre	
84 Thames Street	Pandora	Napier	4110	Justin Power	Comac Industrial Services Ltd	
88 Thames Street	Pandora	Napier	4110	Shane Brooker	Farmquip	
91 Thames Street	Pandora	Napier	4110	Pieter Koopman & Guy Tayl	Hawkes Bay Wine Company	
10 Tyne Street	Pandora	Napier	4110	Harry Polewidhi	Napier Pine	
26 Tyne Street	Pandora	Napier	4110	Paul SullivanBen Milner	Affco New Zealand Ltd	
27 Tyne Street	Pandora	Napier	4110	John MacKay	Mainfreight	

Ratepayer1	Address1	Address2	Address3	Address4	Postcode
KiwiRail	PO Box 593	Wellington			6140
Liqueo Bulk Storage Limited	PO Box 996	New Plymouth			4340
Fresh Meats NZ Limited	PO Box 5	Napier			4140
Lowe Corporation Pacific Limited	PO Box 444	Hastings			4156
The ABFC Limited	920 Aorangi Road	RD 1	Hastings		4171
Findlay Robert Edgar Athling	Charles Trust	315 Hill Road	RD 2	Napier	4182
Napier City Council	Private Bag 6010	Hawkes Bay Mail Centre	Napier		4142
Jimmy Winstone Holdings Limited	PO Box 12115	Ahuriri	Napier		4144
Satchwell Michael	PO Box 37	Tutira			4162
R J Gunson & Co Limited	PO Box 30	Ongaonga			4244
Dickey Jason Alan	Dickson Trust	PO Box 12211	Ahuriri	Napier	4144
Dynamic Fluid Systems Limited	PO Box 12402	Penrose	Auckland		1642
Eastbridge Premises Limited	PO Box 577	Napier			4140
The RNZSPCA Inc	PO Box 15349	New Lynn	Auckland		640
HB Mobile Screening Services Limited	PO Box 4288	Marewa	Napier		4143
Deakin Russell Brett	PO Box 2040	Stortford Lodge	Hastings		4153
Land Information New Zealand	Attention Naomi Bray	C/- Colliers International	PO Box 1748	Wellington	6140
Kohekohe Investments Limited	PO Box 107117	Auckland Airport	Auckland		2150
Severnaside Holdings Limited	PO Box 20	Napier			4140
Unison Networks Limited	PO Box 555	Hastings			4156
Flavouroom Limited	PO Box 676	Napier			4140
Ormsby Trustee Company Limited	Ormsby Waitomo Trust	PO Box 5125	Frankton	Hamilton	3242
Hayes Alex	14 Severn Street	Pandora	Napier		4110
Williams James Leonard Heathcote	C/- Pharmacy Wholesalers	PO Box 12112	Ahuriri	Napier	4144
Greenwood Mark Joseph	Kepa Investments Partnership	PO Box 4106	Mount Maunganui South	Mount Maunganui	3150
Ravensdown Fertiliser Co-op Limited	Private Bag 6012	Hawkes Bay Mail Centre	Napier		4142
Rogers Paul Welby	PWSL Trust	202 The Square	Whangamata		3620
Calison Group Limited	PO Box 41039	Ferryroad	Christchurch		8247
Price Neville Laurence	PO Box 4071	Marewa	Napier		4143
Fourways Limited	PO Box 916	Masterton			5840
Smith David Frank	Smith Family Investment Trust	PO Box 8561	Havelock North		4157
Thompson Shaun Murray	PO Box 169	Bay View	Napier		4112
Penn Trevor Edwin	C/- Z Energy 2015 Limited	PO Box 116	Whangaparaoa		943
Anderson George Russell	17 Hamilton Crescent	Whitianga			3510
Forty Three Limited	43 Severn Street	Pandora	Napier		4110
Pucktail Properties Limited (Fivestar Storage)	PO Box 8553	Havelock North			4157
Mews Properties Limited	Murray Waite	PO Box 522	Napier		4140
Thames Street Properties Limited	C/- Peter & Marian Fraser	53 Abergeldie Way	RD 1	Cambridge	3493
Crawshaw Stephen Henry	Polymer Systems International Ltd	15 Thames Street	Pandora	Napier	4110
Richards Richard Henry	Trustech Trust	PO Box 3016	Hawkes Bay Mail Centre	Napier	4142
PLL Properties Limited	PO Box 33	Whakatu			4161
Efficient Carrying Co Limited	PO Box 562	Napier			4140
Ryan Philip Gerard	16 Milton Terrace	Hospital Hill	Napier		4110
Pandora Land Limited	Mr D P Dipple	125 Black Barn Road	RD 12	Havelock North	4294
Zaloum Wayne Frederick	PO Box 12092	Ahuriri	Napier		4144
Whitehead John Richard	34 Lincoln Terrace	Hokowhitu	Palmerston North		4410
Bean Andrew John Seddon	PO Box 12231	Ahuriri	Napier		4144
Weldwell New Zealand	Private Bag 6025	Hawkes Bay Mail Centre	Napier		4142
Consolidated Investments Thames Street Limited	16 Bancroft Crescent	Glendene	Auckland		602
Poynter Clifford Harry	Samcliffs Trust	66 Thames Street	Pandora	Napier	4110
Rieper Vivian James	68 Thames Street	Pandora	Napier		4110
Sullivan Christopher Shayne	Sammy Family Trust	PO Box 1135	Napier		4140
Lawn Road Limited	205 Lawn Road	RD 10	Hastings		4180
Thames Street Holdings Limited	PO Box 4054	Marewa	Napier		4143
Brooker Investments Limited	PO Box 7336	Taradale	Napier		4141
Port of Napier Limited	PO Box 947	Napier			4140
BLK Vintners Limited	PO Box 19033	Marewa	Napier		4143
Thode Lynette Margaret	6A James Street	Westshore	Napier		4110
Ardie Store Limited	113 Ferry Road	Clive			4102
Bristow Desmond Walter	PO Box 1163	Hastings			4156
Willis Lawrence William	Private Bag 6018	Hawkes Bay Mail Centre	Napier		4142
Napier Kiln Limited	PO Box 4077	Marewa	Napier		4143
Affco New Zealand Limited	PO Box 353	Napier			4140
Mainfreight Limited	PO Box 12119	Ahuriri	Napier		4144

Email	Business Name	Contact	Column1
damian@liqueo.co.nz	Liqueo	Damian Santner	5 Mersey St
pwh@lowecorp.co.nz	Lowe Corporation Pacific	Phil Hoggard	12 Mersey St
pwo@lowecorp.co.nz		Paul Osborne	
info@kakapojoinery.com	Kakapo Joinery	Robin Holthusen	19 Mersey St
admin@woodcut-tools.com	Woodcuts Ltd	Dan Hewitt	19 Mersey St
grant@nsb.net.nz	Napier Sandblasting	Grant Macinnes	24 Mersey St
ben@devineplumbing.co.nz	Devine Plumbing	Ben Goodridge	25 Mersey St
bob@redsteel.co.nz	Red Steel	Bob Hawley	26 Mersey St
krtonengineering@gmail.com	K.R. Tong Engineering	Kerry Tong	27 Mersey St
jason@dickeyboats.com	Dickey Boats	Jason Dickey	28 Mersey St
dfsnapier@xtra.co.nz	Dynamic Fluid Systems		29 Mersey St
bruce.wills@spca.nz	SPCA	Bruce Wills	31 Mersey St
mcs@hbscreens.co.nz	HB Mobile Crushing	Barry	33 Mersey St
steven.feyen@containerco.co.nz	Container Co (NZ) Ltd	Steven Feyen	50 Mersey St
matt.taylor@containerco.co.nz		Matt Taylor	
b.cooper@ilgroup.com	Fresh Meats	Blair Cooper	9/17 Mersey St
fmyards@mangatuonmicrosoft.com	Fresh Meats	Bruce	9/17 Mersey St
fburgiss@waspsnet.co.nz	Burgiss Contracting	Frank Burgiss	35-37 Mersey St
alan.bevin@allseure.co.nz	All Secure Storage	Alan Bevin	1 Pandora Rd
ant@stephenhill.co.nz	Stephen Hill Motors	Anthony Maney	21 Pandora Rd
steve@palling.nz	Stephen Hill Motors	Stephen Hill	21 Pandora Rd
lester.wagner@firch.co.nz	Firth Industries	Lester Wagner	31 Pandora Rd
jearbman@xtra.co.nz	ChemDry	Roy & Jan Arlman	9 Severn St
info@containyacoffee.com	Containya Coffee		9 Severn St
henry@gcengineering.co.nz	QC Engineering (Hawkes Bay) Ltd	Henry Melville	9 Severn St
David@ZornSurveying.co.nz	Zorn Surveying	David Zorn	9 Severn St
brian@nikauprocessors.co.nz	Nikau Processors Ltd	Brian	11 Severn St
alex@hayestransport.nz	Alex Hayes Log Transport	Alex Hayes	14 Severn St
kelvin@cdc.co.nz	CDC Pharmaceuticals Ltd	Kelvin Read	16 Severn St
murray@cdc.co.nz		Murray Campbell	
richard.buxton@ravensdown.co.nz	Ravensdown	Richard Buxton	19 Severn St
david.barton@c3.co.nz	C3	David Barton	22 Severn St
steven.smith@goughcat.co.nz	Gough Cat	Steven Smith	24 Severn St
quinton.vanaarde@goughcat.co.nz	Gough Cat	Quinton van Aarde	24 Severn St
matthew.johnston@goughcat.co.nz	Gough Cat	Matthew Johnston	24 Severn St
amelia@crosscountryrentals.co.nz	Cross Country Rentals	Amelia Badger	26 Severn St
hbicecompany@gmail.com	Hawkes Bay Ice Company	Simon	28 Severn St
Andrew.Harvey@fultonhogan.com	Fulton Hogan	Andrew Harvey	30 Severn St
renata.neilson@bridgestone.co.nz	Bridgestone	Renata Neilson	36 Severn St
richard@kellswool.co.nz	Kells Wool	Richard Kells	43 Severn St
paul@napierauto.co.nz	Napier Auto Supplies	Paul Brown	10 Thames St
vaughan@walshassociates.co.nz	Walsh & Associates	Vaughan Walsh	11 Thames St
timampanel@xtra.co.nz	A & M Panel Repair	Tim McDougal	12 Thames St
accurateautomotive@xtra.co.nz	Accurate Automotive	Jordan Lewis	14 Thames St
eddie@dairyflo.co.nz	Polymer Systems	Eddie Crawshaw	15 Thames St
sprays15@gmail.com	Sprays15 Car Painters	Barry Swayn	16 Thames St
napierautoupholstery@xtra.co.nz	Napier Auto Upholstery	Bobby Jo Wilkie	20 Thames St
pandora_bakery@yahoo.com	Tuckerbox Lunchbar		20 Thames St
gavinf@classicshopeeskins.co.nz	Classic Sheepskins	Gavin Foulsham	22 Thames St
dave@classicshopeeskins.co.nz		Dave	
brad@techgroup.co.nz	Tech Mechanical Services	Brad Ellison	27 Thames St
kevin.oneill@techengineering.co.nz	Tech Mechanical Services	Kevin O'Neill	27 Thames St
acrompton@eastbridge.co.nz	Eastbridge	Andrew Crompton	31 Thames St
gavin@efficientmovers.co.nz	Efficient	Gavin Bell	32 Thames St
richard.m@galvanising.co.nz	Galvanising HB	Richard Millea	41 Thames St
sandra.a@galvanising.co.nz	Galvanising HB	Sandra Ainge	41 Thames St
energyandmarine@xtra.co.nz	Energy and Marine Service Centre	Bill Lepper	54 Thames St
jamie.webster@tumu.co.nz	Tumu ITM	Jamie Webster	55 Thames St
wayne@ncrc.nz	Napier Collision Repair Centre	Wayne Zaloum	56 Thames St
pbotha@weldwell.co.nz	Weldwell	Paul Botha	59 Thames St
napierprovedoring@icloud.com	Napier Provedoring Co Ltd	Victor Bourke	60 Thames St
karen@thepalletcompany.co.nz	The Pallet Company	Karen Blair	65 Thames St
tt@thepalletcompany.co.nz	The Pallet Company	Terrence Taylor	65 Thames St
cliff@hiddenfence.co.nz	The Hidden Fence Co	Cliff	66 Thames St
viv.r@xtra.co.nz	AKK Management Services	VJ Rieper	68 Thames St
comac1@xtra.co.nz	F1 Wholesale Ltd		68 Thames St
comac1@xtra.co.nz	Comac Industrial Services Ltd	Justin Power	84 Thames St
shane@woolaway.co.nz	Farmquip	Shane Brooker	88 Thames St
paulr@napierport.co.nz	Napier Port Container Storage	Paul Rose	90 Thames St
peterf@napierport.co.nz	Napier Port Container Storage	Peter Frizell	90 Thames St
pieter@hbwc.co.nz	Hawkes Bay Wine Company	Pieter Koopman	91 Thames St
stephen@hbwc.co.nz		Guy Taylor	
crawfordsradiators@gmail.com	Crawford's Radiator Centre	Murray Gillies	84 Thames Street
harry@napierpine.co.nz	Napier Pine	Harry Polewidhi	10 Tyne St
paul.sullivan@affco.co.nz	Affco New Zealand Ltd	Paul Sullivan	26 Tyne St
ben.milner@affco.co.nz	Affco New Zealand Ltd	Ben Milner	26 Tyne St
john.mackay@mainfreight.co.nz	Mainfreight	John Mackay	27 Tyne St

Appendix 2

Interest Groups



Stakeholder	Contact	Role	Phone Number	Email	Address 1	Address 2	Address 3	RDP?	Engagement Date	Notes
Hill Airport	Stephenie Murphy	Airport Planner		stephenie@hawkesbay-airport.co.nz	PO Box 721	Napier 4140		yes - Michel de Vos Elin Hartrop-Wright Grant Russell (Planning, Ports planning advisor)		
Napier Port	Michel de Vos	Infrastructure Services Manager	033 4430	michel@napierport.co.nz	PO Box 947	Napier 4140				
Ta Taioa Hawke's Bay Environment Forum	John Cheyne	Chair		jcheayne@taioa.co.nz	PO Box 305	Waipukurua				
Hartrop NZ	Claire Cheik	General Manager	027 488 4834	claire@hartrop.co.nz	PO Box 3629					
Historic Places HB Inc	Philip Innes	Central Secretary		phil@historicplaces.co.nz	2 Arthur Coast					
Westshore Holiday Park	The Manager		033 5456	westshoreholiday@holidays.co.nz	68 Molesworth Quay	Westshore				
Kiwi Rail	Pam Butler	Manager-System Management- Hawkes Bay		pambutler@kiwirail.co.nz	PO Box 393	Wellington				
NZTA	Oliver Postings	CEO	+64 01 021 6400	oliver.postings@nzta.govt.nz	PO Box 740	Napier				
Landscape Farming Limited	Steve Gordon	CEO			PO Box 5348	Wellington 6140				
Iron Maori	Lee Grace				PO Box 2288	Stortford Lodge Hastings				
Tradition Hawke's Bay	Mike Bond	CEO		mikebond@tradition.co.nz	PO Box 6740	Hawesick North Hastings				
Hekeke Ocean Sports Inc	Roni Nuku	Secretary	Vanessa - 022 6020651, Julie - 027 4025442	roni@hekeke.co.nz	48 Humber Street	Pandora				
Te Rau Orange O Ngahi Vanuaguru	Julie Tangere	Chairperson			PO Box 463	Hastings 4120				
Waia Ance Club	Rod Newson	Chairperson			888 Auckland Road	Greenmeadows				
Optimist Yachting	The Manager		027 6686066	optimist@optimist.co.nz	53 Pandora Road	Napier 4110				
Pandora Kayaks	Mike Bishop			mikebishop@pandora.co.nz	506 Vicesness Quay	Napier 4112				
Sea Scouts (Westshore)	Sandy Walker	Commodore		sandy@seascouts.co.nz	16 Symonds Street	Hastings 4122				
Road Transport Association NZ	Paul Newman	Club Captain			PO Box 12048	Ahuriri				
Napier Sailing Club	Heli Price				30 Nelson Quay	Ahuriri				
Hawke's Bay Sports Fishing Club	Jeremy Bayliss	Director	06 5359579		54 Vicesness Quay	Westshore				
Westshore Beach Inn	Shane Grant	General Manager			PO Box 133	Napier				
Art Deco Trust	John O'Shaughnessy	Club Captain			PO Box 385	Napier 4140				
Westshore Primary School	Principal	Principal			Ferguson Avenue	Westshore				
Port Ahuriri School	Principal	Principal			13 Lever Street	Ahuriri				
Taukumu Seafoods	The Manager	Quota and Vessel Contracting	0509663254		PO Box 12137	Ahuriri				
Star Fish Supply Limited	The Manager		06 5435113		PO Box 12028	Ahuriri				
Tanderson Seafoods Limited	The Manager		06 5350461		7 Tanager Street	Ahuriri				

Appendix 3

Stakeholder Workshop Notes



Record of Community Engagement

Engagement Summary

The following is a summary of engagement undertaken to inform a review into options for appropriate zoning within the Pandora Industrial Zone. Two workshops were completed. One with stakeholders and the other with landowners and occupiers of the Industrial Zone.

