



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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MĀORI COMMITTEE

Open Agenda

Meeting Date: Friday 11 September 2020

Time: 9.00am

Venue: Napier War Memorial Centre
Marine Parade
Napier

Committee Members Ngāti Pārau Hapū Trust – Chad Tareha (In the Chair)
Mayor Kirsten Wise
Maungaharuru-Tangitū Trust – James Lyver
Maraenui & Districts Māori Committee – Adrienne Taputoro
Pukemokimoki Marae – vacant
Mana Ahuriri Trust – vacant
Te Taiwhenua o Te Whanganui-a-Orotū - vacant

Officer Responsible Director Community Services, Senior Māori Advisor

Administration Governance Team

Next Māori Committee Meeting
TBC

ORDER OF BUSINESS

Karakia

Apologies

Nil

Conflicts of interest

Public forum

Nil

Announcements by the Chairperson

Announcements by the management

Confirmation of minutes

That the Minutes of the Māori Committee meeting held on Friday, 10 July 2020 be taken as a true and accurate record of the meeting.29

Note the meeting scheduled for 14 August 2020 did not proceed due to lack of quorum.

Agenda items

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Updates from Partner Entities

Ngāti Pārau Hapū Trust – Chad Tareha

Maungaharuru-Tangitū Trust – James Lyver

Maraenui and Districts Māori Committee – Adrienne Taputoro

Napier City Council – Mayor Kirsten Wise

General business

Public Excluded

Confirmation of the Public Excluded Minutes of the Māori Committee meeting held on Friday, 10 July 2020.....30

Note the meeting scheduled for 14 August 2020 did not proceed due to lack of quorum.

Whakamutunga Karakia

AGENDA ITEMS

1. FORD ROAD EXTENSION - LAND LEGALISATION

Type of Report: Legal

Legal Reference: Reserves Act 1977

Document ID: 960497

Reporting Officer/s & Unit: Bryan Faulknor, Manager Property

1.1 Purpose of Report

To seek confirmation from the Māori Committee that they retrospectively endorse the revocation of reserve status for a small part of a Drainage Reserve where it crosses under the Ford Road Extension in Onekawa.

Officer's Recommendation

The Māori Committee:

- a. Endorse the revocation of Reserve status for Drainage Reserve land as described in the Schedule below.

SCHEDULE

Hawkes Bay Land District - Napier City

Area (hectares)	Legal Description	Identifier
0.0588	Section 6 SO Plan 453204	CFR HBV1/660
0.0054	Section 7 SO Plan 453204	Part CFR 209528
0.2343	Section 8 SO Plan 453204	Part CFR HBH2/1500
0.0612	Section 10 SO Plan 453204	Part CFR HBE4/998

1.2 Background Summary

For a number of years complicated land legalisation issues have been progressively dealt with in relation to the Ford Road Extension to the east of Mitre 10.

Part of the legalisation process requires a small portion of land, already vested in Council as Drain Reserve, to be legally taken by Council for road. The land remains under the control of Council but its status changes.

This process requires the revocation of Reserve status under the Reserves Act 1977. The Minister of Conservation requires that Iwi be consulted over such revocations.

It appears consultation occurred around 2009 with Tangata Whenua with regards the Ford Road Extension Project. One would assume that the consultation mentioned the use of the drainage reserves for roading purposes, as this was highlighted in the plans for the project. However, I cannot find particular mention of consultation regarding the technical issue of the revocation of the Reserve status.

Relevant extracts from the 'Notice of Requirement and Assessment of Effects on the Environment' mentioning consultation with Tangata Whenua are attached as Appendix C.

As Council is required to sign a letter to the Minister of Conservation confirming consultation with Iwi regarding the revocation, it appears prudent to place this matter before this committee.

Council resolved on 16 April 2019, pursuant to the Public Works Act 1981, to consent to the land in question to be declared a road and vested in the Council. However, an oversight occurred where the matter was not placed before the Māori Consultative Committee prior to the Council resolution.

The construction of the road and bridge was completed around 2015.

An aerial view showing the subject land highlighted in yellow is shown as Attachment A.

Title Plan SO453204 is shown as Attachment B.

1.3 Issues

In effect, this matter is a final retrospective tidy up needed to finalise the land legalisation issues. The matter has taken many years to finalise due to delays in obtaining various consents from surrounding landowners along with staff changes within Council.

The revocation of the drainage reserve status is the last remaining impediment to the conclusion of the protracted legalisation process.

1.4 Significance and Engagement

As mentioned above consultation occurred with Tangata Whenua around 2009 with regards the project.

1.5 Implications

Financial

There are no financial implications, as all compensation for land acquisitions have been paid in prior years from the project budget.

Social & Policy

Not applicable

Risk

The risk is that, should the Minister not consent to the revocation outlined above then, matters cannot be concluded which has a flow on effect to surrounding private land ownership and development.

1.6 Options

The options available to the Committee are as follows:

- a. Decline to retrospectively endorse the revocation of the drainage reserve status
- b. Retrospectively endorse the revocation.

1.7 Development of Preferred Option

The preferred option is for the committee to retrospectively endorse the revocation of the Reserve Status of the land in question and such endorsement act as deemed consultation with Iwi when coupled with the consultation which occurred in 2009.

It is respectfully submitted that the construction of the road and bridge does not inhibit the drainage functions of the drainage reserve. However due to a legal technicality its status needs to be changed due to the construction of the road and bridge.

