



# SUSTAINABLE NAPIER COMMITTEE

## Open Minutes

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Meeting Date: Thursday 5 May 2022

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Time: 9.30am – 12.20pm

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Venue Large Exhibition Hall  
War Memorial Centre  
Marine Parade  
Napier

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*Livestreamed via Council's Facebook site*

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Present Councillor Price (In the Chair), Mayor Wise, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Simpson, Tapine, Taylor and Wright

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In Attendance Chief Executive (Steph Rotarangi)  
Director Infrastructure Services (Debra Stewart)  
Director Programme Delivery (Jon Kingsford)  
Director Corporate Services (Adele Henderson)  
Director City Services (Lance Titter)  
Director City Strategy (Richard Munneke)  
Acting Director Community Services (Darran Gillies)  
Manager Communications and Marketing (Julia Atkinson)  
Manager Property (Bryan Faulknor)  
Team Leader Development and Standards (Retha du Preez)  
Team Leader Planning & Compliance (Luke Johnson)  
Three Waters Reform Programme Manager (Rebecca Huckle)  
Team Leader Parks, Reserves, and Sportsgrounds (Jason Tickner)  
Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori (Beverley Kemp-Harmer)  
Manager Environmental Solutions (Cameron Burton)  
Manager Water Strategy (Russell Bond)  
Senior Design Engineer (Graham Eagles)

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Administration Governance Team (Anna Eady and Carolyn Hunt)

## Karakia

The meeting opened with a karakia.

## Apologies

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Councillors Tapine / Boag

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That the apology from Deputy Mayor Brosnan be accepted, and an apology for lateness from Councillor Taylor be accepted.

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Carried

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## Conflicts of interest

Nil

## Public forum

### **Darren Mason (Chief Executive) and John McGifford (Projects Manager), Central Football** (*Map of Park Island location options is in the agenda for this meeting under item 2*)

The original Park Island Masterplan identified the need for a community use artificial turf for football, with related parking and changing facilities. In 2021 Napier City Council (NCC) allocated a \$500,000 grant to Central Football through the Long Term Plan to help with this project.

The proposed site for the turf, next to Bond Field, has overhead power lines running across it which would need to be moved underground at a substantial cost; there is also no changing facilities or adequate parking near the site. As a lot of children would be using the turf roading modifications may be required to allow for safe travel of users between the existing changing rooms, 300 meters away, and the turf. These issues will more than double the \$2.2 million initial estimate for the project. Central Football believe they can fundraise the initial estimate of \$2.2 million, but do not believe they could fundraise \$4.7 million.

Central Football are proposing the artificial turf is installed on Shrimpton Field instead, away from the power lines and near existing car parking and changing rooms. They have spoken to other users of Shrimpton Field and do not believe there would be negative impacts to other users if the turf was installed there.

The turf will need security fencing, which will also protect it from misuse, but the intention is it will be open fencing which will give good exposure to the rest of Park Island. Lighting may be installed at a later date.

### **Barbara Arnott, Bob Morrison, Sue Page, Brien Mahoney, and Jude O'Connor – Napier Rotary Pathway Trust**

The Trust formed nearly 25 years ago with the support of the combined Napier and Hastings Rotary Clubs. It was disestablished 31 March 2022.

In consultation with the community, the Trust identified an area for a pathway, then raised the money for the project, which they donated to NCC who designed and built the pathway.

There is still a small area yet to have a pathway designed, funded, and built, from Tironui Drive to the bottom of Poraiti Hill.

Transit New Zealand were very supportive of the Trust, and gave a dollar for every dollar of the first million dollars the trust raised. Bob Moray, a developer, was also a great support to the Trust and gave a dollar for each dollar the Trust raised. Graham Wall, an Auckland real estate

agent, also met with, the then Prime Minister, John Key and got the Aotearoa Trails started. Basil McLeod left a generous legacy through which Maggie's Way was built.

Other trusts have approached the Napier Rotary Pathway Trust to discuss their model of operation, as they can see it has been very successful. It worked well because of the agreement and trust built between NCC and the Trust; and the result is a connected community with a means to improve the residents wellbeing.

The Trust thanks NCC and Napier City.