Process

Targeted engagement was undertaken with primary stakeholders and landowner/ occupiers according to the Stakeholder Engagement Plan prepared in December 2019. Both letters and emails were sent to all addresses within the study area and identified stakeholder organisations to invite parties to attend workshops – one for stakeholders and one for owners/occupier. The workshops were held consecutively on 12 February 2020 at the Napier Conference Centre. Opportunity for face-to-face meetings or phone calls were also offered to the targeted engagement group. Points taken from the engagement process have helped inform the options and recommendations of this review.

Feedback and Summary Points

The themes identified through this process helped develop the key messages taken from the consultation as follows:

- Everyone recognised the issue around the contamination and the quality of the Ahuriri Estuary.
- People agreed that the Ahuriri Estuary was a very important area and a highly valued part of Napier's identity.
- There was a genuine question around what the driver of a proposed review (Plan Change) was fundamentally aiming to solve.
- Clarity around the drivers for change could help determine what Council's next best steps are in managing the issue and considering a plan change.
- Taking a wider lens on the issue of water quality would help clarify the significance and urgency required to consider a plan change of the Pandora Industrial Zone.
- The Port plays a critical role in strengthening the Napier economy and facilitating successful businesses within the city, region and New Zealand.
- The Pandora Industrial Zone is in a key strategic location.
- The port cannot be moved and there is limited other space for industrial activities to go.
- Council should consider securing the use of land in Pandora and beyond for industrial land use activities that support the Port.
- An efficient transportation route between the Pandora Industrial Zone and the Port is seen as critical to many businesses (whether they are located within the industrial zone or not).
- Reverse sensitivity was largely agreed as a high risk to existing businesses.
- The activities that operate in the Pandora Industrial Zone are influenced by the local and global market as well as the strategic ambitions of each company in the area.
- Corporate responsibility and environmentally conscious practices are an increasingly important influences on businesses operations.

- Regulatory mechanisms such as resource consent conditions and the new stormwater bylaw also help ensure activities have the appropriate measures in place.
- There is no one solution to improving the water quality of the Ahuriri Estuary and a decision to review the Pandora Industrial Zone would need to coincide with a series of other inquiries that seek changes to improve the estuary.

Table 1: Analysis and discussion of stakeholder workshops

	Theme	Evidence from stakeholder workshops	Analysis and discussion
1.	Contamination issue recognised	<ul style="list-style-type: none"> - Contamination goes through the water and needs sorting out. - Water quality is Council's main focus. - If there is a water quality issue, then can't get in the water (Scouts). - Can impact up to 60 people (Scouts – kids and adults) in terms 1 & 4 users are there for that purpose (water). - We provide opportunity for gear to be used and different schools and age groups accept different risk levels. 	Everyone recognised the issue around the contamination and the quality of the Ahuriri Estuary. Groups who used the water expressed concern of the impact this can have on clubs and school education programmes that use the water. For example, if people cannot get in the water, then it stops events/ experiences from happening. Individuals discussed similar restrictions from personal experiences of participating in recreation activities on/at the Estuary.
2.	Estuary jewel of Napier	<ul style="list-style-type: none"> - Would like to see it as the jewel of Napier. - Also live in area and want to see it [Ahuriri Estuary] become the 'Jewel' of the area. - We all love seeing the water. 	People agreed that the Ahuriri Estuary was a very important area and a highly valued part of Napier's identity. Steps to improve the water quality would only be beneficial for everyone.
3.	What is the issue, and has it worsened? Historical or existing activities?	<ul style="list-style-type: none"> - Legacy issue from commercial activities. - Traditional legacy of industry in Pandora. - Even if man wasn't here, what would the estuary look like? What does the science say following the earthquake? A lot is coming up from the stream – not from industry waste. - State of estuary is a result of 60 years of historical activities. - Always been the same (30 years of issues), just greater awareness now. - Has contamination changed? Don't know. - Much more public awareness. - What is Council trying to do to deal with existing contaminants? - As long as existing industries are managing as they should be, then it's historical, not an increase in industrial issues. - What are the reference points to assess options against source of the problem? 	<p>There was a genuine question around what the driver of a proposed review (Plan Change) was fundamentally aiming to solve. Traditionally, the Pandora area has a legacy of industrial activity issues. With that, the extent to which current industrial practises are impacting the estuary were questioned.</p> <p>The issue of water quality would need to look closely at the root cause(s) of the problem and to what degree current industrial land use activities from the Pandora Industrial Zone are affecting the estuary's water quality. For example, people highlighted that the current state of the estuary is a result of 60 years' worth of activities across the entire catchment. Furthermore, the historical nature of the environment, being the 1931 Napier Earthquake,</p>

		<ul style="list-style-type: none"> - What is the problem we are trying to solve? - Need to demonstrate what the actual problem is and where it is coming from. Are we talking about stormwater? - Napier Municipal System – buggered, not invested in. - They haven't changed their land use practices upstream. 	<p>significantly changed the landform of the area and dynamics of the estuary ecosystem. Understanding the consequences of both these factors was seen as an important step to confirming the problem.</p> <p>The groups also had an interest in understanding the Council's motivation for addressing this issue. For example, was it a case that the estuary's water quality has worsened over time? Was this a product of greater public awareness? Or simply a stand from the Council to make a commitment to improve water quality. Furthermore, if the rezoning proposal was also about improving the water's edge interface, capitalising on the location of the north facing land adjacent to the estuary, providing the linkage from Inner harbour to lagoon farm and expanding the success we have in Ahuriri then the rezoning is still a viable option. Clarity around this could help determine what Councils next best steps are in managing the issue and considering a plan change.</p>
4.	Wider catchment issue	<ul style="list-style-type: none"> - Heavy rainfall sees contaminants coming from up the Estuary and Park Island. - Managing State Highways are difficult as they cannot control what people dump on roads. - Knowing if it comes from roads or further afield, or whether it has been in drains for a long time? - Easy area (Pandora) to target but there is a wider issue of its source. - There are a lot of contaminated sites around the area and water finds its way through various channels out to the estuary. 	<p>Taking a wider lens on the issue of water quality would help clarify the significance and urgency required to consider a plan change of the Pandora Industrial Zone. Sediment runoff, nutrients runoff, polluted stormwater and contaminants from trucks for example, all contribute to the problems of water quality in the estuary.</p> <p>Therefore, a better understanding of the wider catchment contributions to the problem including origin and potential other controls in those areas would be prudent before jumping straight to a review of whether changes to the Industrial Zone is necessary.</p>

5.	Port critical for the city, region and country	<ul style="list-style-type: none"> - Facilitate important function of port/ region and location keeps cost down. - What is going to happen? Port is here to stay, and this area supports its function. - From a business point of view, what's happening at the Port is critical. - Port is the number one influence for whole town – need somewhere to hold services. - Some industries very reliant on Port, others not so much. 	The Port plays a critical role in strengthening the Napier economy and facilitating successful businesses within the city, region and New Zealand. The reliance of other businesses on the Port, including its location and transport needs, need to be weighed up in relation to decisions made around proposed future activities (and the impact of those) in Pandora's Industrial Zone.
6.	Strategic location of Industrial Zone is important for business (particularly in relation to the Port)	<ul style="list-style-type: none"> - Vested interest in tourism; cruise ships use the Port. In that way, concerned with the interests of Port efficiencies. - Anything that hinders development of business an issue. - Airport has an interest in how they develop our land in the future. - These areas (Industrial Zone) are critical for now and any inland port would accompany, not replace. - This area will always be important for strategic efficiency, having land close to the Port. - This is a strategic point for Port over last 50-100 years. - Volume of containers that move through the Port will increase, and movement of trucks per day will too, as well as depot operations. - Both facilities are chocker and awaiting start of the apple season. - This is an important industrial area for the region and country - Because of urban development, it's already restricted. - Rail export is just too hard for horticulture industries. - Mix of business and urban is all over the province but doesn't matter what you do, you can't move the Port! - Clear difference in proximity to Port can impact business. - Direct rail link is a strategic holding for the Port. 	<p>The Pandora Industrial Zone is in a key strategic location. This is directly related to its close proximity to the Napier Port. The ability for the Port activity to grow to cater for future demand is also a key factor to be considered. Projections believe that three times the current capacity of the Port is required to accommodate expected growth. For example, horticulture relies heavily on this as do other container freight industries. It is important to state that any decisions by the Port to invest in land outside of the Pandora Industrial Zone would only be to complement existing activities.</p> <p>In addition, anything that will negatively impact the efficient operation of the Port will have direct and indirect consequences for other businesses. This was raised by a variety of key stakeholders from the Art Deco Trust (cruise ships ability to easy use the port), the Ahuriri Business Association, horticulture companies (that have tight timeframes and high demand periods during peak season), right through to wet and dry industrial industries that need to move products quickly and often.</p>

			<p>The port cannot be moved and there is limited other space for industrial activities to go within Napier City. As such, Council should consider securing the use of land in Pandora and beyond for industrial land use activities supporting the Port.</p>
7.	Transport efficiencies/ existing route conflicts	<ul style="list-style-type: none"> - Transport routes facilitate the Port and as Ahuriri gentrifies, it causes greater issues. - Problem getting around the roundabout of Thames St turning right. - Develop Severn St as main route is going to create conflict with main retail area on Prebensen Drive. - If new roundabout went in, they would use it. No brainer – would go down Thames St. Every dollar counts. Also had a few accidents along Prebensen. - Transport routes facilitate the Port and as Ahuriri gentrifies, it causes greater issues. - Developers have built large retirement homes, etc around the Ahuriri area. This is right next to the biggest outlet in the province. - Even if there was other industrial land, it would be very costly on transport costs. - Changes we propose and make will have implications for that, ie transport very important as an efficient roading network to get goods to the port. 	<p>An efficient transportation route between the Pandora Industrial Zone and the Port is seen as critical to many businesses (whether they are located within the industrial zone or not). The longer it takes to get somewhere, the more money it costs the company and is less efficient and cost effective for the Port to move stock.</p> <p>In addition, road safety is important for both Council and companies to consider and mitigate potential risk. For example, existing infill development such as residential and commercial activities have implications for the truck drivers accessing the Port.</p>
8.	Reserve sensitivity risk	<ul style="list-style-type: none"> - Reserve sensitivity huge concern, as hours increase and more trucks on road – don't want added reverse sensitivity risk increased. - Certainly, wouldn't want to put residential here (Industrial Zone) - With mixed use you're going to get noise, odour, light complaints. - Traditionally what was acceptable is no longer so a lot of risk to industry. 	<p>Reverse sensitivity was largely agreed as a high risk to existing businesses including the current operation and future potential of the area, should other types of activities be allowed in the Industrial Zone.</p> <p>With limited land already an issue for Napier City, further displacement of industrial activities whether intended or not will likely escalate problems further. For example, some industries work together and are successful because of</p>

		<ul style="list-style-type: none"> - Lots of objection to noise and dust [Watchman Development] and it will be magnified if mixed-use is allowed [in this area]. - Don't have power of big business and might get squeezed. - Would hate to see industry pushed out because of residential complaints. - Reverse sensitivity rears its head. - Where else is there industry land? Napier doesn't have a lot of free land for large scale activities. If we further erode industrial areas, where are we moving? - Some businesses would have to relocate as a team because their main customers sit right beside each other. - Acknowledges that one business will impact or make another business better i.e. transport cost reduced is a big one. - There will be consequences and flow-on effects for moving one business. - Some sections of the industrial zone have their own niche – micro commercial area. 	<p>their niche business sector's physical environment (symbiotic relationship). If one were to move, that would impact another. Furthermore, some smaller companies may not have the resources to challenge new activity's complaints.</p> <p>There was a general consensus that the more sensitive activities such as residential and some other mixed uses would be detrimental to the overall function of the Industrial Zone.</p>
9.	Global market influences	<ul style="list-style-type: none"> - Is there a finite point when your business would need to move? - That is a driver for the business to get to a point that it's not big enough. - Other business would come into the area. - Drivers of that will be regulated change from external markets. - Global change will be drivers for our business. - Area is going to change on its own from its own market forces. - The industrial activities within the zone will slide into different spaces – it just happens and if you try to force change, it backfires. 	<p>The activities that operate in the Pandora Industrial Zone are influenced by the local and global market as well as their own strategic ambitions for the company. In this way, decisions by industry to move in and out of the zone as well as the types of activities that work best on sites are seen as dynamic and constantly changing, responding or anticipating their target markets. For example, the tannery would look to move processing out of the Pandora Industrial Zone (to a different area) and develop the existing site into a distribution hub when their business grows and demands that level of production. With that said, there is potential that the activities that would have less environmental risk on the Ahuriri Estuary (such as dry instead of wet industry activities) may occur organically.</p>

10.	Individual responsibility of water quality recognised by businesses in Pandora	<ul style="list-style-type: none"> - Have invested a lot of money into environmental ethos. Not many other places have done that. - It is a challenge to understand what NZTA can do to help. - Industry doesn't have to mean bad water quality. - Makes you aware of what you are doing on your own site. - Initiative for private industry practices provided through consent process. Business has a Tradewaste Manage Plan and Environmental Management Plan. If you have a business – shit happens and have had to implement changes for if/when spills happen to stop anything getting to the drain. - Industry can work in an environmental way. This is a responsible group – there are those out there that aren't a responsible group. - Industry can mitigate activities on site/ self-containment factors, and we look after our own patch. So, look catchment wide. - We see that industry can work alongside the estuary. - We are doing what we can on site, it's not a case of 'we aren't doing anything until others clean their part'. 	<p>Corporate responsibility and environmentally conscious practise are an increasingly important influence for businesses to act. For example, the Port has 20 percent of its land next to the Estuary in landscape and retention ponds to provide a buffer and reduce the potential effects from land use on water quality.</p> <p>Regulatory mechanisms such as resource consent conditions and the new stormwater bylaw also help ensure activities have the appropriate measures in place. For example, Spill Management Plans and Environmental Management Plans. In addition, many industries have taken responsibility for their own practises and are doing what they can to manage their activity on site to protect the water quality in the estuary. They believe they can work alongside the natural environment. It is important to note that not all industries would have this favourable approach. Guidance around industry initiatives and best practise for this area may help businesses take action themselves.</p>
11.	Seek multiple alternatives/ mixed-use zone not preferable by industry	<ul style="list-style-type: none"> - Masterplan suggestion for Mixed-use in the front section. To take more pride in that areas - Thames St drain – terrible condition. Can't plan your way out of it. A lot of work is needed to make it better. What are the alternatives? - Issue to do mixed-use development on contaminated land - If it is driven by water problem, then need to know what the problem is... is a plan change the way to solve a larger problem? - When you look at all the things that could be done to clean the water – add together to provide better water quality. 	<p>There is no one solution to improving the water quality of the Ahuriri Estuary and a decision to review the Pandora Industrial Zone would need to coincide with a series of other inquiries that seek changes to improve water quality. At the core, is assessing this proposed plan change review against other alternatives that may provide better outcomes. In the meantime, there is considerable risk to industry business – particularly the efficient operation of the Port – should a review of the Pandora Industrial Zone go ahead.</p>

		<ul style="list-style-type: none">- There are lots of interesting theories to be investigated i.e. Land Corp pumps – if the pumps stop the land will be under water in two days.- Not necessarily a case of simply changing the Industrial Zone.	
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6. DISTRICT PLAN REVIEW - RECOMMENDED POLICY APPROACH FOR STAKEHOLDER ENGAGEMENT

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	909359
<i>Reporting Officer/s & Unit:</i>	Dean Moriarity, Team Leader Policy Planning

6.1 Purpose of Report

The purpose of this report is to:

- a. Follow up on the recent series of seminars held with Council between 17th December 2019 – 5th March 2020 regarding the review of the District Plan; and
- b. for Council to approve ‘in principle’ the recommended policy approach for specific work streams so that officers can undertake engagement with key stakeholders.