1.8 Attachments

- A Aerial view showing the subject Reserve Land highlighted in yellow [↓](#)
- B Title Plan SO453204 [↓](#)
- C Tangata Whenua Consultation - Ford Road Extension Project [↓](#)



Scale: 1:1466
Original Sheet Size A4
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**Aerial View showing the
subject Reserve Land
highlighted in yellow.**

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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Hawke's Bay Expressway to Hyderabad Interchange – **FORD ROAD EXTENSION**
Notice of Requirement and Assessment of Effects on the Environment



dangerous situation.	
Tamatea Properties Limited (Mitre 10 Mega) Southern access is the sites low volume truck exit, and this would need to be addressed in the design. Deliveries are mostly first thing in morning, or day (big trucks exiting are likely to go down Ford Road with this proposal in place). Could see a lot of benefits, no real disadvantages, only concern is in respect to access to the Mega 10 site. Didn't want a lot of traffic moving through their site. May like some transfer of land adjacent to the road because the roundabout will serve more traffic than anticipated and as funded by Mega 10. Think Option F2 is fine.	None identified
Faulkner Developments Limited Supportive of the project, and F2 alignment, wishes it to be progressed quickly. Liaison occurred during the landowners preparation of development plans for the site. Would want 2 vehicle crossings.	None identified

7.2 Tangata Whenua

Project representatives from Napier City Council and Opus met with Tipu Tareha in January 2006 to discuss the preferred alignments for the wider project. Further consultation was identified as necessary during preparation of detailed design, but no specific concerns were identified other than the need to minimise ecological impact. It was recognised that the area was under water in historic times and so no 'sites' of

Hawke's Bay Expressway to Hyderabad Interchange – **FORD ROAD EXTENSION**
 Notice of Requirement and Assessment of Effects on the Environment



significance., other than the lagoon itself were identified by *tangata whenua*. *Pukeko* were identified as significant in this area. Consultation with *tangata whenua* is ongoing.

Table 7: Ford Road Summary of Consultation – Tangata Whenua

	Comment (project response)	
1	<i>Te Taiwhenua O Whanganui-a-orotu</i> <i>Hapu Ngati Paaru</i>	No specific 'sites' of significance have been identified, but the need to minimise ecological impact is considered important. <i>Pukeko</i> were identified as numerous, and impacts on them should be mitigated. No specific objections to the proposal were identified. Consultation is ongoing.

7.3 Nearby Landowners and Occupiers

In addition to directly affected parties within the designation, landowners and occupiers of land nearby the extended portion of Ford Road were also consulted by way of information flyers and public open days. Information was given on flyers and public notices advising of the public open days and of information available on the Napier City Council website.

Many nearby landowners and tenants attended the first open day in August 2006 and the second open day in February 2008, while others requested individual meetings. Details and updates of the project were provided to landowners and occupiers within a wide geographic range (see Appendix E). A summary of the responses of the parties is given below.

Table 8: Ford Road Summary of Consultation – Other Nearby Parties

	Landowner/Occupier comment (response)
1	Bopac Holdings Limited Option F1 using the existing bridge is the preferred option. [The bridge has footpaths which could be moved to a "clip on" to add extra width. Extra width would be necessary.] Not utilising the existing infrastructure (e.g already installed power, phones, watermain etc) would be a disgrace. Option F1 would allow left or right turning from the Business park and will not create a backwater area.

Hawke's Bay Expressway to Hyderabad Interchange – **FORD ROAD EXTENSION**
 Notice of Requirement and Assessment of Effects on the Environment



9.8 Cultural

9.8.1 Impact on the Cultural Values of Tangata Whenua

There are no identified sites or features of historical and/or cultural significance within the study area, which may reduce the potential to have effects on cultural values. To date consultation has not identified any specific key locations of concern within the corridor, but a more generally applicable concern with the discovery of any particular archaeological findings during construction of the new road.

An identified impact of concern to tangata whenua is potential impacts on fauna and habitat particularly *pukeko*. *Pukeko* can often be seen in the drainage swales and open paddock areas adjacent to the Prebensen Drive corridor.

Further discussion of the potential effects on this site is covered below under Effects on Heritage and Heritage Impact Assessments in Sections 8.6 and 9.11 respectively. Further detail is provided in *Appendices 5 and 6*.

Consultation with tangata whenua is ongoing.

Potential Mitigation Measures

No specific mitigation measures have been requested by Tangata Whenua at this stage, other than that in the event that any human remains, middens, artefacts or other discoveries are made, there would need to be agreement between the Council and tangata whenua on how to proceed.

It is noted that significant areas of reserve that also incorporate waterways are located adjacent to and in close proximity to the corridor, and that neighbouring areas have been enhanced as part of the Hawke's Bay Expressway project.

Anticipated Level of Effects with mitigation: Minor

The key potential cultural effects are:

- *Former Tutaekuri River bed*
The proposal will introduce a new structure, disturb the bed, and involve vegetation clearance, with potential ecological effects.

With the mitigation proposed, cultural effects will be:

- less than minor

Anticipated level of effects: minor

9.11.6 Impact on the Cultural Values of Tangata Whenua

There are no identified sites or features of historical and/or cultural significance within the area of proposed works. Preliminary consultation would need to be carried out to establish and key concerns or more general concerns regarding the site, particularly the impact upon fauna and habitat.

Potential mitigation

In the event that any human remains, middens, artefacts or other discoveries be made during the construction of the road extension, there would need to be agreement between the Council and tangata whenua on how to proceed.

Anticipated level of effects: minor

The principal potential effects during construction are:

Alignment and Former Tutaekuri River bed

- Access to adjacent business, particularly Mitre10 Mega
- Noise, vibration and dust
- Construction traffic and business access disruption (Mitre 10 Mega only)
- Visual effects associated with earthworks, a new road, erection of structures, and vegetation clearance

Business visibility

- Greater passing traffic, visibility and exposure for sites with frontage to the new Ford Road

Construction

- Some disruption during the construction phase.

With the mitigation proposed, effects from construction will be:

- less than minor

Heritage

- All construction works associated with the four laning of Prebensen Drive should be conducted under the *Opus Accidental Discovery Protocol*. That all staff should be briefed on the *Accidental Discovery Protocol* prior to the commencement of the project.

Cultural

- In the event that any human remains, middens, artefacts or other discoveries are made, there would need to be agreement between the Council and tangata whenua on how to proceed.