The Committee responded with thanks for the Trust's accomplishments.

### **Announcements by the Mayor**

On Monday we were the first city in the country to have a 30km variable school speed sign installed, and alongside that a bilingual Kura sign, outside Saint Patrick's School.

Council is currently consulting on the 2022/23 Annual Plan, and this is open for submissions until 13 May 2022.

### **Announcements by the Chairperson**

The Hawke's Bay Hawks basketball team are playing the Taranaki Airs tonight.

### **Announcements by the management**

Thanks were given to the Rotary Pathway Trust on behalf of the NCC staff who have worked closely with the Trust over an extended period of time, and who are very grateful for the great contribution they have made to the Napier community.

#### **Top five water projects update:**

Pandora Pipeline – A contract has been issued to Davies Waste for the cleaning of the pipeline. Alongside this Council is doing some flow meter installation to improve monitoring of the pipeline.

Preventative maintenance is continuing with CCTV work to see where maintenance work is required.

The A3 and T8 bore projects are going well. The containerised treatment plant will be installed on the A3 bore site soon.

Wastewater and Trade Waste Integrated Bylaw is being worked on, and there has been good engagement from the community.

The Airport pump station replacement is going well and should be complete by the end of July.

### **Confirmation of minutes**

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Councillors Simpson / Boag

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That the Minutes of the meeting held on 24 March 2022 were taken as a true and accurate record of the meeting.

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Carried

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# AGENDA ITEMS

## 1. DISSOLUTION OF THE NAPIER ROTARY PATHWAYS TRUST

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1455707
<i>Reporting Officer/s &amp; Unit:</i>	Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

### 1.1 Purpose of Report

Acknowledgement of the substantial and enduring contribution that the Napier Rotary Pathway Trusts has delivered to the City of Napier

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#### At the meeting

The officer took the report as read, making note of a correction to the report; the Napier Rotary Pathway Trust have provided the city with approximately 50km of walkways and cycleways, rather than the 28km stated in the report.

In response to questions from the Committee it was noted:

- Through the District Plan review there is a new chapter proposed for the District Plan which identifies the Napier trails. There are some trails planned for by Hawke's Bay Regional Council, and a large trail planned through the Mission Estate development linking the western hills of Taradale.
- There is work being done by the Napier Rotary Pathway Trust to document a history of the Trust which will then be provided to NCC for archival purposes.
- One of the principle links to connect all pathways circumnavigating the city is the western hills of Taradale. This will be addressed through Council's District Plan and through the Resource Management Act process. There are also other links which could have been made, for example around the Dolbel reserve area, but which include private land which Council cannot bring to fruition. These links are now part of a longer term strategic plan. There are also some plans to link to Whirinaki.

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**COMMITTEE** Councillors Boag / Chrystal

#### RESOLUTION

The Sustainable Napier Committee:

- a. That the Council acknowledge and thank the Napier Rotary Pathways Trust for the significant and enduring work they have undertaken in establishing the Rotary Pathways walkway and cycleway network throughout Napier.

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Carried

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## 2. CENTRAL FOOTBALL RELOCATION OF PROPOSED ARTIFICIAL TURF AT PARK ISLAND

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<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	1455857
<i>Reporting Officer/s &amp; Unit:</i>	Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

### 2.1 Purpose of Report

To seek approval for *Central Football Incorporated* and Napier City Council to undertake an investigation and consultation regarding the possible relocation of the proposed artificial soccer turf in a location contrary to the endorsed location in the Park Island Masterplan Plan and Plan Change 11.

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#### At the meeting

The Officer spoke to the report and in response to questions from the Committee it was noted:

- Approval by the Committee of the officer's recommendation will enable investigation of the power lines over Bond Field impact on users, and options for alleviating those impacts. It will also allow officers to investigate wider impacts from increased use of the Park Island area and the infrastructure, such as the changing rooms and parking.
- The artificial turf will mean a higher use of the area which will have an impact. The resource consent process should iron out some of those issues, such as lighting and increased traffic.
- The Park Island Masterplan was approved by Council. This particular project would investigate options outside of that Masterplan.
- The Masterplan was cognisant of the power lines, and through previous iterations of the Long Term Plan (LTP) there was funding to underground them, however priorities have changed and the funding was reallocated.