The emphasis at this stage has been to identify landowners who may be affected by provisions potentially impacting on their property rights for issues involving a public good component. This includes provisions on landscapes, historic heritage, biodiversity, and new growth options in the hills. We have initiated engagement with these people in order to capture their views and opinions prior to preparation and release of a Draft District Plan.

Officer’s Recommendation

That Council:

- a. Endorse ‘in principle’ the recommended policy approach outlined in **Appendix A** for specific work streams involving a public good component in order to engage with key stakeholders prior to preparing a Draft District Plan; and
- b. To request officers to report on the conclusions of the stakeholder engagement for Council’s consideration, prior to adopting a policy position for the draft District Plan release in November 2020.

Mayor’s Recommendation

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

6.2 Background Summary

Officers have previously presented a paper to Council in August 2018 which showed a recommended strategic direction for the review of the District Plan consisting of ‘Outcomes’, ‘Key Principles’, and ‘Strategic Objectives’. These cascade down from each other to create an overall strategic direction for the District Plan review. The strategic direction was endorsed by Council at the time.

Subsequently a paper was presented to Council in June 2019 which identified how those outcomes, key principles and strategic objectives would be taken into account in drafting

specific chapters of the District Plan focussing primarily on the 'main overall theme/s to achieve the strategic direction. The recommendations from officers for the framework for drafting specific provisions within work streams were itemised at the time and covered the following:

- Residential design provisions
- Residential car parking
- Medium density residential
- City Living for a Vibrant CBD
- Commercial design provisions
- Notable trees
- Pandora industrial area
- Ahuriri
- Art deco signage
- Heritage items
- Heritage character areas
- City centre heritage
- Landscapes
- Ecology
- Coastal environment
- Coastal hazards
- Genetically modified organisms
- Rural production
- Subdivision

More recently a series of seminars were held with Council between 17th December 2019 – 5th March 2020. These seminars recommended policy positions for the work streams with a public good component as a starting point for the purpose of engagement with key stakeholders and members of the public who may be directly affected by provisions in the new District Plan. These policy positions are outlined in **Appendix A**.

6.3 Issues

A series of detailed reports to support the District Plan review have been commissioned in line with the requirements of the Resource Management Act (RMA), associated National Policy Statements (NPS) and best practice guidance. These reports (which have been provided to Councillors at the time of the seminars) cover:

- Natural features and landscapes
- Historic Heritage (both Heritage Items and Character Areas)
- Ecosystems and Indigenous Biodiversity
- Greenfield growth options in the hills
- Areas of Significance to Maori

6.4 Significance and Engagement

With the exception of Areas of Significance to Maori which is undergoing further engagement with various mana whenua groups prior to finalisation, the reports covering the topics and directions provided at the seminars form the basis of a starting policy position for the purposes of meaningful stakeholder engagement.

Engagement with landowners is at an early stage and is intended to stimulate discussion and feedback prior to preparing the draft plan. Council will be given the opportunity to consider all feedback received and to take this into account when giving guidance to officers as to the shape and form of plan provisions for the Draft Plan. The Draft Plan will provide an opportunity for any interested party to also lodge comments on its provisions in an informal way prior to preparing the Proposed Plan.

The District Plan potentially impacts 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 their views into its development. Given the magnitude of the District Plan review separate engagement/consultation plans may continue to be developed at appropriate times for various work streams during the process to provide meaningful opportunities for feedback. This is one such opportunity targeted at landowners. A separate one will be held in relation to sites of significance to Maori.

6.5 Implications

Financial

There is currently budget set aside for the District Plan review and at this stage progress aligns with the budgetary expectations. Should additional funding be required separate application would be made to Council through the normal budgeting processes.

Social & Policy

The review is a rare opportunity for Council to ensure that the District Plan fully aligns with all of its current strategic priorities, plans and policies. Officers have identified a full list of these that may impact on the District Plan and will endeavour to align the regulatory provisions of the District Plan with the adopted priorities, plans and policies.

Risk

The risk with this project is that should Council decide not to adopt 'in principle' an agreed draft policy position for specific workstreams to adopt for the purposes of stakeholder engagement, the scope, complexity, time and resourcing required to deliver the project may expand significantly. This could potentially compromise the quality of the final product.

6.6 Options

The options available to Council are as follows:

- a. Adopt 'in principle' the recommended policy approach for specific workstreams involving a public good component in order to engage with key stakeholders prior to preparing a Draft District Plan.
- b. Not to adopt 'in principle' the recommended policy approach for specific workstreams involving a public good component in order to engage with key stakeholders prior to preparing a Draft District Plan.

6.7 Development of Preferred Option

The preferred option is for Council to adopt 'in principle' the recommended policy approach for specific workstreams involving a public good component in order to engage with key stakeholders prior to preparing a Draft District Plan. This will assist officers in determining the key issues and potential areas of conflict prior to preparation of a Draft Plan.

6.8 Attachments

A District Plan Review recommended policy positions [↓](#)

Summary of District Plan Review recommendations for Council endorsement

17th December 2019 - 11th March 2020

The preliminary policy position recommendations below will form the basis for landowner engagement where specified (scheduled for March 2020 – April 2020), or otherwise for stakeholder and community engagement through the draft District Plan process (scheduled for November 2020 – February 2021).

Feedback from landowners through the March – April 2020 targeted engagement will be reported to Council mid-2020, and will assist in informing the development of the draft District Plan provisions for release in November 2020 (including revisions to the preliminary policy position where appropriate).

Feedback from stakeholders and the public through the November 2020 – February 2021 draft District Plan engagement will be reported back to Council in early 2021. Council will consider potential revisions to the preliminary policy position in response to feedback prior to notifying the proposed District Plan for formal submissions in 2021.

Greenfield growth in the hills

- **Structure Plan:** Commence high level structure planning for Taradale Hills and Tironui Drive extension and surrounds areas:
 - Consider both servicing within NCC boundary and potential cross-boundary options
 - Engagement with landowners (together with other District Plan workstreams – March – April 2020)
- **HPUDS growth areas:** Identify Taradale Hills, Tironui Drive extension and surrounds, and beyond current NCC boundary and potential growth areas for consideration in the next HPUDS review
- **Infrastructure strategies / masterplanning:** Consider growth in the hills options in infrastructure strategies / masterplanning for LTP purposes (including stormwater model and wastewater planning)

Residential

- **Engagement:** To occur through the draft District Plan process (November 2020 – February 2021)
- **Preliminary policy position for draft District Plan:**

Zoning

- Utilise three key residential zones from the National Planning Standards template:
 - General Residential Zone (replaces operative District Plan – Main Residential Zone)
 - Medium Density Residential Zone (replaces Marine Parade Character Zone)
 - Large Lot Residential Zone (replaces Lifestyle Character Zone (Kent Terrace))
- Do not pursue rezoning of additional residential land to Medium Density Residential Zone (3 storeys) at this time. Revisit through Community Plans process as appropriate.

Housing supply and diversity:

- Reduce onsite private open space requirement for small houses
- One car park per residential unit
- Assessment criteria / design guidance for large scale developments (8+ units) including:
 - Accommodate a mix of housing types and sizes
 - Provide for a housing type and size to meet an identified demand
 - Provide some houses that achieve universal accessibility standards

Safe, active and interactive communities

- Introduce new controls addressing:
 - Restriction of front fence height / visual permeability
 - Minimum requirement for windows facing the street or public open space from habitable rooms
 - Garage door and vehicle crossing width restrictions
 - Front yard landscaping
 - Assessment criteria / design guidance to minimum cul de sacs and encourage through-site linkages
- Enable small scale home business, day care centres, visitor accommodation and education facilities subject to control
- Allow an additional 5dBA noise limit for day care centres operating in residential zones between 8am – 6pm Monday-Friday to facilitate these activities

Healthy and comfortable living environments

- Retain height in relation to boundary control
- Introduce outlook (privacy and daylight access standards) for Medium Density Residential, Mixed Use and Centres zones
- Assessment criteria / design guidance for multi-unit residential developments to enable consideration of:

- Optimize sunlight access
- Minimize overlooking and shading of neighbours
- Clearly visible, lit and sheltered entranceways to front doors
- Easy storage and access of recycling and rubbish for collection
- Safe and accessible car parking
- Size and layout of unit – space for furniture and to move around
- Easily accessible and identifiable letter boxes
-
- Introduce acoustic insulation requirements in Mixed Use and centres zones, and within 80m of a State Highway or Railway

Neighbourhood Character / Sense of Place

- Retain height, building coverage, minimum landscaping, and yard controls in the General Residential Zone (currently Main Residential Zone), Medium Density Residential Zone (currently Marine Parade Character Zone) and Large Lot Residential Zone (currently Lifestyle Character Zone)
- Introduce additional assessment criteria / design guidance for multi-unit residential developments to require consideration of retaining mature trees if feasible; and to reflect built characteristics of specific neighbourhoods where appropriate e.g. roof forms

Public health and environmental wellbeing

- Assessment criteria / design guidance for multi-unit residential developments to consider site layout and house design for a low energy, warm, dry and healthy living environment
- Design guidance to provide examples e.g. window placement for cross-ventilation; north facing

Regional Industrial Land Strategy

- Release draft Regional Industrial Land Strategy to key stakeholders for feedback
- Council to consider adopting the draft Regional Industrial Land Strategy as a preliminary policy position following consideration of feedback and further area specific seminars
- Strategy to be kept in “final draft” format for wider stakeholder and community engagement through the draft District Plan engagement process (November 2020 – February 2021)
- Draft Regional Industrial Land Strategy strategic direction and recommendations to be considered in infrastructure planning (including stormwater and wastewater masterplanning) for LTP purposes.

Heritage items

- **Engagement:** Consult with land owners of heritage items (March – April 2020) including:
 - Provide research findings and assessment of heritage value to owners
 - Seek feedback on draft provisions
 - Provide information about funding sources
- **Preliminary policy position for landowner engagement:**
 - Introduce provisions controlling Paint colours in the Napier City Centre Heritage Precinct
 - More restrictive provisions for signage in the Napier City Centre Heritage precinct
 - Relocation & demolition of Category 1 items elevated from Discretionary to Non-Complying Activity status
 - Updated Art Deco Design Guide
 - Exploring other opportunities for financial assistance (e.g. Development & Financial Contributions policy, rates, resource consent charges)

Historic character areas

- **Engagement:** Consult with land owners located within proposed heritage character areas (March – April 2020) including:
 - Letters
 - Access to online Storymap
 - Drop-in sessions
 - Feedback received from residents of Railway Housing Area and Napier South will inform Councillors when determining whether to go ahead with the new Character Areas
- **Preliminary policy position for landowner engagement:**
 - General: Removal of advocacy areas – use heritage character precincts with regulatory controls only
 - Marewa Art Deco Character Area: expand area; protections to only apply to buildings built prior to 1 January 1950; introduce new rules to avoid placement of accessory buildings and minor residential units in front of dwellings; reduce front fence height

- Marewa State Housing Character Area: slight reduction in area; protections to only apply to buildings built prior to 1 January 1960; introduce new rules to avoid placement of accessory buildings and minor residential units in front of dwellings; reduce front fence height
- Te Awa Bungalow Character Area: increase in size of area to encompass some areas previously covered by Advocacy Area; protections to only apply to buildings built prior to 1 January 1940; introduce new rules to avoid placement of accessory buildings and minor residential units in front of dwellings; reduce front fence height
- Railway Housing Character Area: previously an Advocacy Area with no protection; proposed new Character Area; protections to only apply to buildings built prior to 1 January 1930; maximum building height 5m; one dwelling per 350m²; introduce new rules to avoid placement of accessory buildings and minor residential units in front of dwellings; reduce front fence height
- Hardinge Road Character Area: area reduced to concentrate on Waghorne Street area; renamed Ahuriri Spit Character Area; protections to only apply to buildings built prior to 1 January 1930; introduce new rules to avoid placement of accessory buildings and minor residential units in front of dwellings; new dwellings require resource consent; garages to be stepped back from front boundary; reduce front fence height
- Battery Road Character Area: Battery Road Character & a reduced Coronation Street Character Area combined; renamed Battery Road Character Area; protections relating to alterations/demolition to only apply to buildings built prior to 1 January 1940; introduce new rules to avoid placement of accessory buildings and minor residential units in front of dwellings; new dwellings require resource consent; garages to be stepped back from front boundary; reduce front fence height
- Iron Pot Character Area: Amend boundary of character area (away from Shopping Centre, but extend down Ossian Street); introduce West Quay Waterfront Control Area to provide similar design control in this area as existing West Quay Waterfront Zone; demolitions to rear of building permitted; restrictions on alterations over a certain area; new buildings over a certain size require resource consent/design assessment
- Napier South Character Area: Potential new character area; minimum lot size 500m²; maximum building height 5m; restrictions on alterations and demolition for dwellings built prior to 1 January 1940; resource consent required for new dwellings (design assessment); accessory buildings located to rear of dwellings

Amenity character areas

- **Engagement:** To occur through the draft District Plan process (November 2020 – February 2021) to enable integration with the potential general residential zone changes
- **Preliminary policy position for draft District Plan:**
 - Napier Hill Character Precinct: Retain provisions of existing Napier Hill Character Zone with the following potential changes (subject to feedback):
 - Building coverage: Reduce from 50% to 40%
 - Minimum landscaping: Increase from 30% to 40%
 - Open space requirements more flexible in steep site – can be provided via a deck or terrace area
 - Ahuriri Spit Character Precinct:
 - applies to the remainder of the existing Hardinge Road Character Zone that is not within a heritage character area
 - Potential removal of 3 storey allowance (maximum permitted height of 2 storeys) subject to feedback

Notable trees:

- **Engagement:** To occur through the draft District Plan process (November 2020 – February 2021) as no notable trees on private property is proposed
- **Preliminary policy position for draft District Plan:** Draft District Plan to include updated Notable Trees schedule and chapter (no substantial changes to the current District Plan provisions). Feedback through the draft District Plan, including on potential additional notable trees, to be considered by Council prior to notifying the proposed District Plan.