Natural/Ecological

- Suspended sediment and chemical contaminants could be removed by sub-surface mechanical treatment devices such as CDS unit concrete storage chamber or sand filters. These systems would be enhanced when used in conjunction with measures that improve the physical structure and retention time enforced by the receiving environment and they will ensure the effects on the receiving environment are no more than minor
- To mitigate the effects associated with loss of habitat from bridge and or culvert construction it is recommended a planting rehabilitation plan be undertaken to ensure that the construction and operation of the proposed works will not reduce the quality of the existing environment.

Traffic and Transportation

- Provide a cycle and pedestrian link along Ford and Severn Road. There is an ideal opportunity to link the proposed pedestrian and cycleway with the proposed Napier Cycling Strategy.

Construction Effects

- Noise, dust and traffic management plans will be necessary to avoid nuisance and business disruption, particularly for the Mitre 10 Mega property.
- Dust mitigation measures will include an operative dust suppression plan, to be provided by the contractor, describing how dust will be controlled so that it will not become a nuisance to adjoining landowners or users of adjacent amenity areas. Dust suppression measures such as the use of water carts, watering of storage piles, covering of truck trays and the re-grassing of surfaces at the earliest opportunity are likely to be included, as is the possibility of washing the wheels of construction vehicles prior to them leaving the construction area.
- A construction traffic management plan will be prepared to ensure that routes remain open and inconvenience and delay are minimised as much as possible. This would need to provide a maintained access and direction to

2. TERMS OF REFERENCE FOR AHURIRI REGIONAL PARK WORKING GROUP

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	945420
<i>Reporting Officer/s & Unit:</i>	Yvonne Legarth, Policy Planner

2.1 Purpose of Report

To enable appropriate awareness, questions about implications and feedback about the Napier City Council and Hawkes Bay Regional Council Joint Working Group that focuses in the main on the land administered by the organisations that is adjacent to Te Whanganui-ā-Orotu.

Officer's Recommendation

The Māori Committee:

- a. That the information be noted.

2.2 Background Summary

The Napier City Council and Hawkes Bay Regional Council have formed a Joint Working Group that is to focus on the land administered by the organisations that is adjacent to Te Whanganui-ā-Orotu, and that co-ordinates the areas of responsibility of each local authority. In particular the Joint Working Group is looking to investigate and advance the Regional Park concept for Lagoon farm as identified in the Ahuriri estuary & Coastal Edge Masterplan (2018).

The Terms of Reference for the Joint Working Group includes a statement about the relationship with Te Komiti Muriwai o Te Whanga, and the membership of the Joint Committee includes representatives of Te Komiti Muriwai o Te Whanga.

The Ahuriri Hapū Claims Deed of Settlement identifies the area of land and water forming the catchment of Te Muriwai o Te Whanga. The Ahuriri Hapū Claims Settlement Bill includes a provision that establishes Te Komiti Muriwai o Te Whanga, and describes the membership and functions of Te Komiti in relation to Te Muriwai o Te Whanga.

The Joint Working Group is not intended to replace Te Komiti Muriwai o Te Whanga; but will assist the two local authorities to perform their responsibilities in a co-ordinated manner. The Joint Working Group are able to reconsider their Terms of Reference at a meeting at any time.

The initial meeting of the Ahuriri Regional Park Joint Working Group was held in Napier City Council offices on 30 June 2020. At the meeting, co-chairs were appointed and following the meeting the attached Terms of Reference were agreed.

2.3 Issues

The purpose of the Ahuriri [Regional Park] Joint Working Group is set out in the Terms of Reference [shown at **Attachment A**]. A central focus of the Working Group is on projects and initiatives that Napier City Council (NCC) and Hawke's Bay Regional

Council (HBRC) can directly influence through their own land holdings and service delivery operations. There is a relationship with Te Komiti Muriwai o Te Whanga; and a potential alignment of outcomes for the estuary.

An area of influence for the Joint Working Group is the projects funded through Councils' Annual Plans and Long Term Plans. The Councils' timeframes to allocate funds to projects through their Annual Plan and Long Term Plan processes are out of step with the possible timeframes for passing the Ahuriri Hapū Claims Settlement Bill.

The Ahuriri Hapū Claims Settlement Bill establishes Te Komiti Muriwai o Te Whanga and the membership and functions of Te Komiti are set out in the Bill. Appointments to Te Muriwai o Te Whanga cannot be formalised until the Settlement Bill is passed and commences.

The Ahuriri Hapū Claims Settlement Bill has been to a select committee and is progressing through the various stages towards enactment. While possible, it is unlikely that the Bill will be passed prior to Parliament rising on 6 August ahead of the elections.

2.4 Significance and Engagement

N/A

2.5 Implications

Financial

The meetings will have minor administrative costs. The funding of the Councils' projects is through the Annual Plan and Long Term Plans.

Social & Policy

N/A

Risk

N/A

2.6 Options

a. N/A

2.7 Development of Preferred Option

N/A

2.8 Attachments

A Joint Working Group - Ahuriri [Regional Park] Terms of Reference [↓](#)