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#### COMMITTEE Councillors McGrath / Mawson

#### RESOLUTION

The Sustainable Napier Committee:

- a) **Approve** that Central Football Incorporated and Napier City Council advance investigations and consultation regarding the possible relocation of their proposed artificial soccer turf in a location contrary to the proposed location in the Park Island Masterplan and Plan Change 11.
- b) **Report** back to Council the outcome and recommendation of these investigations and consultation for decision prior to any Resource Management Act 1991 and Reserves Act 1977 processes being progressed.

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Carried

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### 3. PROPOSED MACRAE FIELD TOILET

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<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1454528
<i>Reporting Officer/s &amp; Unit:</i>	Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

#### 3.1 Purpose of Report

Request for additional capital and operational funding for a public toilet facility at the Park Island Northern Sports Hub extension (MacRae Field).

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#### At the meeting

The Officer took the report as read. In response to questions from the Committee it was clarified that:

- The Park Island Structure Plan provides for five to six fields and for clubs relocating to this location, but there are no immediate plans or funding for this in place for this. As such a toilet block should suffice for the time being and in the future a changing facility could be built if funds are allocated for it in a future LTP.
- The work on this project will get underway shortly if approved, and will be carried out by City Services staff. A geotech report and building consent will need to be obtained, and the Depot staff will refurbish the toilet block.
- Drinking fountains will be installed in suitable locations.
- The location for this toilet block was identified in the Park Island Masterplan in 2017 and approved by the Council.
- Infrastructure such as sewer and water services were installed in this area as part of the Hawke's Bay Rugby Union headquarters development.

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**COMMITTEE** Councillors Taylor / McGrath

#### RESOLUTION

The Sustainable Napier Committee:

- a. **Approve** the proposed installation of a toilet facility at the MacRae Field to facilitate the growth and development of Park Island (Northern Sports Hub).
- b. **Approve \$83,640** of capital funding from the *Financial Contributions fund* for this proposed public toilet facility.
- c. **Approve** additional annual operational budget of **\$4,950** for this increased level of service for the proposed public toilet facility.

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Carried

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#### 4. REPORT ON NAPIER WATER SUPPLY STATUS END OF Q3 2021-2022

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 1455019

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*Reporting Officer/s & Unit:* Anze Lencek, Water Quality Lead

##### 4.1 Purpose of Report

To inform the Council on:

- the status of Napier Water Supply (NAP001) at the end of the third quarter (Q3) of 2021-2022 compliance year

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##### At the meeting

The Manager Water Strategy took the report as read and there were no questions on the report from the Committee.

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**COMMITTEE** Councillors Simpson / Mawson  
**RESOLUTION**

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The Sustainable Napier Committee:

- Endorse** the report on Napier Water Supply Status end of Q3 2021-2022
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Carried

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#### 5. REPORT ON THREE WATERS REFORM PROGRAMME

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 1456775

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*Reporting Officer/s & Unit:* Rebecca Huckle, Three Waters Reform Programme Manager

##### 5.1 Purpose of Report

To inform the Council on the progress of the Three Waters Reform Programme within Napier.

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##### At the meeting

Officer took the report as read. In response to questions from the Committee it was clarified:

- The Regional Collaboration Projects Funding has been placed against the Low Manganese Water Project and removed some of the co-funding in order to ensure the reform money is committed.
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- It is favourable that Council will spend the \$12.5 million it was allocated for the three waters reform projects.
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**COMMITTEE** Councillor Simpson / Mayor Wise

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**RESOLUTION**

The Sustainable Napier Committee:

- a. **Endorse** the report on the Three Waters Reform Programme.
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Carried

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## 6. ADOPTION OF THE CODE OF PRACTICE FOR LAND DEVELOPMENT AND SUBDIVISION INFRASTRUCTURE

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*Type of Report:* Procedural

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*Legal Reference:* Resource Management Act 1991

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*Document ID:* 1456794

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*Reporting Officer/s & Unit:* Retha du Preez, Team Leader Development and Standards