Significant Natural Areas

- **Engagement:** Consult with land owners located within proposed significant natural areas (March – April 2020) including:
 - Letters
 - Access to online Storymap
 - Drop-in sessions
- **Preliminary policy position for landowner engagement:**
 - 2 tier approach to manage both Significant Natural Areas (SNA) and Locally Significant Natural Areas (LSNA) – lesser degree of regulation for LSNAs e.g. if wanting to subdivide will need to protect

- Agree in principle to consider some form of incentive(s) – details to be worked through following landowner engagement
- Agree in principle to include a 10% goal for increasing vegetation cover (extra 430ha over long term, supports estuary restoration)

Landscapes and Natural Features

- **Engagement:** Consult with land owners located within proposed landscape protection areas and natural features (March – April 2020) including:
 - Letters sent to all property owners in Taradale Hills, Te Whanganui-a-Orotu, Heipipi-Esk Hills
 - Access to online Storymap
 - Drop-in sessions
- **Preliminary policy position for landowner engagement:**
 - General:
 - Likely to be strong correlation with sites of significance to Māori so regulatory response will need to be co-ordinated at a later date
 - Structure planning for Growth in the Hills areas will consider integrating landscape values
 - Ōtātara Pa – Outstanding Natural Feature (6 private properties):
 - Values to protect: Visually prominent, undeveloped, culturally important
 - Resource consent required for most activities with ability to decline depending on assessment of effects
 - Assessment criteria to give certainty around appropriate height, location, colour, landscaping etc
 - Te Whanganui-ā-Orotu – Special Character Landscape
 - Values to protect: Openness of former lagoon sea bed, legibility of individual features, ecological values
 - Resource consent requirement for large developments, subdivisions and earthworks
 - Conditions for permitted activities to preserve key values e.g. height limits, recessive colours. Consent required when standards breached
 - May impact on some properties in Poraiti viewed from the estuary
 - Likely to be strong correlation with sites of significance to Māori, so regulatory response will need to be coordinated
 - Heipipi / Esk Hills – Landscape Character area
 - Values to protect: High visibility, landmark qualities, cultural associations with Te Whanganui-ā-Orotu
 - Resource consent requirement for buildings, cut and fill earthworks, subdivision over certain threshold (if granted, subject to conditions mitigating effects on landscape)

- Assessment criteria to give certainty around appropriate height, location, colour, landscaping etc
- Likely to be strong correlation with sites of significance to Māori, so regulatory response will need to be coordinated
- Pukekura (Sugar Loaf) – Special Character Feature
 - Primarily applies to Council reserve with only some margins of private property affected
 - Resource consent required for most activities
 - Restricted Discretionary resource consent for new buildings (likely to be granted subject to conditions mitigating effects on landscape)
 - Assessment criteria to give certainty around appropriate height, location, colour, landscaping etc
- Taradale Hills – Special Amenity Landscape
 - Landscape protections to focus on area between Springfield Road and Puketapu Road
 - Apply regulation to all areas above 60m contour (the upper slopes)
 - Restricted Discretionary resource consent required for new buildings, cut and fill earthworks, subdivision over certain threshold (if granted, subject to conditions mitigating effects on landscape)
 - Assessment criteria to give certainty around appropriate height, location, colour, landscaping etc

Pandora

- **Preliminary policy position:** Progress with analysis for “Option 4: Stormwater Quality Overlay and Relaxation of the existing Mixed-Use Zone”, including:
 - Undertake engagement with mana whenua and affected landowners/occupiers
 - Assess the implications of potential coastal inundation of the Mixed-use zone to be relaxed
 - Confirm servicing/infrastructure capacity
 - Consider the extent to which the Mixed-use zone is to be relaxed
 - Assess and quantify potential effects on industrial land capacity
 - Develop a Master Plan to guide the pattern of development and connectivity to roads and areas of public open space
- **Engagement:** Develop planning provisions for Option 4 to be included in the draft District Plan for stakeholder and community feedback

7. COASTAL HAZARDS STRATEGY - UPDATE FROM THE FEBRUARY JOINT COMMITTEE MEETING

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	911663
<i>Reporting Officer/s & Unit:</i>	Dean Moriarity, Team Leader Policy Planning

7.1 Purpose of Report

To update Councillors on progress of Stage 4 of the Coastal Hazards Strategy and for Council to adopt the Terms of Reference for the Joint Committee for the next triennium.

Officer's Recommendation

That Council:

- a. Note the information contained in the meeting notes from the Coastal Hazards Strategy Joint Committee meeting held 4 February 2020
- b. Adopt the Terms of Reference as recommended by the Coastal Hazards Strategy Joint Committee on the meeting held 4 February 2020

Mayor's Recommendation

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

7.2 Background Summary

The Coastal Hazard Strategy was initiated in 2014 and since that time has progressed through Stage 1 (Define the Problem), Stage 2 (Framework for Decisions) and Stage 3 (Develop Responses). The Strategy is now at Stage 4 (Respond) which involves the development of an Implementation Plan for the recommended responses.

7.3 Issues

The Coastal Hazards Strategy is a joint project between Hastings, Napier and the Hawkes Bay Regional Council. Governance of the project is overseen by a joint committee comprised of three Councillors from each of the partner Councils with mayors and the chair of HBRC acting as ex officio members. Councillors Brosnan, Browne and Price represent Napier.

During Stage 4, particularly over the last year, there have been difficulties getting agreement from the partner Councils on some of the big decision points that need to be made to progress the Strategy. Funding of solutions, private versus public benefits, who pays and at what quantum, who collects and administers any contributory fund and for what specified purpose monies will be collected have all proven to be problematic in getting agreement from the respective Councils.

There is concern that the divergence of opinions from the partner Councils arise from Councillors who are not part of the Joint Committee being too removed from the evolution and progress of the Strategy and the complexities associated with developing

an agreed implementation plan that has a 100 year horizon. Therefore, it has been agreed that there needs to be more regular engagement with Councillors outside of the Joint Committee which will be in the form of regular updates as to what transpires at each Joint Committee meeting and the opportunity to have seminars following each Joint Committee (individually and collectively) if complex matters are discussed and need to be socialised.

This report is the first in the series of agenda items following each Joint Committee meeting (meeting notes and the opportunity to ask questions directly from a member of staff involved in the technical advisory group) that will be forwarded to Council.

An additional matter arising from the Joint Committee held on the 4 February 2020 meeting is the need to adopt updated the terms of reference for this triennium.

7.4 Significance and Engagement

The Coastal Hazard Strategy triggers Council's Significance and Engagement Policy. It is, however, a joint strategy with Hastings District Council and Hawkes Bay Regional Council that collectively is of such magnitude that any engagement will need to be held collaboratively and follow its own processes including a special consultative procedure once sufficient certainty on its content is known.

7.5 Implications

Financial

The regular updates from the Joint Committee involve no financial implications. Separate reporting will be needed when financial decisions are made.

Social & Policy

This report is simply providing an update from the Joint Committee meeting to keep Councillors updated.

Risk

This report is simply providing an update from the Joint Committee meeting to keep Councillors updated and as such involves no risk.

7.6 Options

The options available to Council are as follows:

- a. Note the information arising from the Joint Committee meeting and adopt the new terms of reference for the next triennium
- b. Note the information arising from the Joint Committee meeting and recommend changes back to the Joint Committee regarding the new terms of reference for the next triennium

7.7 Development of Preferred Option

The preferred option is to Note the information arising from the Joint Committee meeting and adopt the new terms of reference for the next triennium. The whole of Council needs to be closely aware of progress of the Coastal Hazards Strategy because of its significance and potential cost implications. Regular updates assist with this. Additionally the Terms of reference have been updated for the next triennium to retain currency but remain in line with the previously adopted version.

7.8 Attachments

- A Coastal Hazards Joint Committee - Meeting Summary 4 Feb 2020 [↓](#)
- B ToR Joint Committee January 2020 [↓](#)



Clifton to Tangoio Coastal Hazards Strategy

Summary Notes of Meeting held 4 February 2020

1. PURPOSE

This briefing note has been prepared to communicate the activity of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee to the Partner Councils, as the Committee progresses with Stage 4 of the Strategy. More information on the Strategy can be found on the project website at www.hbcoast.co.nz.

2. JOINT COMMITTEE MEETING SUMMARY: 4 FEBRUARY 2020

Key points from the Joint Committee meeting held 4 February 2020 are highlighted below. The full minutes of the meeting will be provided to each Partner Council in due course.

Joint Committee Terms of Reference

- As the first meeting of the Joint Committee in this triennium, the Committee's current Terms of Reference were re-considered.
- A potential change to the Terms of Reference to provide for an independent Chair was discussed. No decision was taken at this stage, but the Joint Committee requested further investigation of this option and a report back to their next meeting.
- The Joint Committee considered and re-confirmed the current Terms of Reference with no changes.

Election of Chair and Deputy Chair(s)

- **Chair:** The Joint Committee elected Councillor Jerf van Beek (Hawke's Bay Regional Council) as the Chair.
- **Deputy Chairs:** The Joint Committee elected Deputy Mayor Annette Brosnan (Napier City Council) and Deputy Mayor Tania Kerr (Hastings District Council) as the Deputy Chairs.

Coastal Hazards Strategy Overview

- For the benefit of new and returning Joint Committee members, an overview of the Strategy development process and current status was provided.
- It was highlighted that a key challenge for the next 12 months is the resolution of funding arrangements for Strategy implementation.
- The Joint Committee resolved to call a workshop with Councillors from all Partner Councils to brief them on the Strategy and to move forward with discussion on funding options.

Communications and Engagement Plan

- An updated Communications and Engagement Plan was tabled for discussion. The Plan outlines increased communications activity for the next 12 months, including re-engaging with the Assessment Panels.

Next Meeting

- The next formal meeting of the Joint Committee will be held on 1 May 2020, however a workshop with Councillors from all Partner Councils has been called for 3 March 2020.

Terms of Reference for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

As at 28 September 2018

As adopted by resolution by:
Hastings District Council 23 March 2017
Napier City Council 31 May 2017
Hawke's Bay Regional Council 28 June 2017

1. Definitions

For the purpose of these Terms of Reference:

- **"Act"** means the Local Government Act 2002.
- **"Administering Authority"** means Hawke's Bay Regional Council.
- **"Coastal Hazards Strategy"** means the Coastal Hazards Strategy for the Hawke Bay coast between Clifton and Tangoio¹.
- **"Council Member"** means an elected representative appointed by a Partner Council.
- **"Hazards"** means natural hazards with the potential to affect the coast, coastal communities and infrastructure over the next 100 years, including, but not limited to, coastal erosion, storm surge, flooding or inundation of land from the sea, and tsunami; and includes any change in these hazards as a result of sea level rise.
- **"Joint Committee"** means the group known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee set up to recommend both draft and final strategies to each Partner Council.
- **"Member"** in relation to the Joint Committee means each Council Member and each Tangata Whenua Member.
- **"Partner Council"** means one of the following local authorities: Hastings District Council, Napier City Council and Hawke's Bay Regional Council.
- **"Tangata Whenua Appointer"** means:
 - The trustees of the Maungaharuru-Tangitū Trust, on behalf of the Maungaharuru-Tangitū Hapū;
 - Mana Ahuriri Incorporated, on behalf of Mana Ahuriri Hapū;
 - Heretaunga Tamatea Settlement Trust, on behalf of the hapū of Heretaunga and Tamatea.
- **"Tangata Whenua Member"** means a member of the Joint Committee appointed by a Tangata Whenua Appointer

2. Name and status of Joint Committee

¹ The Coastal Hazards Strategy is further defined in Appendix 1 to these Terms of Reference.

2.1 The Joint Committee shall be known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.

2.2 The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Act.

3. Partner Council Members

3.1 Each Partner Council shall appoint three Council Members and alternates to the Joint Committee. If not appointed directly as Council Members, the Mayors of Hastings District Council and Napier City Council and the Chairperson of Hawke's Bay Regional Council are ex officio Council Members.

3.2 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Council Member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Partner Council that appointed the Member.

4. Tangata Whenua Members

4.1 Each Tangata Whenua Appointer may appoint one member to sit on the Joint Committee.

4.2 Each Tangata Whenua Appointer must make any appointment and notify all Tangata Whenua Appointers and Partner Councils in writing of the appointment.

4.3 The Tangata Whenua Members so appointed shall be entitled to vote.

4.4 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Tangata Whenua Member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Tangata Whenua Appointer that appointed the Member.

5. Purpose of Terms of Reference

5.1 The purpose of these Terms of Reference is to:

5.1.1 Define the responsibilities of the Joint Committee as delegated by the Partner Councils under the Act.

5.1.2 Provide for the administrative arrangements of the Coastal Hazards Strategy Joint Committee as detailed in Appendix 2.

6. Meetings

6.1 Members, or their confirmed alternates, will attend all Joint Committee meetings.

7. Delegated authority

The Joint Committee has the responsibility delegated by the Partner Councils for:

7.1 Guiding and providing oversight for the key components of the strategy including:

- The identification of coastal hazards extents and risks as informed by technical assessments;
 - A framework for making decisions about how to respond to those risks;
 - A model for determining how those responses shall be funded; and
 - A plan for implementing those responses when confirmed.
- 7.2 Considering and recommending a draft strategy to each of the Partner Councils for public notification;
- 7.3 Considering comments and submissions on the draft strategy and making appropriate recommendations to the Partner Councils;
- 7.4 Considering and recommending a final strategy to each of the Partner Councils for approval;
- 7.5 Advocating for and/or advancing the objectives of the strategy by submitting on and participating in processes, including but not limited to:
 - Council long term plans;
 - Council annual plans;
 - District and regional plan and policy changes;
 - Reserve management plans;
 - Asset management plans;
 - Notified resource consent applications;
 - Central Government policy and legislation.
- 7.6 Investigating and securing additional sources of funding to support strategy implementation.

8. Powers not delegated

The following powers are not delegated to the Joint Committee:

- 8.1 Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 8.2 The determination of funding for undertaking investigations, studies and/or projects to assess options for implementing the Coastal Hazards Strategy.

9. Remuneration

- 9.1 Each Partner Council shall be responsible for remunerating its representatives on the Joint Committee and for the cost of those persons' participation in the Joint Committee.
- 9.2 The Administering Authority shall be responsible for remunerating the Tangata Whenua Members.

10. Meetings

- 10.1 The Hawke's Bay Regional Council standing orders will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer of the Hawke's Bay Regional Council or his or her nominated representative were its principal administrative officer.
- 10.2 The Joint Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference.

- 10.3 Notice of meetings will be given well in advance in writing to all Joint Committee Members, and not later than one month prior to the meeting.
- 10.4 The quorum shall be 6 Members, provided that at least one Partner Council Member is present from each Partner Council.

11. Voting

- 11.1 In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each Council Member has full authority to vote and make decisions within the delegations of this Terms of Reference on behalf of the Partner Council without further recourse to the Partner Council.
- 11.2 Where voting is required, all Members of the Joint Committee have full speaking rights.
- 11.3 Each Member has one vote.
- 11.4 Best endeavours will be made to achieve decisions on a consensus basis.
- 11.5 As per HBRC Standing Order 18.3: The Chairperson at any meeting does not have a deliberative vote and, in the case of equality of votes, has no casting vote.