Terms of Reference

Ahuriri Regional Park Joint Working Group

30 June 2020

Background

- i. Te Whanganui-ā-Orotu is a place of great significance to Ngā Hapū o Ahuriri and is central to the existence and identity of Ahuriri Hapū. It is named after the ancestor Te Orotu who was a descendent of the great explorer ancestor Mahutapoanui who is the very beginning of the Ahuriri Hapū people.
- ii. The Ahuriri Hapū Claims Settlement legislation establishes Te Komiti Muriwai o Te Whanga (Te Komiti) for the purpose of promoting the protection and enhancement of the environmental, economic, social, spiritual, historical and cultural values of Te Muriwai o Te Whanga. Its role is to provide guidance and coordination in the management of Te Muriwai o Te Whanga (Ahuriri Estuary), to local authorities and Crown agencies. Its functions include preparing and approving the Te Muriwai o Te Whanga Plan and identifying the values, vision, objectives, and desired outcomes relevant to Te Muriwai o Te Whanga.
- iii. The Napier City Council (NCC) and Hawke's Bay Regional Council (HBRC) seek to collaborate with Te Komiti to restore the mauri of the Ahuriri Estuary, that has been critically affected by activities over many decades. The respective councils wish to establish a joint council working group to coordinate the respective projects and plans of both councils to restore the life force of the estuary.
- iv. This joint council working group is not intended to look at all issues within the broader Estuary catchment. Its focus is on projects and initiatives that Napier City Council (NCC) and Hawke's Bay Regional Council (HBRC) can directly influence through their own land holdings and service delivery operations. That is, primarily through HBRC and NCC's Infrastructure Directorate and Asset Management Group, and Integrated Catchment Management. The HBRC and NCC regulatory functions provide context for this working group.
- v. NCC and HBRC are committed to strengthening collaboration of each council's planning and delivery processes in order to bring about a step change in the mauri of the estuary. In that context the purpose of the working group is the establishment of a park serving both that objective and providing significant biodiversity enhancement and cultural benefits for the community, as well as recreational benefits.
- vi. NCC and HBRC are both well placed to do this as both provide drainage and stormwater services to Napier through an extensive network of open waterways, along with regulatory, reserve and recreation assets and functions. The park concept is a specific project for focus of the joint council working group.
- vii. Lagoon Farm is recognised as the most viable site for a Park.
- viii. Both councils recognise kaitiakitanga of Ngā Hapū o Ahuriri, duly mandated through Te Komiti and at all times, will fully engage with Te Komiti both through its representative and as a group to seek guidance and to coordinate with the joint council working group on matters relating to the development of the Park.

- ix. Te Komiti wants to collaborate with all groups that are focused on the health and wellbeing of Te Muriwai o Te Whanga to achieve its objectives and its management plan.s

Purpose

1. To accelerate a proposal for the development of the [Ahuriri Regional] Park, initially through to concept design, taking into account the varying and complex environmental issues
2. To identify initiatives that protect and enhance the values of the Ahuriri Estuary.
3. To make recommendations to the respective council's annual and long-term plans and other planning documents to further the concept design.
4. To keep each council and Te Komiti regularly updated on the working groups progress
5. To strengthen collaborative relationships at all levels between NCC and HBRC, and in particular the governance, planning, operations, monitoring and compliance functions, as they relate to restoring the mauri of the estuary;
6. To promote alignment of the respective council's projects and planning documents, so that resources committed to protecting and enhancing the estuary are adequate; that they maximise investment; and are likely to produce the outcomes expected by the whole community;
7. To make recommendations to the councils and engagement in statutory advocacy on key issues
8. To facilitate collaboration in planning, designing and operational management of all waterways, drainage and stormwater networks that discharge into the estuary;
9. To inquire into and collaborate to identify potential planning, consenting and other solutions for consideration by the two Councils as they relate to the estuary and the park concept
10. To identify, explore and advocate for funding opportunities to enable the delivery of a Regional Park
11. To engage as a Working group with Te Komiti at key decision points and stages.
12. To establish a joint governance group at an appropriate stage of concept development.
13. To recommend the commissioning of technical reports and staff advice
14. Ability to oversee design and delivery of projects approved by the local authorities

Objectives

15. Napier City Council (NCC), Hawke's Bay Regional Council (HBRC) and Te Komiti will establish processes and collaborate together on actions to restore the mauri of the Ahuriri Estuary
16. Delivery of a Park that promotes ecological and water quality improvements, promotes a more natural estuary margin, and provides low impact compatible recreational opportunities.
17. A collaborative approach between NCC and HBRC which focuses on the following to achieve the purpose:
18. Commission reports and advice; and oversee the design and delivery of projects approved by Council

- a. Provide advice on and approve project briefs
 - b. Exploring projects and funding opportunities
 - c. Annual plan budgeting and inclusion of funding in the Long Term Plan (LTP) by each Council to achieve agreed water quality, ecology, cultural and recreation outcomes for the estuary, its streams drains and tributaries, and on adjacent land.
 - d. Completion of a proposal to be submitted by each Council in the LTP
 - e. Ownership clarification
 - f. Jointly prepare and make joint applications for necessary consents
 - g. Identify Park boundaries and extent (including Lagoon Farm)
 - h. Establish and agree outcomes, deliverables and ensure milestone alignment and updates on a proposal towards the LTP for each Council.
 - i. Engagement with Te Komiti as a statutory authority and mana whenua PSGE for the wider Estuary Catchment (once formally established)
19. The project and issues may be of a short-term or long-term nature. A working group structure and process is best placed to identify, scope and address the issues, at least in the initial stages.

Membership and operation of the Working Group

20. 3 Napier City Councillors and 3 Hawke's Bay Regional Councillors
21. Te Komiti representation
22. Invited lead officers from each Council
23. The Chair of the Working Group to be appointed by the Working Group
24. Administrative support for the Working Group (convening meetings, keeping minutes etc) will be provided by the staff of the Napier City Council's Governance team, unless otherwise agreed
25. Working Group members will discuss respective funding from the local authorities as needed to progress the objectives.

Meeting frequency

1. The Working Group should meet monthly.

Quorum

2. There is a quorum of four members

Decision making

3. The Working Group has no decision-making authority. It brings recommendations to each Council for Councils consideration
4. Expenditure undertaken by the Working Group over and above normal Council business must be agreed by each Council.

Media contact

5. *To be agreed by Working Group, generally to be the Co-Chairs.*

Changes to the Terms of Reference

6. The Working Group may recommend changes to the Terms of Reference to the Council for consideration and agreement.

3. LEASE OF RESERVE - MAGNET CAFE

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	939800
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

3.1 Purpose of Report

To obtain approval to grant a new Lease for the 'pop-up' style Magnet Café currently operating from a repurposed shipping container on the northern end of the Marine Parade Foreshore Reserve.