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### 6.1 Purpose of Report

For Council to:

- Note the key changes to the Code of Practice for Land Development and Subdivision Infrastructure.
  - Adopt the proofread Code for Practice for Land Development and Subdivision Infrastructure, March 2022.
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#### At the meeting

The Officer spoke to report and in response to questions from the Committee it was clarified:

- Regulating private lighting installations sit outside of this Code of Practice. It is something that is controlled via the resource consenting process and the District Plan.
  - Similarly, for new innovations in housing, where a dwelling may be independent of Council infrastructure, these structures will be dealt with under the District Plan and in the consenting phase.
  - This code will be updated annually to accommodate issues such as climate change, meeting its challenges with newly developed technology and climate friendly products.
  - There are some provisions in the Code for inundation, but further investigation is still required.
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**COMMITTEE** Councillors Simpson / Browne  
**RESOLUTION**

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The Sustainable Napier Committee:

- a. **Note** the key changes to the Code of Practice for Land Development and Subdivision Infrastructure.
- a. **Adopt** the proofread Code of Practice for Land Development and Subdivision Infrastructure, March 2022.

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Carried

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## 7. CAPITAL PROGRAMME DELIVERY

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 1453428

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*Reporting Officer/s & Unit:* Jon Kingsford, Director Programme Delivery

### 1.1 Purpose of Report

To provide Council with information on the 2021 Long Term Plan (LTP) Capital Programme and initiatives underway to improve Capital Programme Delivery.

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#### At the meeting

The Officer spoke to the report and in response to questions it was noted:

- There is a possibility the scope for the Ellison St to Marine Parade Walking and Cycling improvements project may need to be reduced. There have been timing delays as a result of weather and Covid-19 related delays. Extra time spent on a project pushes the costs up, and this project already had a very tight budget. Officers are considering taking out part of the work on the Marine Parade to keep the project to budget and to meet deadline. The Ministry of Business, Innovation and Employment are aware of the current impacts on the construction industry and are in discussion with Council about the funding conditions on this project.
  - The Maraenui Splash Pad project is an integrated project where funding is coming from several sources and which involves several areas of Council. It is currently on track to be completed at the end of June. Council will review the traffic management plan in light of feedback that the community are finding the current situation confusing.
  - Officers are looking at combining the Poraiti Road Corridor Improvement project with the Puketitiri Road Safety Improvement project to get the best outcome for the intersection of the roads. The Council transport and project teams are in contact with the Emerald Hills developer to get the best and most timely outcome for the intersection.
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**COMMITTEE** Councillors Simpson / Chrystal  
**RESOLUTION**

The Sustainable Napier Committee:

- a. Receive the report titled "Capital Programme Delivery".

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Carried

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## 8. BETTER OFF FUNDING

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*Type of Report:* Contractual

*Legal Reference:* Local Government Act 2002

*Document ID:* 1459320

*Reporting Officer/s & Unit:* Adele Henderson, Director Corporate Services

### 8.1 Purpose of Report

The Minister of Local Government has announced that councils are now able to put forward proposals for the first \$500 million of Crown funding from the Three Waters reform 'Better off' support package. The funding is for local government to invest in local community wellbeing and can be used for capital or operating initiatives. The remaining \$1.5 billion is available from 1 July 2024. Council will need to determine whether it will apply for funding.

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#### At the meeting

The Officer and Chief Executive spoke to this report and in response to questions from the Committee it was clarified:

- The tranche 1 funding allocated to NCC is government allocated funding. The tranche 2 funding is subject the water service entities making it available. The Crown allocated funding may be subject to the current government being re-elected.
  - Tranche 1 funding agreements need to be signed by 30 September 2022, but the funding is available from 30 June 2022 if an agreement is reached earlier.
  - If the funding was applied for Officers would look at current projects first for the application.
  - If the Council decide to approve option b in the Officer's Recommendation it would not prevent Officers moving forward to prepare a funding application. The Council will need to make a decision soon as to whether it will sign a funding agreement, and a clear position would be needed by the end of August to allow Officers time to liaise with the Department of Internal Affairs (DIA) and complete the application documentation.
  - Currently the funding agreement contracts would be the same for every Council that is awarded funding; b in the recommendation is proposing is that NCC request the DIA allows Napier specific clauses be added to the contract.
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If this is not successful Officers would need to seek some advice for the Council on how to proceed.