12. Election of Chairperson and Deputy Chairperson

- 12.1 On the formation of the Joint Committee the members shall elect a Joint Committee Chairperson and may elect up to two Deputy Chairpersons. The Chairperson is to be selected from the group of Council Members.
- 12.2 The mandate of the appointed Chairperson or Deputy Chairperson ends if that person through resignation or otherwise ceases to be a member of the Joint Committee.

13. Reporting

- 13.1 All reports to the Committee shall be presented via the Technical Advisory Group² or from the Committee Chairperson.
- 13.2 Following each meeting of the Joint Committee, the Project Manager shall prepare a brief summary report of the business of the meeting and circulate that report, for information to each Member following each meeting. Such reports will be in addition to any formal minutes prepared by the Administering Authority which will be circulated to Joint Committee representatives.
- 13.3 The Technical Advisory Group shall ensure that the summary report required by 13.2 is also provided to each Partner Council for inclusion in the agenda for the next available Council meeting. A Technical Advisory Group Member shall attend the relevant Council meeting to speak to the summary report if requested and respond to any questions.

14. Good faith

- 14.1 In the event of any circumstances arising that were unforeseen by the Partner Councils, the Tangata Whenua Appointers, or their respective

² A description of the Technical Advisory Group and its role is included as Appendix 2 to these Terms of Reference.

representatives at the time of adopting this Terms of Reference, the Partner Councils and the Tangata Whenua Appointers and their respective representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of the Partner Councils and the Tangata Whenua Appointers collectively.

15. Variations to these Terms of Reference

- 15.1 Any Member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee.
- 15.2 Amendments to the Terms of Reference may only be made with the approval of all Members.

16. Recommended for Adoption by

- 16.1 The Coastal Hazards Strategy Joint Committee made up of the following members recommends this Terms of Reference for adoption to the three Partner Councils:

Napier City Council represented by Cr Annette Brosnan, Cr Hayley Browne and Cr Keith Price.

Appointed by NCC resolution 19 November 2019

Hastings District Council represented by Cr Tania Kerr, Cr Ann Redstone and Cr Malcolm Dixon

Appointed by HDC resolution 10 December 2019

Hawke's Bay Regional Council represented by Cr Rick Barker, Cr Hinewai Ormsby and Cr Jerf van Beek

Appointed by HBRC resolution 6 November 2019

Maungaharuru-Tangitū Trust (MTT) represented by Ms Tania Hopmans

Mana Ahuriri Trust represented by Ms Tania Huata

Heretaunga Tamatea Settlement Trust represented by Mr Peter Paku

Appendix 1 – Project Background

Project Goal

A Clifton to Tangoio Coastal Hazards Strategy is being developed in cooperation with the Hastings District Council (HDC), the Hawke's Bay Regional Council (HBRC), the Napier City Council (NCC), and groups representing Mana Whenua and/or Tangata Whenua. This strategy is being developed to provide a framework for assessing coastal hazards risks and options for the management of those risks for the next 105 years from 2015 to 2120.

The long term vision for the strategy is that coastal communities, businesses and critical infrastructure from Tangoio to Clifton are resilient to the effects of coastal hazards.

Project Assumptions

The Coastal Hazards Strategy will be based on and influenced by:

- The long term needs of the Hawke's Bay community
- Existing policies and plans for the management of the coast embedded in regional and district council plans and strategies.
- Predictions for the impact of climate change
- The National Coastal Policy Statement

Project Scope

The Coastal Hazards Strategy is primarily a framework for determining options for the long term management of the coast between Clifton and Tangoio. This includes:

- Taking into account sea level rise and the increased storminess predicted to occur as a result of climate change, an assessment of the risks posed by the natural hazards of coastal erosion, coastal inundation and tsunamis.
- The development of a framework to guide decision making processes that will result in a range of planned responses to these risks
- The development of a funding model to guide the share of costs, and mechanisms to cover those costs, of the identified responses.
- The development of an implementation plan to direct the implementation of the identified responses.
- Stakeholder involvement and participation.
- Protocols for expert advice and peer review.
- An action plan of ongoing activity assigned to various Members.

The Strategy will:

- Describe a broad vision for the coast in 2120, and how the Hawke's Bay community could respond to a range of possible scenarios which have the potential to impact the coast by 2120.
- Propose policies to guide any intervention to mitigate the impact of coastal processes and hazards through the following regulatory and non-regulatory instruments:
 - Regional Policy Statement
 - District Plans
 - Council long-term plans
 - Infrastructure Development Planning (including both policy and social infrastructure networks).

Appendix 2 - Administering Authority and Servicing

The administering authority for the Coastal Hazards Strategy Joint Committee is Hawke's Bay Regional Council.

The administrative and related services referred to in clause 16.1 of the conduct of the joint standing committee under clause 30 Schedule 7 of the Local Government Act 2002 apply.

Until otherwise agreed, Hawke's Bay Regional Council will cover the full administrative costs of servicing the Coastal Hazards Strategy Joint Committee.

A technical advisory group (TAG) will service the Coastal Hazards Strategy Joint Committee.

The TAG will provide for the management of the project mainly through a Project Manager. TAG will be chaired by the Project Manager, and will comprise senior staff representatives from each of the participating councils and other parties as TAG deems appropriate from time to time. TAG will rely significantly on input from coastal consultants and experts.

The Project Manager and appropriate members of the TAG shall work with stakeholders. Stakeholders may also present to or discuss issues directly with the Joint Committee.

Functions of the TAG include:

- Providing technical oversight for the study.
- Coordinating agency inputs particularly in the context of the forward work programmes of the respective councils.
- Ensuring council inputs are integrated.

8. OFFSITE KIWI FACILITY LEASE

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	904314
<i>Reporting Officer/s & Unit:</i>	Rachel Haydon, General Manager, National Aquarium of New Zealand

a8.1 Purpose of Report

This report is to provide Council with the proposed conditions of a lease between the Napier City Council and Kiwis for Kiwi, so the progression of a lease agreement can be made to occupy and operate the Offsite Kiwi Facility.

Officer's Recommendation

That Council:

- a. Approve in principle (including key proposed lease conditions) the leasing of part of the Offsite Kiwi facility to a third party operator, Kiwis for Kiwi.
- b. Note that a draft lease will come back to Council for approval pursuant to the Reserves Act 1977.

Mayor's Recommendation

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

8.2 Background Summary

The offsite kiwi facility is currently staffed and managed by the National Aquarium of New Zealand team. There are four breeding pairs of brown kiwi (*Apteryx mantelli*) and a single bird currently residing at Offsite. This facility also provides off-site refuge for the breeding pair housed in the nocturnal house at the Aquarium.

It is a Department of Conservation permitted facility for brown kiwi and undertakes the activities of captive breeding (as a member of the Zoo Aquarium Association, Australasia), incubating eggs, hatching and crecheing chicks, and regular care and husbandry of birds.

The facility was originally linked to the nocturnal house on Marine Parade, which closed in the late 1990s. This nocturnal house was managed by Napier City Council's Reserves Manager (under Parks & Reserves) and also took care of kiwi at the offsite facility.

In 2002, the Aquarium expansion afforded opportunity for a new nocturnal house, housing brown kiwi which were sourced from the offsite kiwi facility, still managed and bred by the Reserves Manager. The Reserves Manager trained Aquarium staff to care for the kiwi onsite at the Aquarium.

In 2010, the Aquarium team took over the offsite facility upon the Reserves Manager's retirement, and now with eight years of kiwi care and husbandry experience, the Aquarium staff continue to manage it to present day.

8.3 Issues

Limited time and resources

The offsite facility has remained under the management of the Aquarium team, however current pressure on resources to deliver activity at the offsite facility and the nocturnal house at the Aquarium is becoming unmanageable. Bird keeping staff are based at the Aquarium, with care for penguins in addition to kiwi offsite.

Across a breeding season, breeding pairs can lay two to three clutches of eggs requiring intensive care and attention at the offsite facility. In addition to two regular daily trips needed to bring food bowls in (morning) and food bowls out again (evening) for the nocturnal birds, an incubated egg requires turning four times a day. The drive from the Aquarium to the offsite facility is 30 minutes return, meaning a staff member is travelling at least two hours a day to meet these basic requirements in the breeding season.

Costs

Labour costs are approximately \$150,000 per annum, with three Full Time Employees and one Part Time Employee. Materials and consumables total \$52,000 per annum.

8.4 Significance and Engagement

N/A – does not trigger Council's Significance and Engagement Policy.

8.5 Implications

Financial

To continue with the current level of service, costs are approximately \$200,000 per annum

The preferred option of a lease to a third party operator would reduce costs to cover ongoing maintenance at approximately \$10,750.00 pa

Social & Policy

N/A

Risk

N/A

8.6 Options

The options available to Council are as follows:

a. Third party operator on peppercorn lease

NCC costs: Electrical testings and & service, gutter cleans, building wash, building maintenance (painting , plumbing, operation building work, locks) - \$10,750.00 pa- This option is not required to meet Local Government purpose or Long Term Plan outcomes and is a mutually beneficial partnership arrangement with a trusted conservation partner.

This option allows the conservation story to continue with operation by experts, at a low cost to Council.

b. Deliver the status quo

NCC costs: Staff & materials ~\$200,000 pa + building maintenance

This option does not meet Local Government pupose or Long Term Plan outcomes and has comparatively high costs for little direct community benefit

c. Exit kiwi activity altogether

NCC costs: Electrical testing & service, gutter cleans, building wash, building maintenance - \$5,850.00 pa

This is the lowest cost option and the buildings may be used for alternative Council business.

The Aquarium team would still need to retain one to two runs as off site holding space for the nocturnal kiwi house. This would need to be factored in if the space would need to be used for other purposes.

8.7 Development of Preferred Option

Preferred option - **Third party conservation operator, charity Kiwis for Kiwi (KfK) to occupy Offsite facility on a peppercorn lease.**

Aquarium General Manager, General Curator and NCC Property Manager met with KfK Eastern Coordinator, Tamsin Ward-Smith, and KfK Board Member, Dr John McLennan (QSM) to discuss initial interest and conditions to be approved by Council for a lease to be progressed.

KfK representatives expressed an interest in taking on the operation of the offsite kiwi facilities from Council as a third party, ideally a five year peppercorn lease (2020-2025) with right of renewal for a further two years, followed by a second period of two years.

KfK would operate inside the building and occupy the 'Operation Nest Egg' side of facility – a 2018 development coordinated with Kiwis for Kiwi. (See appendix A)

Council staff would still have access to service the old runs/'captive' on the other side, with access to inside of building coordinated with KfK when required. It is anticipated that the current birds may take time to rehome, so the first year of the lease may require ongoing support, care and husbandry of captive birds on 'captive' side of facility.

Relevant parties would be responsible for:

Kiwis for Kiwi:

- Operations commence second half of 2020 – approximately August/September 2020
- Recruit, hire and manage husbandry staff to care for their birds/eggs
- Health and Safety of staff and volunteers onsite
- Pay operational costs (internet, kiwi food, veterinary care)
- Maintenance of non-fixed assets
- Maintenance of the internal runs (on occupied 'Operation Nest Egg' side of facility – a 2018 development coordinated with Kiwis for Kiwi)
- Pest control inside the runs
- Department of Conservation captive facility operating permit
- Will hold public liability insurance
- Deliver free training to Aquarium team to continue capacity building and experience of kiwi care and husbandry

Napier City Council:

- Provide the facility and all related kiwi husbandry equipment at peppercorn rental
- Council are planning to phase out holding all the captive birds currently held at Offsite over the following 12 months. This will be coordinated with the ZAA brown kiwi coordinator, but birds will require ongoing care and husbandry by Aquarium staff for the period until they are rehomed.
- Aquarium team needs to retain one/two runs for the one breeding pair in the nocturnal house at the Aquarium, as an offsite holding facility (if required for veterinary care etc.)
- Maintenance of the building asset including repairs to the outer predator proof fence
- Garden maintenance of runs on 'captive' side of facility
- Insurance of the building
- Care of any captive birds held onsite in the other runs.

Together:

- Develop a jointly agreed communications plan to communicate the use/outcomes from the facility to our various stakeholders.

8.8 Attachments

- A Offsite Kiwi Facility - aerial view of facility [📄](#)



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Original Sheet Size A4
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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.



NAPIERTheArtDecoCity

Napier City Council 231 Hastings St, Private Bag 6010, Napier 4142 New Zealand P 06 835 7579 F 06 835 7574 www.napier.govt.nz



9. LANDFILL LEVY PROPOSAL - INTERIM SUBMISSION TO MINISTRY FOR THE ENVIRONMENT

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	911306
<i>Reporting Officer/s & Unit:</i>	Cameron Burton, Manager Environmental Solutions

9.1 Purpose of Report

To advise Council of an Interim Submission made to the Ministry for the Environment regarding proposed changes to the Landfill Levy and to seek Council's endorsement or amendment to the Interim Submission.

Officer's Recommendation

That Council:

- a. Endorse the interim submission to the Ministry for the Environment.

Mayor's Recommendation

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

9.2 Background Summary

Napier City Council provides a range of waste management and minimisation services to residents. These services include kerbside waste and recycling collections and the ownership and operation of a refuse transfer station and part-ownership of the regional Omarunui Landfill.

Napier residential kerbside waste and recycling collections are rates funded. The refuse collection is for domestic waste only and is not intended for the disposal of garden waste. A maximum of 2 bags per household are collected from each property on a weekly basis.

The kerbside recycling service has recently been refreshed with a consumer pre-sort, a kerbside sort and a mechanical and manual sort at a specialist facility which provides a low contamination yield.

Napier City Council also operates a commercial rubbish bag collection in Napier business districts and shopping precincts between two and four times per week, depending on the area. There is no Council collection of rubbish bags in industrial areas.

Most tradewaste generated by the commercial sector is removed by private waste operators or transported to a disposal facility by the business itself. Commercial waste collected by private waste operators is disposed of at the Redcliffe Refuse Transfer Station, or directly to Omarunui Landfill.

Redclyffe Transfer Station is owned by Napier City Council. Before the weighbridge kiosk there is a recycling drop-off facility. Staff recover a variety of materials from the tipping floor and divert these away from landfill also.

After submissions commenced on Proposed Landfill Levy Changes, Napier City Council facilitated a meeting between the Associate Minister for the Environment and Solid Waste Officers from Central Hawke's Bay, Wairoa, Hastings and Napier Councils.

The date of this meeting was 13th December 2019 and a significant interest in the methodologies used to reduce waste going to landfill in Hawke's Bay was shown by those attending.

Timeframes imposed by Ministry for the Environment to provide a submission were very tight, and due to Council shutdowns over the Christmas period and no Council meetings over this time, an Interim Submission was suggested by the Minister.

This allows for Council Officers to produce an Interim Submission to make the Ministry aware of the thoughts of the Officers from a Napier perspective, but has the benefit of being able to have Council recommend:

- a) that the Interim Submission be endorsed as it stands, to confirm the attached document as a Final Submission or;
- b) that the Interim Submission be amended to better reflect the Waste Levy landscape in Napier, and have Officers amend the submission to make it Final, for Council approval.

The document is ***attached***.

9.3 Issues

The issues raised by the proposed changes to the Landfill Levy include:

- impacts on Council's planning cycle.
- costs of providing and managing the service.

Other issues relate to increased Levy to dump at authorised facilities, which may create additional illegal dumping and fly-tipping on public or private land which Council are then required to clean up at a cost to ratepayers.

9.4 Significance and Engagement

This matter is of moderate significance. A full consultation period has enabled feedback on the proposed changes from the public to be provided directly to the Government, and Hon Eugenie Sage (Associate Minister for the Environment) has met with Council Officers to discuss the proposal and suggested an Interim Submission would be accepted.