Officer's Recommendation

The Māori Committee:

- a. Recommend that Council agree to grant a new lease, under Section 54(1) (d) of the Reserves Act 1977, for a pop-up café to continue to occupy the northern part of the Marine Parade Foreshore Reserve.
- b. That the initial term of the new lease be for a period of 2 years plus two rights of renewal of 2 years each.
- c. That the placement of outdoor furniture be allowed outside of the leased area but such placement to be approved by Council's Team Leader Parks, Reserves, Sportsgrounds.

3.2 Background Summary

In 2016, Council granted a licence to occupy on a trial basis for a temporary "pop-up" container on Marine Parade to provide pre-prepared snacks and non-alcoholic drinks. On 16 August 2017, Council then agreed to grant a licence to occupy for a three-year period with a review after each year and an open tender process to determine who would be granted the licence. This process was completed with the current lease due to expire on 30 September 2020.

With the imminent expiry of the current lease, a decision needs to be made as to whether or not this commercial activity remains on the reserve and if it does how do we move forward with a lease.

Food is prepared off site. Fresh water is transported to the area daily and grey water is disposed of by the owner. There are no electricity or water connections as the costs of connection were considered by the owner to be unprofitable.

The current lease area is shown on the attached plan.

3.3 Issues

It is acknowledged that this venture has brought activity to the area. The café appears to be busy and has received wide support from the community.

Whilst the café is a commercial business operating on Reserve land, it is deemed to be for the convenience of the public using the Marine Parade Foreshore Reserve and thus allowed under the Reserves Act.

The area currently leased to the café is 37m² which takes into account the container, a disabled access ramp and a deck. Lessees have placed tables and chairs, beanbags and shade umbrellas outside of this area. While these additions add to the ambience of the area, the Team Leader Parks, Reserves, Sportsgrounds should approve such placements.

3.4 Significance and Engagement

N/A

3.5 Implications

Financial

There are no costs to Council. It is proposed that ground rent will be charged by Council at 5% of gross takings per month, payable monthly in arrears. This is consistent with other similar commercial businesses occupying the Marine Parade Foreshore Reserve.

Social & Policy

N/A

Risk

There is some risk that the public may feel that the reserve should be open and available to everyone without the intrusion of a commercial activity, however, to date this business has been well received and supported.

Some CBD business operators may also believe that the business is being advantaged with the prime location although to date this has not been an issue and the open tender process previously carried out in 2017 gave these businesses a chance to tender.

3.6 Options

The options available are as follows:

- a. Extend the existing occupation by way of a new lease to the current owner for an initial term of 2 years plus 2 rights of renewal of 2 years each.
- b. Do not extend the occupation by way of granting a new lease to the current owner, and require the removal of the current structures.
- c. Enter into a new lease with the current owners for different periods to those proposed above.
- d. Do not enter into a new lease with the current owners and undertake a tender process to give others the opportunity to carry out the business.

3.7 Development of Preferred Option

The café receives wide community support and uses an area that is otherwise underutilised.

Council's current Reserve Management Plan neither supports nor prevents this use of the reserve.

The owner is required to maintain a trading licence from Council's Environmental Health Officers and this provides controls and monitoring of the activity.

Food and Beverage businesses in the Marine Parade Recreation Zone are Controlled Activities which require a resource consent to establish and operate. A current Resource consent is in place.

To carry out a tender process at this point is not believed to be necessary, as no complaints have been received regarding the current owner. Further controls are in place through the health licencing system and conditions in the formal lease agreement.

The container and structure is owned by the current lessee and would not necessarily be available for a new operator.

Option (a) is the preferred option to continue to support activity in this area of Marine Parade.

3.8 Attachments

A Magnet Cafe current lease area [↓](#)



4. NAPIER RECOVERY FUNDING

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	952626
<i>Reporting Officer/s & Unit:</i>	Michele Grigg, Senior Advisor Policy Dean Prebble, Economic Development Manager

4.1 Purpose of Report

To provide an update on two funds established to progress the aims of the Napier Recovery Plan.

Officer's Recommendation

The Māori Committee:

- a. Note the information on two recovery funds recently established, those being:
 - Recovery Projects Fund
 - Te Puawaitanga – Green Communities Together Fund

4.2 Background Summary

The vision for Napier's recovery post Covid-19 is to restore and enhance vibrancy, innovation and wellbeing in our community now and into the future. This is articulated in the Napier Recovery Plan (the Plan), which sets out the framework for recovery.

In recognition of the broad reaching impacts of the pandemic, the framework takes a holistic view and is designed to be agile and responsive as the situation evolves over time. The framework is supported by Te Pou o Te Rāngai Haumanu (to revive and restore health/wellbeing) and three pillars which weave through the Plan's recovery goals.

The six wellbeing goals in the Plan are:

1. Everyone has access to safe drinking water, food and housing
2. We are healthy and active
3. Our businesses and not-for-profit organisations are resilient and innovative
4. Our city centre and local centres are vibrant and sustainable
5. Our community is safe, fair, connected, and resilient
6. Renewal of our city respects, protects, and celebrates our cultural heritage and environment.

Two funds have been established to support projects and initiatives that will positively influence Napier's recovery and renewal:

- Recovery Projects Fund
- Te Puawaitanga – Green Communities Together Fund.

Recovery Projects Fund

This fund aims to assist with building resilience and encouraging innovation. It has a particular focus on collective benefit. Projects that support one or more of the six Recovery Plan goals and have a focus on accelerating recovery of Napier's community and/or economy are encouraged.

Priorities for the fund include:

- Alignment with the goals and contribute to the indicators of the Plan
- Address issues and opportunities identified in the Plan
- Encourage innovation
- Incorporate collaboration and/or partnership approaches
- Positively impact on the Napier economy and/or community
- Have the potential to generate new revenue, stimulate jobs and/or support business growth
- Strengthen community connectedness/community resilience
- Celebrate community spirit.

Applications are welcome from a range of sectors and from across Napier. This fund is open to registered legal entities who operate within Napier – such as businesses, community organisations, groups, and social enterprises.

The fund opened on 1 July 2020. A total of \$500,000 is available for distribution and it is anticipated grants will range from under \$5,000 to over \$30,000. This is not a contestable fund, which means applications are being assessed as they are received until the fund is allocated or within 12-months, whichever comes first.

Applications are made online. Projects valued at \$30,000 and over will follow a two-stage application process – stage one invites Expressions of Interest (EOI). Short-listed EOI applicants will be invited to submit a full proposal for consideration (stage two).

More information about the fund is available on Council's website:

www.napier.govt.nz/our-council/about-this-site/recovery-projects-fund/

Te Puawaitanga – Green Communities Together Fund

This fund encourages fresh, simple ideas to help Napier environments flourish. Projects that emphasise one or more of the following are encouraged:

- Green streets
- Planting and ecology
- Flora and fauna (eg, attracting birds, bees, native plantings)
- Pest and weed control
- Community gardens/Maara kai
- Fruit forests
- Art installations
- Clean, green spaces and waterways.

Applications are welcome from formal and informal groups in Napier neighbourhoods and communities. Successful applications will incorporate the following factors:

- Innovation – an idea for ‘greening Napier’ which can be easily implemented and fits one or more of the priority areas
- Community team – a group of residents who may already be part of an existing network or who may come together specially to implement their project
- Energy and enthusiasm – a ‘can do’ attitude and interest in being involved in both the implementation and maintenance of the project
- Community guardians/kaitiaki – ongoing guardianship of the project
- Open dialogue – open to working in partnership with and receiving advice from Napier City Council staff and other potential providers.

This fund also opened on 1 July 2020. A total of \$200,000 is available for distribution and grants may range from \$500 to over \$5,000. This is not a contestable fund, which means applications are being assessed as they are received until the fund is allocated or within 12-months, whichever comes first.

Applications are made online using an Expression of Interest form. Shortlisted groups will be invited to work with Council staff to develop their project plan in order to receive funding. Council’s Community Strategies Team will act as navigators by liaising between the projects and other parts of Council and external parties to facilitate project implementation.

More information about the fund is available on Council’s website:

www.napier.govt.nz/our-council/about-this-site/te-puawaitanga-green-communities-together-fund/

Status of Applications to Date

The following table shows the number of applications received to date and their status (as at 21 July 2020, the time of writing this paper).

Fund	Number of applications received	Total value of applications	In progress	Full proposal invited (\$30k+)	Approved	Declined
Recovery Projects	10	\$290,393.43	6	3	3	1
Te Puawaitanga	3	\$11,320	2	N/A	1	0

4.3 Issues

The impact of Covid-19 on Napier’s recovery in the medium to longer term is largely unknown. It is envisioned that projects supported through these two funds will collectively assist with Napier’s recovery. This will be assessed by establishing a set of indicators under each recovery goal, and using a data dashboard approach to monitor progress. Specifications for building a fit-for-purpose data dashboard are currently being developed.

4.4 Significance and Engagement

The funds are being actively promoted in the community as follows:

- Social media (Facebook)
- Council website
- Community newspaper advertisements

- Radio advertising and promotion (Te Puawaitanga)
- Māori networks
- Pasifika networks
- Community organisations
- Business Associations
- Napier Neighbourhood Support network.

4.5 Implications

Financial

Fund expenditure was approved by the Recovery Working Group in the development of the Napier Recovery Plan.

Social & Policy

The two funds aim to positively influence Napier's recovery and renewal by encouraging a focus on the intent of the six recovery goals.

Risk

It is unknown at this time if the funds will be under- or over-subscribed. Ongoing promotion will ensure community awareness is maintained.

4.6 Options

The options available to Council are as follows:

- a. Note the content of this report.

4.7 Attachments

Nil

5. TE REO MĀORI ME ONA TIKANGA

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	949725
<i>Reporting Officer/s & Unit:</i>	Morehu Te Tomo, POU TĀHUHU SENIOR MĀORI ADVISOR

5.1 Purpose of Report

The purpose for this paper is to approve the development of a Te Reo Māori policy due to the growth of Te Reo me ona Tikanga used in Council.

Officer's Recommendation

The Māori Committee:

- a. Approve that the Senior Māori Advisor leads the Te Reo Māori policy process.
- b. Approve the Senior Māori Advisor to engage with external authorities to participate writing the policy.
- c. Investigate best practice for Council staff to follow process and procedures.

5.2 Background Summary

Council is seeking to have a policy to provide a safe environment for all Council staff and councillors in the provision of documentation to understand the process when needing Te Reo me ona Tikanga. It is vital for the Council to progress the policy to deliver the foundation to protect our Taonga tuku iho within Council.

5.3 Issues

The main issues to deliver Te Reo Māori are often in the middle or end of a process rather than at the beginning, which can hamper the process and lead to misunderstandings with regards to delivering Te Ao Māori interpretation and outcomes in a non-Māori view.

5.4 Significance and Engagement

There are areas to consider with the significance to developing the policy, and how these pillars can be brought together and therefore will be written by Ahuriri Māori to broaden the scope for the policy. The engagement will be ongoing as the policy is developed.

5.5 Implications

Financial

Existing budget is available within the Community Services directorate to complete this policy work which will enable specialist Te Reo Māori advice and engagement with Ahuriri Māori.

Social & Policy

The Māori Language Act 2016 guidelines is critical to provide best practice within the Council. A policy will give the Council better processes to authenticate the methods required to strengthen Te Reo Māori as the Council builds on the relationships with Maori and Iwi Authorities to bridge the mandated recommendations for future approval.

This will encourage Napier City council to engage with representatives from Te Mātāwai and Te Taura Whiri i Te Reo.

Risk

Due to the absence of policy mistakes were made in the recent Kia Kotahi Tātau o Ahuriri nei recovery project. The urgency of the recovery project made interpretation difficult in interpreting the phrase “We Are Team Napier”. Without a policy the risk of repeating these mistakes remains.

5.6 Options

The options available to the Committee are as follows:

- a. Approve that the Senior Māori Advisor progresses the development of a Te Reo Māori policy for the Council
- b. Not approve the development of the policy at this time.