9.5 Implications

Financial

There are potential adverse impacts financially due to behaviour of those persons affected by the proposed increased costs. These include staff time in following up on flytipping, enforcement action, clean-ups and associated disposal costs.

On the other hand, Council will receive a portion of the national income from the proposal which (in current terms) will be in the order of \$1 million and should be utilised for new ways of encouraging waste minimisation through education, new initiatives and possibly enforcement and additional staffing.

Fees & Charges at the Redclyffe Transfer Station will need to be increased upon Central Government making their decision as to the level of increases. An extraordinary change to the Transfer Station Fees will be necessary to meet the increased levy imposed upon Council.

Social & Policy

The impact of the proposed waste levy increase is that there are parts of the social spectrum which will simply not be able to afford the increased costs to dispose of waste in a responsible manner, and will therefore take 'easy' options of dumping in public places, Council reserves/waterways and transportation corridors. This will create additional pressures on Council staff to educate customers on the reasons for the government philosophy and changes, review and enforce bylaws and integrate the proposed changes into a Waste Policy for Napier.

Risk

The main foreseeable risks are those mentioned above – increased staff time required, increased education and enforcement required, increased levels of illegal dumping possible.

9.6 Options

The options available to Council are as follows:

- a. Endorse the submission to Ministry for the Environment.
- b. Amend the submission to Ministry for the Environment.

9.7 Development of Preferred Option

The preferred option is that Council endorses the interim submission already made by Council officers.

9.8 Attachments

- A Interim Submission to Ministry for the Environment regarding proposed changes to the Landfill Levy [↓](#)

Memo

To:	Ministry for the Environment: LandfillLevyConsultation@mfe.govt.nz		
Date:	3 February 2020	File Ref:	905070
Subject:	LANDFILL LEVY PROPOSAL – INTERIM SUBMISSION BY NAPIER CITY COUNCIL		
Co-Authors	Rhett van Veldhuizen – Waste Minimisation Lead; Cameron Burton – Manager Environmental Solutions		

INTRODUCTION**Napier**

The City of Napier has a land area of 106 square kilometres and a population of about 63,900.

Napier is the primary export seaport for north-eastern New Zealand – which is the largest producer of apples, pears and stone fruit in New Zealand. Large amounts of sheep's wool, frozen meat, wood pulp, and timber also pass through Napier annually for export.

Napier is also popular tourist city, with a unique concentration of 1930s Art Deco architecture, built after much of the city was razed in the 1931 Hawke's Bay earthquake.

Council

Napier City Council is a medium-sized local authority that among other normal Council functions, provides a range of waste management and minimisation services to the residents. These services include kerbside waste and recycling collections and the ownership and operation of a refuse transfer station and part-ownership of the regional Omarunui Landfill.

Waste Management Services

Napier City Council provides kerbside waste collections for residential and commercial properties. Napier also operates a refuse transfer station for use by the public and commercial waste collectors. The regional Omarunui Landfill is jointly owned with Hastings District Council, who also look after the operations. It is closed to the public and a licence is required to dispose of waste. It accepts waste from the three regional transfer stations and the commercial sector. All vehicles are weighed and charged on a per tonne basis.

The Napier residential kerbside waste collection is rates funded. The collection is for domestic waste only and is not intended for the disposal of garden waste. A maximum of two bags per household are collected from outside each property on a weekly basis.

The kerbside recycling service has very recently been refreshed and now provides a low contamination yield due to a consumer pre-sort, a kerbside sort by specialist contractors, and a mechanical and manual sort at a specialist facility. This supports a circular economy in the Hawke's Bay for cardboard and paper which reduces emissions from transportation of product and creates apple trays to further support the local economy in an environmentally sustainable way. This kerbside recycling service is provided for residential properties and residents may set the following materials out in three Council-provided bilingual 45L crates:

- Napier's recycling collection accepts all plastics with recycling symbols #1&2;
- Glass bottles and jars;

215 Hastings Street, Napier 4110
Private Bag 6010, Napier 4142
www.napier.govt.nz

t +64 6 835 7579
f +64 6 835 7574
e info@napier.govt.nz

- steel and aluminium cans;
- paper and cardboard.

Services for the Commercial Sector

Napier City Council also operates a commercial rubbish bag collection in Napier business districts and shopping precincts between two and four times per week, depending on the area. No Council collection of rubbish bags is provided in industrial areas.

Most trade waste generated by the commercial sector is removed by private waste operators or transported to a disposal facility by the business itself. Commercial waste collected by private waste operators is disposed of at the Redclyffe Refuse Transfer Station, or directly to Omarunui Landfill.

Waste Disposal Facilities

Redclyffe Transfer Station is owned by Napier City Council, with some operations and haulage of waste to Omarunui Landfill being contracted out. Before the weighbridge kiosk, which operates two weighbridges, there is a recycling drop-off facility. Here, glass, types 1&2 plastic bottles, paper/cardboard, scrap metals, and steel/aluminium cans are accepted without charge to the consumer. The main and paid facility has separate drop-off points for hardfill, greenwaste, scrap metals, engine oil, tyres LPG, containers and paint to enable further diversion of waste. Staff recover scrap metals, hard fill and some un-treated wood from the tipping floor and divert these away from landfill also.

Landfill Levy Meeting with the Associate Minister for the Environment

Subsequent to submissions opening, Napier City Council facilitated a meeting between the Minister and Solid Waste Officers from Central Hawke's Bay, Wairoa, Hastings and Napier Councils. This meeting, held on 13 December 2019, showed a significant interest in the methodologies used to reduce waste going to landfill in Hawkes Bay and an Interim Submission was suggested by the Minister. This was mainly due to the tight timeframes during the submission process, Council shut downs over the festive season and a lack of Council meetings over this time to get full engagement into a submission from our elected community representatives. With this in mind, this Interim Submission will be either confirmed or amended by our Council in an upcoming meeting.

OUR SUBMISSION

Thank you for the opportunity to submit on the Government's consultation on changes to the landfill levy and actively pursuing changes to reduce the quantity of waste going to landfill.

Napier City Council is supportive of increasing and expanding the waste disposal levy and the changes to its management framework. A large body of work will be ahead however, to give this tool a better fit for purpose.

A more detailed view, suggestions and concerns with the proposal are expressed in the responses to the submission questions below:

Responses to Questions**1. Do you agree the current situation of increasing amounts of waste going to landfill needs to change?**

Yes – Napier City Council is concerned about the increased tonnages to landfill in New Zealand and sees this trend regionally at our Omarunui landfill.

Napier City Council is concerned that a lack of data will likely result in a lack of ability to manage waste, but the fact that the landfill is in joint Council ownership helps in this regard. As private disposal sites are generally only authorised through Regional Council regulations they are off the radar for regional planning in respect to the powers that individual Councils have over the tonnages of waste entering them. Pure waste related data also has limitations, as waste production is linked to certain trends. As an example, building activity trends can better align with waste increases than perhaps GDP. In other words if certain parts of the economy are prosperous, so is the related waste production from these sectors. This does however not mean we produce proportionally more waste.

2. Do you have any comments on the preliminary review of the effectiveness of the waste disposal levy outlined in appendix A?

Appendix A is a very high-level assessment view and a lot of rapid and volatile change within the industry has occurred between now and the time of the report being written. The ability to reuse, recycle or recover is linked to what is disposed of and over the past two years, international markets have reduced opportunities to influence those numbers. This is not a bad thing, as diversion does not necessarily equal a good environmental outcome. The main reason for the bans in Asia was the fact that they had become a pseudo landfill or worse.

The criteria should have a broader environment outcome focus / score. Where on the ladder is the diversion achieved? Energy, reuse, recycling? All are diversion, but not all produce the same outcome.

Data quality improvements and clear vision in relation to the levy and resulting funding are indeed needed. The data should at least span waste production, diversion and the economic situation, but ideally would qualify the environmental and social impact of the outcomes as well. If the New Zealand economy train is pulling more wagons, it will produce more exhaust gas. This could however still mean the pollution per wagon has reduced. Wages in New Zealand are also at a level that makes waste the cheaper option in many occasions.

There are as many ways of spending the levy returns as there are Councils, which makes it near impossible to measure which initiatives are the best "bang for buck". It also means the funding has a very inconsistent way of syphoning back to New Zealand's communities. Based on population, 50% of the levy is available to Councils, based on population, but is the actual spending fairly spread? For the remaining 50% of funding, available through grants, it is important to measure and report on success or failure as well. This should be ongoing and dependant on the level and type of investment. In theory, many projects will keep contributing to the diversion total for years.

3. Do you think the landfill levy needs to be progressively increased to higher rates in the future (beyond 2023)?

Yes, but it is important to set realistic goals. Levies facilitate an environment for change and that is the catch. In theory, the waste levy gets to a point where the change has resulted in very

little levy being applied as the tonnages to landfill have reduced. It is therefore very important that the funding allocation has a focus and does not result in thousands of projects that prove something is possible without having the diversion impact. This is why some countries have combined levies with landfill bans for certain waste types.

If zero waste was to be the target, only limited and very expensive options are available at present and the proposed increases will not come close to covering that ambition. In that case higher rates are clearly needed. If the focus and target was to be aligned with the high tonnage opportunities that lie in organics and building waste, the proposed rate could go a long way, when allocation of the funding has that same (compulsory) focus.

A Pareto Principle (20/80 rule) or funding-cost / benefit type analysis may help to identify where the greatest opportunities for diversion lie in relation to cost and reduced environmental impact. Allocating funding to one party means this cannot be allocated to another and equally distributing funding may not be an efficient approach with regards to achieving the desired (diversion) result.

4. Do you support expanding the landfill levy to more landfills, including:

- i. waste disposed of at industrial monofills (class 1)
- ii. non-hazardous construction, demolition waste (eg, rubble, concrete, plasterboard, timber) (class 2)
- iii. contaminated soils and inert materials (class 3 and 4) (whether requiring restrictions on future use of site or not)?

Yes, Napier City Council supports extending the levy across class 1-4 landfills. There is a lot of opportunity to divert in these and avoidance of the levy by using class 2 to 4 will be reduced that way. It is very important regulations line up in this regard and the different waste types, and their associated risks in relation to perverse outcomes, are assessed. Consent registers, data and other related records should be linked as subdivisions, for example, often use contaminated soil on-site to avoid the cost of disposal. The material, often topsoil, may not be that suitable for what it is used for in engineering terms and effectively has created an on-site landfill.

5. Do you think that some activities, sites, or types of waste should be excluded from the landfill levy, including:

- i. cleanfills (class 5)
- ii. farm dumps
- iii. any others (eg, any exceptional circumstances)? If so, please specify.

It is important to get a better understanding of the situation in relation to the above. Regional Councils have much more power over these activities under the Resource Management Act, and management of waste on farms could be assessed/controlled via regimes similar to farm effluent. Most farm dumps are not lined and can present both environmental and health risks. To a large degree, the waste originates from the farm business, not the household. Applying the levy per tonne will be impossible, but a fixed fee / levy and the obligation to provide basic data could work. The fee could cover the administration of the waste data and rural sector specific initiatives. Participation in these, where available to the farm could be made compulsory.

Clean fills and subdivisions often exist due to their engineering needs as a destination site. The Resource Management Act and Regional Council consenting process should cover and manage the risk in this regard. Maybe an increased level of data capture and record keeping can improve insight and better manageability in the future. Tonnage type charges would not be feasible and there is no diversion potential as such.

Napier City Council believe there is a significant untapped opportunity currently between Regional and District/City Council, and a misalignment of intentions. This could be rectified through legislative alignment of particular sections of the Resource Management Act 1991, Local Government Act 2002 and Waste Minimisation Act 2008, which are currently acting at cross-purposes to each other, across jurisdictions and have misaligned priorities and penalties for this which creates environmental problems in the longer term.

6. Do you have any views on how sites that are not intended to be subject to a levy should be defined (eg, remediation sites, subdivision works)?

The Technical Guidelines for Disposal to Land form a good basis for this.

7. Do you prefer the proposed rate for municipal (class 1) landfills of:

- i. \$50 per tonne
- ii. \$60 per tonne
- iii. other (please specify, e.g. should the rate be higher or lower?)

The proposed rates will already present a big challenge and result in the waste related service cost to our community increasing markedly. A clear roadmap is needed to incorporate the increases into the Council planning cycle. The height of the levy increase should align with the targets, set by the Government and the effectiveness of funding (refer to the answer to question 3). *"The New Zealand Waste Disposal Levy, Potential Impacts of Adjustments to the Current Levy Rate and Structure"* report by Eunomia Research & Consulting (2017) suggests a levy of \$140 per tonne would be the most effective. The landscape for recycling in New Zealand and the World has changed so much in the meantime, that it would justify this kind of assessment being repeated or even scheduled. The ETS levy has also increased to three times the price of the current waste levy, which may result in perverse behaviour if cost effective (diversion) alternatives are not available.

8. Do you think that the levy rate should be the same for all waste types? If not:

- i. should the levy be highest for municipal landfills (class 1)?
- ii. should the levy be lower for industrial monofills (class 1) than municipal landfills (class 1)?
- iii. should the levy be lower for construction and demolition sites (class 2) than municipal landfills (class 1)?
- iv. should the levy be lowest for contaminated soils and other inert materials (class 3 and 4)?
- v. should a lower levy apply for specified by-products of recycling operations?

All waste takes up volume when disposed of to land. It is, however, not the same in its environmental impact. The waste levy can focus on certain waste types, that are easy to divert

and where this diversion brings a great benefit. Organic waste (and its decomposition) for example is the reason ETS is applied to landfills, but not individually targeted by a levy. An assessment related to waste types and diversion ease/potential can inform the rates. Laziness or cutting corners should be dis-incentivised. There is no reason for good, clean concrete to be landfilled instead of crushed and re-used. Again, the risks associated with avoiding the levy needs to be taken into account. Contaminated soil, which has limited options would fall into that category. Cleanfill or some mono-fill destined wastes can also have a density of up to 3 times that of general refuse. This affects how to set the levy rates. The same cubic metre of "disposal space" contains more tonnes. When it comes to by-products of recycling operations, it is important to assess the risk of doubling the subsidy for this industry. Incentivising the end of the pipe in relation to waste disposal cost is the wrong signal across all industries, including recycling.

- 9. Do you support phasing in of changes to the levy, and if so, which option do you prefer – increase then expand (option A); expand and increase (option B); expand then increase (option C); expand then higher increase (option D); or none of the above?**

We rely to a large degree on the submission on behalf of WasteMINZ TAO Forum, which captures many aspects and concerns in detail. Timing is important to embed the changes into the Council planning cycle. The order in which the changes are made, are effectively timing. Changing the rate of the levy does not increase the resource required to administer or adapt facilities dramatically, which means it is most feasible in the early stages of change. For some Councils this may also release funding that can be put towards dealing with the expansion of the levy, which will require a lot of planning. This expansion should dovetail into other legislative / regulatory frameworks. The data framework can be supported by bylaws for example and these changes take a lot of time and funding to implement.

- 10. Do you think any changes are required to the existing ways of measuring waste quantities in the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009?**

Napier City Council agrees with the concept of the regulations, however in smaller landfill operations where calculations based on vehicle types are used or other methods of creating 'tonnages' for landfilled waste, there is a lack of parity and perhaps there could be incentivised methods of promoting higher accuracy through weighbridge installations supported by the levy to enable more accurate assessment of levy fees.

- 11. Do you think any changes are required to the definitions in the Waste Minimisation (Calculation and Payment of Waste Disposal Levy) Regulations 2009?**

These definitions are suitable for the time being.

- 12. What do you think about the levy investment plan?**

Napier City Council supports the development of a levy investment plan, overseen by a governance group in which local government is strongly represented. The aim should be to achieve a more measurable result across the country, as referred to in previous questions.