5.7 Development of Preferred Option

The preferred option is to progress the development of a Te Reo Māori policy for Council to guide future consultation in Te Ao Māori environment. This will allow the Council to set best practice and model standard procedures when it comes to internal and external relationships.

5.8 Attachments

Nil

UPDATES FROM PARTNER ENTITIES

Ngāti Pārau Hapū Trust – Chad Tareha

Maungaharuru-Tangitū Trust – James Lyver

Maraenui and Districts Māori Committee – Adrienne Taputoro

Napier City Council – Mayor Kirsten Wise

GENERAL BUSINESS PUBLIC EXCLUDED ITEMS

That the public be excluded from the following parts of the proceedings of this meeting, namely:

CONFIRMATION OF MINUTES

Public Excluded Minutes of the Māori Committee meeting held on Friday, 10 July 2020.

MĀORI COMMITTEE

Open Minutes

Meeting Date:	Friday 10 July 2020
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Time:	9.00am – 10.13am 11.24am – 11.37am
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Venue	Large Exhibition Hall Napier War Memorial Centre Marine Parade Napier
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Present	Chad Tareha (In the Chair), Mayor Kirsten Wise, James Lyver, Adrienne Taputoro
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In Attendance	Interim Chief Executive, Director Community Services, Senior Māori Advisor, Director City Strategy, Director Infrastructure Services, Principal Māori Advisor, Manager Community Strategies, Team Leader Parks, Reserves, Sportsgrounds, Talalelei Taufale, Tiwana Aranui and Maureen Mua
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Administration	Governance Team
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Absent	Mana Ahuriri Trust Te Taiwhenua o Te Whanganui-a-Orotū Pukemokimoki Marae
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Karakia

Tiwana Aranui opened the meeting with a karakia.

Chad Tareha acknowledged that this is the first hui of the Māori new year, and acknowledged the ancestors and those who have passed on before us.

Apologies

Nil

Conflicts of interest

Nil

Public forum

Talalelei Taufale (Pacific Health Manager at Hawke's Bay District Health Board) on behalf of Pasifika Leaders

Recently a Community Fono was held to discuss the idea of creating a community coordination hub to address the needs of Pasifika people in Hawke's Bay. It could explore new ways to improve the wellbeing of Pacific people and build on established successful Pacific led initiatives, which are driven by Pacific people's identified needs and with success measured by Pacific world views and values. A number of programmes have been implemented to support and educate Pacific young people, including through Pacific leadership groups in schools, and information programmes relating to primary health care.

5.6% of Hawke's Bay's population are of Pacific origin; there has been a Pacific presence in Hawke's Bay since the 1940s. The building and maintaining of a relationship with this community is important, and it needs be more consistent than the previous one-off reaching out immediately prior to an election.

The strength of the Pacific communities is through the churches, which were disabled to a large degree recently in the COVID-19 response; fortunately the communities were able to link in with, and experienced great benefit from, the Tihei Mauri Ora initiative run by local iwi.

The intention of the Hub would be to lead and work with partners to ensure positive outcomes are created for Pacific peoples in Hawke's Bay. It is important to see clear outcomes from this move – warm houses, improved health and so on.

Also identified at the Fono were organisations and agencies that could partner with the hub to provide ongoing support. It is asked that Napier City Council consider how they can partner with the Hub and be a part of the coordinated approach.

Thanks were expressed to Talalelei for all the work underway; the Māori Committee support the concept in principle and agree that the Tihei Mauri Ora model is a useful one to build on. It is anticipated that the Senior Māori Advisor will liaise directly with Talalelei as a start, and Council will further discuss how the Pacific voice can be better facilitated and heard by the decision makers. The opportunity to establish a Community Advisor – Pacific intern role is already being explored.

It was noted by the Senior Māori Advisor that the kōrero in relation to the proposed Hub fits well with Council's community strategies.

Announcements by the Chairperson

Nil

Announcements by the management

Nil

Confirmation of minutes

Mayor Wise / A Taputoro

That the Minutes of the meeting held on 12 June 2020 were taken as a true and accurate record of the meeting, following updates as raised by James Lyver.

Kua Mana

AGENDA ITEMS

1. MĀORI COMMITTEE MEETING 'MECHANICS'

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	940860
Reporting Officer/s & Unit:	Devorah Nícuarta-Smith, Team Leader Governance

1.1 Purpose of Report

To present a proposal to re-integrate the Māori Committee into the six-weekly meeting cycle of Council.

At the Meeting

Team Leader Governance spoke to the report stating the aim of moving the Māori Committee hui back into the six weekly meeting cycle of Council is to gain positive and formal feedback from the Committee that can be presented to the Council at their ordinary meetings.

It was clarified that:

- Standing Committees of Council will move to weeks one and two. The agendas for these meetings will be available for the Māori Committee to peruse at the same time as they are available to Council.
- The Māori Committee will be able attend Council workshops if they would like to.
- It is intended to provide electronic devices to the Māori Committee so they can access agendas and workshop invitations.
- This timetabling and information sharing will enable the Committee to identify issues they would like to discuss further at the hui in week four of the meeting cycle.
- Feedback from discussions can be put forward to the Ordinary Council meeting in week six of the meeting cycle.

It was identified that there will be significant benefits from the new timetabling and information sharing for Napier City Council.

James Lyver left the meeting at 09:34am.

James Lyver returned to the meeting at 09:35am.