Waste Minimisation and related activities often result in small profit or cannot be measured in dollar terms at all. Education, for example, even when successful and measurable does not result in a dollar income. This means that even though the philosophy behind discrete funding is sound, ongoing funding may be required.

Napier City Council supports the allocation of 50% of the total waste levy revenue to territorial authorities. Reviewing the basis of this allocation will need careful thought. Additional items raised by the submission on behalf of WasteMINZ TAO Forum are also supported, especially around transparency and reporting related to Ministry funded project.

13. If the Waste Minimisation Act 2008 were to be reviewed in the future, what are the changes you would like a review to consider?

The Waste Minimisation Act should reflect the intent of this landfill levy review. The scope of funding allocation options will need to change for enforcement activities and data capture for example. Definitions will also need to change in this regard to allow for integration into bylaws and policies. Consideration needs to be taken of the impact of increased charges at the transfer station and the possible short-term adverse environmental outcomes due to fly-dumping and subsequent costs to Councils. Directing funding from Waste Levy into enforcement activities and having an enabling legislation for Council officers and a strict punitive outcome for those that contravene the legislation or Council bylaws will need more support from Government to provide resourcing for staff and enforcement duties.

14. Do you agree that waste data needs to be improved?

Napier City Council agrees waste data needs to be improved and a rigid framework is needed to capture it consistently. This data becomes an important tool, when combined with diversion and economic data. As referred to earlier in this submission, waste and/or diversion data on their own fail to identify the drivers or context in relation to the economy.

15. If the waste data proposals outlined are likely to apply to you or your organisation, can you estimate any costs you would expect to incur to collect, store and report such information? What challenges might you face in complying with the proposed reporting requirements for waste data?

Napier City Council is in a good position with weighbridges at both the transfer station and the regional landfill (jointly owned and operated with Hastings District Council.) Part of the challenge will be to get cooperation of customers who dispose of waste. If, with licencing and the bylaws become the vehicle for reporting diversion data for third parties, there will be additional staff resource time needs.

16. What are the main costs and benefits for you of the proposals to increase the levy rate for municipal landfills, expand the levy to additional sites and improve waste data?

Napier City Council shares the view of the WasteMINZ TAO Forum with regards to the direct indirect benefits of the proposed changes, as outlined in their submission.

17. Additional Comments

Napier City Council strongly agrees with the submission of the WasteMINZ TAO Forum in relation to the alignment across legislation and would like to see improved linkages to the Resource Management Act 1991, New Zealand's principal legislation for environmental management, and the Local Government Act 2002 and Litter Act 1979.

Thank you for the opportunity to provide an Interim Submission.



Rhett van Veldhuisen
WASTE MINIMISATION LEAD



Cameron Burton
MANAGER ENVIRONMENTAL SOLUTIONS

10. INDOOR SPORTS WORKING GROUP

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	907642
<i>Reporting Officer/s & Unit:</i>	Glenn Lucas, Manager Sport & Recreation

10.1 Purpose of Report

The purpose of this report is to recommend the formation of an Indoor Sports Working Group to investigate the provision of more indoor court space in Napier.

Officer's Recommendation

That Council:

- a. Approve the formation of the Indoor Sports Working Group including the establishment a terms of reference.

Mayor's Recommendation

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

10.2 Background Summary

Legislative and Strategic frameworks

The Local Government Act 2002 specifies 'the purpose of local government is:

- to enable democratic local decision-making and action by, and on behalf of, communities
- to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future

To achieve Napier City Council's purpose of 'A vibrant and sustainable Napier' for all, there are two specific objectives relating to the provision of indoor court space:

- Excellence in infrastructure and public services for now and in the future
- A safe and healthy city that supports community well-being

These legislative and strategic frameworks provide guidance for Napier's provision of facilities for indoor sports.

Current provision

Napier currently has three community indoor sports complexes. These are:

- Pettigrew Green Arena (PGA)
- Rodney Green Centennial Events Centre (RGCEC)
- Meeanee Indoor Sports Centre.

Pettigrew Green Arena is a three-court facility located in Taradale. Funding for construction of the facility (\$7.7million) was secured through the strategic partners; EIT, Napier City Council, Hastings District Council and the Hawke's Bay Regional Council. The facility was completed in 2003. Napier City Council were a formation partner of Pettigrew Green Arena and provided capital investment for construction. Under the existing contract with PGA, Napier City Council provide an operational grant of \$55,000 per year, and also sets aside \$35,000 per year into a renewals fund, that PGA makes requests to for reimbursement of building renewals. Hastings District Council have the same contract and annual financial contributions in place.

The RGCEC is owned and managed by Napier City Council and the Meeanee Indoor Sports Centre is also owned by Napier City Council however managed eternally by way of a service agreement. The PGA is owned and managed by the Regional Indoor Sport and Events Centre Trust (RISEC), a separate trust established to operate this facility.

RGCEC is a three-court indoor sports facility that is part of McLean Park. While Meeanee Indoor Sports Centre is owned by Napier City Council, it is managed by a committee made up of local residents. This Centre caters to roller derby, indoor bowls and badminton, as well as a range of community events and social functions.

Regionally, the Mitre 10 Sports Park in Frimley, Hastings includes training courts for basketball, netball, volleyball and badminton. This facility may assist with meeting demand through providing training facilities, though will not alleviate demand for competition standard court space.

The indoor sports that make use of the indoor facilities include:

- Basketball
- Netball
- Volleyball
- Futsal
- Badminton
- Table tennis
- Indoor bowls
- Skating and roller derby

In addition to the organised sport activities, additional activities that can be run within indoor sports facilities include:

- Exercise programmes for older adults
- Fundamental movement for young children
- Social sports leagues for adults and teenagers
- Other more social indoor sports such as Floorball, Corfball, Turbo Touch and Ultimate.

Given the close proximity of Napier and Hastings, and the fact that all of the relevant Regional Sports Organisations (RSOs) are Hawke's Bay Associations and as such work across Napier, Hastings and beyond, provision of indoor sports facilities needs to be considered across Hawke's Bay. In addition to Napier's existing court provision, Hastings has an additional two courts at the Hastings Sports Centre.

Additional court space is provided through school facilities. Across Hawke's Bay, there are an additional 21 courts within schools, that contribute to the total provision of training and competition facilities.

Drivers of demand

The key drivers of demand for additional court space in Hawke's Bay are from basketball, futsal and volleyball. Demand includes competition and training requirements and ranges from young children to adult and representative teams.

Across New Zealand, participation in organised sports has been in decline. In 2016, Sport NZ reported a 7.7% decline in adult participation over a 16-year period between 1998 and 2014. Data since 2014 has not shown an arresting of this trend.

The Active NZ Survey 2018 shows that participation peaks between ages 12–14, with the first significant drop in weekly participation occurring at ages 15–17, when the number of sports and activities and time spent participating also decline. For adults, weekly participation is relatively stable throughout adult years before declining from age 65.

Young Māori spend the most time participating in any given week. Māori and Pacific Island adults however have lower than average weekly participation. People living in high deprivation areas have below average levels of weekly participation. They also spend less than average time participating.

Most weekly participation is in non-competitive sports and activities: 63 per cent of young people and 61 per cent of adults. Non-competitive participation refers to sports and activities undertaken outside of a league or club competition, tournament or competitive event. 32% of young people and 12% of adults participate in competitive sports and activities.

Within this context of declining organised sporting participation, the sport of basketball seems to be in a period of growth. New Zealand Secondary Schools Sports Council (NZSSSC) figures show that basketball participation at Secondary School level has increased by 43% from 2009 to 2019. There was a 5% decline between 2018 and 2019, though it is hard to ascertain whether this is a temporary lull or a signal that national growth has reached its peak.

In Hawke's Bay, basketball is the fifth most popular sport by participation at secondary school (with 780 participants) based on 2019 figures. According to participation numbers provided by Basketball Hawke's Bay, participation continues to increase, with particular recent growth in primary schools (Miniball) and adults.

Players	2017	2018	2019
Miniball	1,201	1,447	2,195
Secondary School	760	776	808
Adult	216	456	552
Total	2,177	2,679	3,555
% Growth		23%	32%

Similarly, volleyball nationally has seen an increase in secondary schools participation over the last 10 years of 36%. This growth has levelled off from 2017. According to the NZSSSC for the region, volleyball is the sixth most participated in sport in secondary school with around 614 participants.

Futsal is a relatively new form of football played indoors. NZSSSC figures begin in 2010 and rise exponentially until 2017, after which they flatten off and decline slightly. To contextualise, the national participation numbers in futsal are less than a third that of basketball. In Hawke's Bay futsal is the eighth most participated in sport at secondary school with 458 participants.

Ongoing future demand for indoor court is a critical factor in ensuring that Napier City Council investment returns value in terms of community benefit. It is difficult with the participation data to predict future demand, though current state growth in numbers participating indicate a strong current position.

Regional Sports Organisations (RSOs), particularly in smaller areas such as Napier, tend to be cyclical in terms of risk and capability, with organisational capability dependant on the person in the manager's position. Among the sports in question, Basketball Hawke's Bay and Central Football (Futsal) seem to be stable and well-governed and administered organisations.

Basketball Hawke's Bay and Volleyball Hawke's Bay have both reported having to turn away teams for certain competitions due to the lack of facilities.

Across New Zealand, there is some differences between when basketball is played. Traditionally basketball is a winter sport, whereas in Hawke's Bay it is played all year round, increasing the demands on indoor facilities.

The role of national events

Attracting national sporting events is often raised as a factor for the construction of large sporting and recreational facilities, with the economic benefits to the region of athletes and supporters attending these events touted as a reason for investment. In the case of indoor sporting venues, care needs be taken with this, as across New Zealand the Indoor Sports Facility Strategy (2013) indicates New Zealand has more facilities capable of holding these tournaments that it requires. Combine this with a limited number of tournaments, strong regional competition for hosting, and the travel and supporting infrastructure advantages provided by the larger metro areas indicates that caution is required around the numbers of large events attracted to Hawke's Bay. The benefits provided by Indoor Sports Facilities are predominantly in terms of social and cultural well-being of the local community.

Documents and strategies

There are a number of documents and reports that have indicated a level of unmet demand for indoor court space in Hawke's Bay.

These include:

- Indoor Court need and site assessment study (2012) – Global Leisure Group for Napier City Council
- National Facilities Strategy for Indoor Sports (2013) – Aurecon for Sport NZ
- Hawkes Bay Regional Sport Facilities Plan (2015) – Sport HB
- Basketball New Zealand Indoor Facilities Guide (2015) – Basketball New Zealand
- Napier Multi-Use Sports Facility Detailed Business Case (2017) – Giblin Group for Napier City Council

These documents and reports have consistently indicated a need of between two and six additional courts across Hawke's Bay. Given the age of these reports and for some the

dependence on the National Facilities Strategy for Indoor Sports (2013), these court demand projections do not account for the rapid growth of primarily basketball, but also futsal and volleyball, and the larger than projected growth in the population of Hawke's Bay.

While we do have a number of school facilities that have indoor sports, for smaller RSOs with a limited volunteer pool running competitions at multiple facilities is more difficult to resource with administrators and referees. The RSOs also report additional issues with using school facilities, including frequent school usage during competition times, aging facilities and design limitations for use including insufficient ceiling height or space around the court.

Future demand

Understanding the nature of future demand for any facility is difficult, though there are some factors that provide some indications.

Hawke's Bay's population is ageing, with the proportion of the population aged 65 and over increasing over the next few decades. In addition, there is projected growth in young Māori.

Participation in sports and recreation is following a trend away from formal structured sport into more informal recreational activities. Nationally we have a large drop-off in participation levels from the age of 12, that nationally the sports sector is coming up with ways to address. New sports and activities such as parkour are becoming very popular among our young people.

Equally, the sport of basketball is following a growth curve, with some of the growth ascribed to the success and profile of the NBA and Steven Adams.

As indoor sports facilities are effectively large spaces with wooden floors, specific use can be adapted as our population and needs evolve. Programmes for seniors, informal recreational activities, more social competitions and events and new activities such as parkour can all be accommodated within an indoor sports facility.

Planned developments

There is one planned development in Hawke's Bay that may impact the demand for indoor court space. This is:

- ***Basketball Hawke's Bay Whitmore Park outdoor development***

Basketball Hawke's Bay have developed plans to convert the old bowling greens in front of their premises at Whitmore Park. The plan is to build four outdoor basketball courts (asphalt) with capacity for 12 miniball courts. The new courts will allow the moving of some Miniball competitions outdoors and free up court space for new competitions. Basketball Hawke's Bay have adopted a staged approach to construction and are at project initiation phase with Stage 1 or the first two courts. Napier City Council have provided \$35,000 of funding to support this project.

Development of Te Pihinga (Maraenui Community Centre) is included in Napier City Council's long term plan. While this facility is likely to include recreational space including an outdoor basketball facility, the focus of this development is recreational and informal activity, rather than organised sport, and therefore will not play a role in meeting the demand of organised sport.

PGA expansion summary

The Regional Indoor Sport and Events Centre Trust (RISEC) is the charitable trust that operates the Pettigrew Green Arena in Taradale. Since the decision not to proceed with the Multi-Use Sports Facility in 2018, the trust have been developing options to progress its own facility expansion through providing additional indoor courts. A business case, feasibility study and proposal have been completed.

The proposed extension is to construct a new building at the rear of the existing Pettigrew Green Arena (PGA) in Taradale over the car park and a section of EIT land next door. It is proposed to include a wooden floor that can accommodate six full size futsal courts. The carpark area that has made way for the expanded building will need to be replaced and added to close by.

The new facility will be available for use by a large number of sporting codes, so the floor space will be able to be configured for the following sports:

- Basketball
- Futsal
- Volleyball
- Netball
- Badminton
- Indoor bowls

The Arena could host other sports including:

- Floorball
- Handball
- Korfball
- Turbo Touch
- Ultimate
- Indoor Cricket

To assist in sharing the risk of operating costs, PGA has had a positive indication from the management of futsal, basketball, and volleyball that they would commit to the use of the additional courts for a five-year period on similar terms to that which they currently enjoy at PGA. This equates to 80 percent use of the extended space.

The new facility is estimated to cost in the region of \$10 million (definitive budget still to be completed), with one third of the funding to be sought from corporate sponsorship, philanthropic trusts, government funding and public donations.

Construction of the proposed facility is to take approximately one year, and the project will have the ability to be scaled back if the funding targets are not achieved.

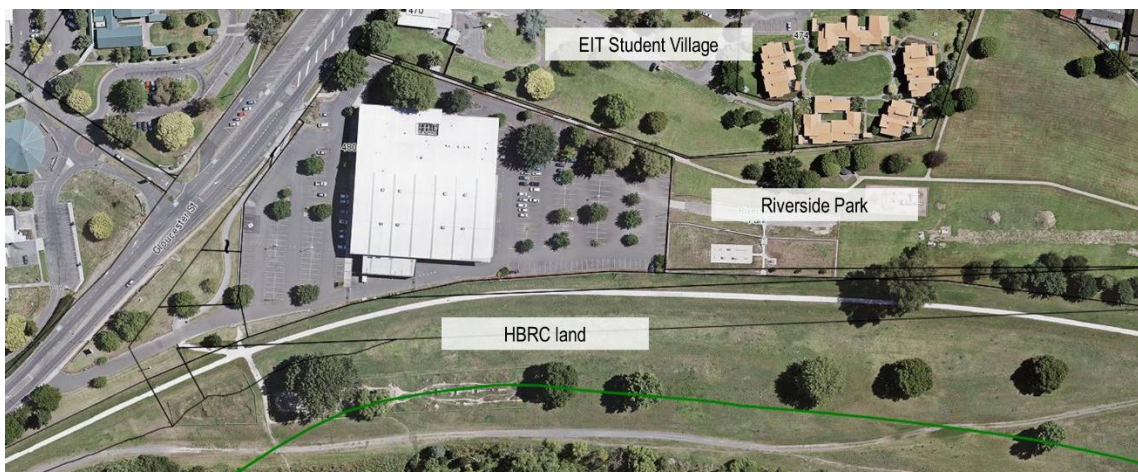
Below is a summary of the current state with this project, informed by the General Manager of PGA.

- The trust has around \$5.5 million (including NCC's \$4m) ready to be committed
- PGA was designed with intentions to expand over the back carpark. Land for expansion has never been secured though, as the existing site is constrained by land owned by EIT, Hawke's Bay Regional Council and Napier City Council.

- There are a few different options for the expansion project, including pushing out onto the neighbouring EIT land, or pushing back into the reserve.
- Conversations with EIT about an NCC-facilitated 'land swap' have stalled, partly due to the Government-led Reform of Vocational Education that is underway. EIT have formally expressed concerns about the fairness of the proposed swap.
- Positioning of the carpark and catering for the total demands of the facility and EIT is an issue to be resolved. The options are pushing the carpark into the reserve and creating an additional entry, or putting the carpark on the river side of the stop bank. This land is owned by Hawkes Bay Regional Council. There has yet to be approval received for this plan.
- Napier City Council water infrastructure on Riverside Park may potentially impact the ability to push car parking back into the reserve.
- RISEC are a trust brought together with the purpose of operating a facility. As construction of the facility has very different requirements than operating, RISEC are seeking project support to help to get the expansion over the line.
- While RISEC's focus is on the facility itself, it has identified the potential to look at the entire area surrounding the facility, including Tareha Reserve, the cycle tracks the area over the stop bank including the Taradale Dirt Park and Pump Track and develop a master plan to coordinate and encourage recreational activity.

In the Long Term Plan Napier City Council has allocated \$4.1 million from existing funds to pay for five extra courts in the facility, or to fund other options to meet the identified need.

Issues to be overcome



Due to the location any extension will require additional land from either EIT (to the north), Napier City Council reserve (to the rear of the facility), or Hawkes Bay Regional Council (over the stopbank).

Riverside Park reserve includes a dog agility park, a playground and some significant and critical water-infrastructure. The water infrastructure particularly will need to be worked around.

The existing carpark area intended to be used for the development also has a key water infrastructure underneath it. As this infrastructure cannot be constructed over, this will need to be diverted, with the costs of diversion adding to the project budget.



Summary

- The documents and reports, participation statistics and information from Hawke's Bay's regional indoor sports organisations indicate that there is an unmet demand for court space.
- Demand is driven exclusively from organised sports.
- Pettigrew Green Arena have developed plans to expand its current facility to meet this demand.
- Napier City Council has committed funding of \$4.1 million to this project (or another indoor sports solution).
- There are some planned developments in Hawke's Bay to help to meet the demand.
- There are some issues with the proposed PGA development that need to be worked through.
- RISEC have requested support from Napier City Council to progress this project.
- Should the project be unable to proceed, Napier City Council will need to investigate alternative solutions to meet the identified need.

10.3 Issues

- Validating actual demand to ensure that investment is targeted
- Potential obstacles with the PGA expansion cannot be overcome

10.4 Significance and Engagement

N/A

10.5 Implications

Financial

- Investment of \$4.1m
- Impact on ongoing operational funding support for a larger facility

At this stage the proposal involves the formation of a working group only to investigate options and make recommendations. These recommendations depending on their

nature may have a financial requirement and will need to come back to Council for consideration of any Council investment.

Social & Policy

N/A

Risk

Demand risk:

- The projected demand does not eventuate from organised sports, impacting the financial projections and requiring increases in operational funding
- Additional facilities being constructed
- Change in demand due to RSO capabilities
- Change in demand due to customer drivers
- Mitigated to an extent by alternative activities

Cost escalation:

- Construction escalation was estimated to slow at the end of 2018 and flatten at the start of 2019. This has not happened and the costs are continuing to rise in the industry at three per cent per year.

Programme risk:

- Constraints with land ownership or permissions stop project
- Constraints with resource consent conditions stop project
- Accountability and role clarity between RISEC and any project support provided
- Potential obstacles with the PGA expansion cannot be overcome

Functionality risk:

- Changes in the nature of demand leave - possibility of repurposing facility for different activities as demand changes

10.6 Options

The options available to Council are as follows:

- a. Approve the formation of an Indoor Sports Working Group to facilitate the progression of the investigation and development of indoor court facilities
- b. Approve the formation of the Indoor Sports Working Group, with amendments to the scope and terms
- c. Do not approve the formation of the Indoor Sports Working Group.

10.7 Development of Preferred Option

If the formation of the Indoor Sports Working group is approved, the next steps are to:

- Establish a terms of reference for the working group

The working group is recommended to include:

- Councillor Keith Price
- Councillor Graeme Taylor
- Councillor Greg Mawson
- Jon Kingsford, Director of Infrastructure

- Glenn Lucas, Manager Sports and Recreation
 - Dan Rodden, Manager PGA (*to be confirmed as to whether a working group member or key stakeholder*)
 - Ryan Hambleton, Sport Hawke's Bay (*to be confirmed as to whether a working group member or key stakeholder*)
- This terms of reference will be set by the Group but will include as a minimum:
 - Purpose
 - Objectives
 - Principles
 - Membership
 - Role of members
 - Term
 - Meetings
 - Communication protocols
 - Project stages
- Questions that the working group will need to address include:
 - What is the problem that we are trying to address?
 - What are the barriers facing the expansion of PGA?
 - How significant are they and are they surmountable?
 - If yes, what is required to support this project?
 - If no, what other options are there to solve the problem?
- Critical stakeholders for the group will be:
 - EIT
 - Hawke's Bay Regional Council
 - Indoor sports groups and associations
 - Hawke's Bay Sports Council
 - Hastings District Council
- Project stages (to be confirmed once group established) include:
 - Formation of Indoor Sports Working Group
 - Complete and agree terms of reference
 - Understand demand
 - Assess PGA model – does this deliver?
 - Recommend an option or options to proceed
 - Recommendations to Council for approval.

10.8 Attachments

- A National Facilities Strategy for Indoor Sports (2013) – Aurecon (*Under Separate Cover*) [⇒](#)
- B Indoor court need and site assessment: Global Leisure Group (*Under Separate Cover*) [⇒](#)
- C Hawke's Bay Regional Sports Facilities Plan (*Under Separate Cover*) [⇒](#)
- D Basketball New Zealand Indoor Facilities Guide (*Under Separate Cover*) [⇒](#)
- E Pettigrew Green Arena Detailed Business Case (*Under Separate Cover*) [⇒](#)
- F Pettigrew Green Arena extension proposal (*Under Separate Cover*) [⇒](#)
- G Pettigrew Green Arena Concept and Locality Plan (*Under Separate Cover*) [⇒](#)

11. LEASE OF RESERVE - THE SCOUT ASSOCIATION OF NEW ZEALAND

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	901760
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

11.1 Purpose of Report

To obtain Council approval to grant a new ground lease the Scout Association of New Zealand at Meeanee Quay for ten years with one right of renewal.

Officer's Recommendation

That Council:

- a. Agree to enter into a ground lease pursuant to Section 61(2A) of the Reserves Act 1977 with the Scout Association of New Zealand for the land at 808B Meeanee Quay, Westshore for ten years with one right of renewal.

Mayor's Recommendation

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

11.2 Background Summary

The Meeanee Quay Reserve is a Local Purpose Maritime Reserve vested in the Council pursuant to the Reserves Act 1977. The property at 808B Meeanee Quay forms part of that Reserve.

The Westshore Sea Scouts, under the parent body the Scout Association of New Zealand are incumbent tenants of the Reserve. The Sea Scouts have been a tenant of the land for a number of years. The previous ground lease has expired and a new lease needs to be entered into to provide certainty and clarity for both the Council and the Scout Association.

The lease area is shown outlined in red on the attached aerial map.

The terms and conditions of the proposed lease are as per Council's standard terms for leases of Reserve land to community groups. The ground rental is calculated according to the method by which Council sets its rentals for community organisations on Reserve land and is reviewed annually.

11.3 Issues

There are no issues

11.4 Significance and Engagement

Not applicable

11.5 Implications

Financial

The annual rental will be calculated in accordance with the standard formula used by Council to calculate ground rental to community groups.

Social & Policy

The Sea Scouts provide a community activity for the youth of Napier.

Risk

There is no risk to Council.

11.6 Options

The options available to Council are as follows:

- a. To enter into a new ground lease with the Scout Association of New Zealand at 808B Meeanee Quay for ten years with one right of renewal.
- b. To not enter into a new ground lease with the Scout Association of New Zealand at 808B Meeanee Quay for ten years with one right of renewal.

11.7 Development of Preferred Option

Option (a) is preferable to provide legal tenure and certainty for Council and the Association.

11.8 Attachments

- A Aerial map of 808B Meeanee Quay [↓](#)



Scale: 1:350
Original Sheet Size A4
Print Date: 12/02/2020

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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Napier City Council 231 Hastings St, Private Bag 6010, Napier 4142 New Zealand P 06 835 7579 F 06 835 7574 www.napier.govt.nz

12. CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE DRAFT MINUTES - 23 MARCH 2020

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	916587
<i>Reporting Officer/s & Unit:</i>	Cheree Ball, Governance Advisor

12.1 Purpose of Report

To receive the draft minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 23 March 2020.

Officer's Recommendation

That Council:

- a. Receive the draft minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 23 March 2020.

Mayor's Recommendation

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

12.2 Background Summary

The Civil Defence Emergency Management Group Joint Committee met on 23 March 2020 and the draft minutes of this meeting are **attached** for Council's information.

12.3 Attachments

- A CDEM Group Joint Committee Draft Minutes - 23 March 2020 [↓](#)



Unconfirmed

MINUTES OF A MEETING OF THE HB CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE

Date: Monday 23 March 2020

Time: 1.30pm

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: Cr R Barker (Chair)
Cr R Graham (Zoom)
Mayor S Hazlehurst (HDC)
A Hickey (NEMA – Zoom)
Mayor C Little (WDC - Zoom)
I Macdonald (Group Controller)
Mayor A Walker (CHBDC)
Mayor K Wise (NCC)

In Attendance: J Palmer – Chief Executive HBRC
Dr N Jones – HB DHB
SM May – Chief Executive WDC
J Lawrence – HBRC Group Manager Office of the CE & Chair
L Hooper – HBRC Governance Lead
L Lambert – HBRC Group Manager Regulation
I Maxwell – HBRC Group Manager Integrated Catchment Management

1. Welcome/Apologies/Notices

The Chair, Rex Graham, welcomed everyone to the meeting, advising he is stepping down as Chair as he has self-isolated.

Rex Graham nominated Regional Council Deputy Chairman Rick Barker to Chair of the HB Civil Defence Emergency Management Group Joint Committee, and Sandra Hazlehurst seconded the nomination.

Resolution

CDE1/20 There being no further nominations, Cr Rick Barker was elected Chair of the HB Civil Defence Emergency Management Group Joint Committee.

**Graham/Hazlehurst
CARRIED**

The following all joined the meeting via audio-visual means:

- Mayor Craig Little
- Cr Rex Graham
- CDEM staff in the GECC
- Andrew Hickey, MCDEM

The meeting adjourned to listen to the Prime Minister's media briefing on Covid-19 at 1.47pm and reconvened at 2.30pm

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

3. Confirmation of Minutes of the HB Civil Defence Emergency Management Group Joint Committee meeting held on 11 November 2019**CDE2/20 Resolution**

Minutes of the HB Civil Defence Emergency Management Group Joint Committee meeting held on Monday, 11 November 2019, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Wise/Hazlehurst
CARRIED**

4. Action Items from Previous HB CDEM Group Joint Committee Meetings

The item was taken as read.

CDE3/20 Resolution

That the HB CDEM Joint Committee receives the "*Action Items from Previous HB CDEM Group Joint Committee Meetings*" report.

**Walker/Wise
CARRIED**

5. Call for Minor Items Not on the Agenda

There were no minor items raised.

6. Confirmation of Joint Committee Terms of Reference

The item was taken as read.

CDE4/20 Resolutions

The Hawke's Bay Civil Defence Emergency Management Group Joint Committee:

1. Agrees that the decisions to be made are not significant under the criteria contained in the Hawke's Bay Regional Council's adopted Significance and Engagement Policy, and that the Committee can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
2. Adopts the proposed Terms of References as attached.

**Walker/Wise
CARRIED**

7. Hawke's Bay Disaster Relief Trust Deed

The item was taken as read.

CDE5/20

Resolutions

The Hawke's Bay Civil Defence Emergency Management Group Joint Committee:

1. Agrees that the decisions to be made are not significant under the criteria contained in the Hawke's Bay Regional Council's adopted Significance and Engagement Policy, and that the Joint Committee can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
2. Adopts the proposed Trust Deed for the Hawke's Bay Disaster Relief Trust as attached.

**Hazlehurst/Walker
CARRIED**

8. Group Manager's Update

The item was taken as read.

CDE6/20

Resolutions

That the Hawke's Bay CDEM Group Joint Committee receives the "Group Manager's Update" report.

**Walker/Wise
CARRIED**

9. Discussion of Minor Items Not on the Agenda

There were no minor items raised.

Dr Nick Jones made a presentation about Coronavirus (Covid-19), how it spreads and current statistics of the NZ and global spread and survival rates

Reactions to PMs announcement included:

- Need to amplify efforts 'on the ground' to spread messages of just how serious this is
- Logistics around how to coordinate welfare assistance – using those in the community wanting to help and a welfare plan is essential
- Plan to keep primary industries and supply chains operating.

Ian Macdonald and CDEM – HB action plan summary, noting:

- Regional messaging from mayors – streamlined through a single channel
- National needs assessment system for people to access and register their needs /requests for assistance
- Alison Prins – emergency coordination centres are operating; awaiting update from Lifelines so can identify gaps and shore up services; standing up own HB needs assessment process as challenges working with the National system; identifying essential services for rural communities

- Zoom to outlying districts to give instructions on operationalising the response, with work already under way in CHB and Wairoa by local controllers
- Rachel Schicker– Local councils to focus local messages on a practical level; regionally echo the PMs messages; need to stick to your lane and reiterate messages; cc Rachel to any local messages; making videos to get messages out; focus on what locals can do, not nationally; Saturday full page in papers was good
- Get messages out now about things people should be doing to prepare; HB Emergency brand is very good and trusted, and across multiple channels
- Capacity to respond to questions and monitor social media
- Comms are managed through the Public Information Management (PIM) CDEM team
- DHB is the lead agency, CDEM coordinates the response
- Go to the Covid-19 web page for all info in the first instance
- welfare@hbemergency.govt.nz copy into emails
- Concern around the pervasiveness and duration of the event – and understanding other things like electricians and plumbers availability as essential service
- Request for Ian Macdonald to provide a daily 'briefing' to HB Leaders

Closure:

There being no further business the Chairman declared the meeting closed at 4.00pm on Monday, 23 March 2020.

Signed as a true and correct record.

DATE:

CHAIRMAN:

PUBLIC EXCLUDED ITEMS

That the public be excluded from the following parts of the proceedings of this meeting, namely:

Agenda Items

1. Funding approval

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) to the passing of this resolution.
	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:

Agenda Items

1. Funding approval	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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