Committee's recommendation

J Lyver / Mayor Wise

The Māori Committee:

- Recommend that Council re-integrate the Māori Committee into the six-weekly meeting cycle alongside the standing committees, and direct officers to implement the processes and system updates required to complete this change, including

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- i. reactivating the InfoCouncil functionality to allow for the flow of information through the standing and Māori committees to Council
 - ii. communication to all staff of the new process and associated time frames

Kua Mana

2. UPDATE FROM PARTNER ENTITIES

Maungaharuru-Tangitū Trust–James Lyver

- The Maungaharuru-Tangitū Trust (MTT) continue to progress their Annual and Strategic Plans. Five pou focus areas:
 1. Strong People – They welcomed a new staff member Johann Wilson to the team.
 2. Strong Reo & Marae; Their Reo whānau programme continues and they are hosting a winter wānanga via Zoom. The Tangoio Marae Development Project continues.
 3. Strong Hapū economy; Financial Accounts finalised to be included into their Annual Report & AGM on 26 September 2020.
 4. Treasured Environment; MACA & other exciting Taiao projects. Unfortunately, they continue to have to address Resource Consents & 'Consultation'.
 5. A Great Organisation; MTT are proud of their small team, they are growing their capacity, but they very proud of their capability – they are experts within their team.
- MTT thank Napier City Council for their authentic District Plan engagement.
- James has handed in his resignation with MTT due to a change in his personal circumstances. His last day is 26 September 2020.

Maraenui and Districts Māori Committee – Adrienne Taputoro

No updates this week from Adrienne as the Committee's hui did not go ahead.

Napier City Council – Mayor Kirsten Wise

- Reiterated Council's support for integrating this Committee into the governance structure of Napier City Council.
- Consultation for the draft Annual Plan 2020/21 is currently underway; as the planning was undertaken during the COVID response much of the conversation and information is online. There have been 80 submissions so far.
- The Terms of Reference (TOR) for the proposed Working Group in regards to Lagoon Farm land and restoring the mauri of the Ahuriri Estuary will not come through this committee formally due to time constraints, but feedback on the proposed TOR is requested from the committee. The mayor has received the draft TOR this morning, and will share these to seek feedback from Committee members. As well as elected members and officers, Joinella Maihi-Carroll has put her name forward to represent Mana Ahuriri Trust. While the statutory co-governance board Te Komiti Muriwai o Te Whanga exists to oversee the governance of the Estuary, the proposed Working Group is intended to specifically address the regional park option. The extent of the proposed regional park has not yet been fully established, so there may be some small overlap with Hastings. Napier City Council is submitting on the Hawke's Bay Regional Council TANK plan change, but this Working Group is a service delivery group rather than a management group (i.e. it is there to progress the regional park rather than to provide governance over the estuary). It was agreed that the opportunity to provide both informal and formal feedback was preferred, and a report will be brought through the committee.

ACTION: A report on the proposed Lagoon Farm Working Group's Terms of Reference will be brought to the 14 August hui of the Māori Committee.

Ngāti Pārau Hapū Trust - Chad Tareha

- Waiohiki - Third papa-kāinga is going up currently and a fourth is being planned.
- The speed limit has been reduced in the area from 70 to 50km and the Trust is working with Napier City Council and Hastings District Council to improve the footpaths in the area.
- Ngāti Pārau have a workshop tomorrow for the District Plan.
- The third Wheels, Tracks and Rollers course is being run at Waiohiki in partnership with the Eastern Institute of Technology. This course has a 90% success rate for getting people into jobs. It is hoped that even more than 90% will experience success in securing jobs following this intake.
- They are establishing a nursery at the marae amongst a lot of other work.

3. GENERAL BUSINESS

COVID-19 RECOVERY PLAN; UPDATE FROM THE COMMITTEE

The Director City Strategy provided an update on the recovery programme, noting that applications can be made to two different contestable funds including one more focussed at business innovation. Information on the funds can be sought from the team and there is also information on the Council website.

The Support Napier campaign has been doing well, and the spend data shows excellent 'health' currently (stronger than the same time last year). However the team are aware that there may be longer term impacts which are slower to be seen, and there is currently not availability of deeper economic data. Unfortunately there is not as much data in relation to Māori economics as would be hoped nationwide. A data 'dashboard' is in the process of being updated over the next while to draw in local Māori experience.

It was considered as to whether there was scope for the Committee to facilitate increased accurate data in relation to Māori recovery, whether this be a survey designed to draw out rich data or another route.

ACTION The underlying recovery plan will be circulated to the Committee by the Director City Strategy.

BLACK LIVES MATTER; UPDATE ON THE JOINT POSITION OF SUPPORT

A workshop to develop a joint position on the Black Lives Matter movement was not deemed necessary. Rather a bold joint statement from Council and this Committee that supports the movement in principle is to be developed by NCC's Interim Chief Executive. This will then be circulated to the Elected Members and Māori Committee to get their feedback and endorsement prior to public release.

ACTION A joint statement which supports the Black Lives Matter movement to be developed by Napier City Council's Interim Chief Executive for circulation.

COLONIAL NAMES; INDICATION ON WHEN THE WORKSHOP IS SCHEDULED FOR

A report will be written by Council Officers which will be a summary of work completed to date through the War Memorial project, and it will be presented to this Committee. Within the city boundaries there are no colonial era memorials.

There is a book of all colonial place names but we do not have a register of place names or street names, which is where colonial acknowledgment is typically captured. The previous Māori Consultative Committee directed that dual place names be implemented, but the stories behind each name do need to be drawn together. There is a report coming to the next hui in regards to joint names for parks and reserves.

Need to be aware of the international conversations taking place in this space and the wonderful opportunity to familiarise ourselves with our stories and address lingering colonial matters.

The Director City Strategy noted that the issue will be highlighted soon via proposed names for streets that are being requested on the hill. A report is being brought to the next meeting of this Committee on the matter.

ACTION It was requested of the Committee that they provide feedback to the Māori Advisors of any place or street names they are aware of that are misspelled.

PUBLIC EXCLUDED ITEMS

A Taputoro / J Lyver

That the public (except for Tiwana Aranui and Maureen Mua) be excluded from the following parts of the proceedings of this meeting, namely:

1. Pukemokimoki Marae Reserve Revocation

Kua mana

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.
1. Pukemokimoki Marae Reserve Revocation	7(2)(g) Maintain legal professional privilege	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.

The meeting moved in to committee at 10.13am

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

Chairperson

Date of approval