- The local election period will only impact with the funding timeline if Council wanted the funding allocated to a new project rather than ones already underway and considered usual business, which the current Council can continue in the election period.
- If there were a change in government NCC would not have to pay back any money that was already committed.

**Officers Recommendation:**

The Sustainable Napier Committee:

- a. Approve Napier City Council to prepare an application for the Tranche 1 'Better off' support package available as part of the Three Waters Reform up to \$6.46m; **OR**
- b. Approve Napier City Council to prepare an application for the Tranche 1 'Better off' support package available as part of the Three Waters Reform up to \$6.46m, subject to Crown agreement that Napier City Council can continue to exercise its democratic right to oppose and/or voice concerns and/or question the legitimacy of the Three Waters Reform proposal; **OR**
- c. Do not approve Napier City Council to apply for the Tranche 1 'Better off' support package available as part of the Three Waters Reform of \$6.46m; **AND**
- d. Note that, subject to the decision above, the Funding Agreement and Funding Proposal will be brought back to Council for approval.
- e. Note any application to the Better off support package would need to be subject to the Chief Executive confirming this will not affect council's ability to deliver our existing water works programme, capital and operational.

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**COMMITTEE** Mayor Wise / Councillor Simpson

**RESOLUTION**

The Sustainable Napier Committee:

- a. Approve Napier City Council to prepare an application for the Tranche 1 'Better off' support package available as part of the Three Waters Reform up to \$6.46m, subject to Crown agreement that Napier City Council can continue to exercise its democratic right to oppose and/or voice concerns and/or question the legitimacy of the Three Waters Reform proposal;
- b. Note that, subject to the decision above, the Funding Agreement and Funding Proposal will be brought back to Council for approval.
- c. Note any application to the Better off support package would need to be subject to the Chief Executive confirming this will not affect council's ability to deliver our existing water works programme, capital and operational.

*Councillor Boag voted against the motion.*

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Carried

**ACTION:** The Chief Executive to present a timeline of significant decisions required for this process at the 2 June Ordinary Council meeting.

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Meeting adjourned at 11.32am and reconvened at 11.45am

## 9. ROAD STOPPING AND GRANTING OF EASEMENT OVER VESTED RESERVE - AWATOTO

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Type of Report:	Legal and Operational
Legal Reference:	Reserves Act 1977 and Public Works Act 1981
Document ID:	1455014
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property

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### 9.1 Purpose of Report

To obtain Council's approval to actions required to provide appropriate land legalisation actions to accommodate a new drinking water bore field and associated equipment at Awatoto.

In particular, to seek Council consent to road stopping of part of the unformed road between Eriksen Road and Awatoto Road and separately to consent to the granting of an easement over Vested Reserve land for water supply infrastructure.

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#### At the meeting

The Officer spoke to the report. There were no questions from the Committee.

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### COMMITTEE Councillors Mawson / Chrystal RESOLUTION

The Sustainable Napier Committee:

- Consents to road stopping under Section 116 of the Public Works Act 1981 of approximately 2,187m<sup>2</sup> of legal road adjoining Section 112 Block VIII Heretaunga Survey District, and the retention of the land in fee simple for water supply purposes.
- Authorises the Chief Executive to make an application to LINZ for the above road stopping under Section 116 of the Public Works Act 1981.
- Approves, as administering body, under section 48(1)(e) of the Reserves Act 1977, the grant of easements for the right to drain water over part of the local purpose (arboretum) reserve described as Section 112 Block VIII Heretaunga Survey District.
- Approves, in exercise of the Ministerial consent (under delegation from the Minister of Conservation), the granting of the above easement.

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Carried

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## 10. LEASE OF RESERVE AT ANDERSON PARK TO THE BUZZY BEE TRUST

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*Type of Report:* Legal and Operational

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*Legal Reference:* Reserves Act 1977

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*Document ID:* 1447530

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*Reporting Officer/s & Unit:* Bryan Faulknor, Manager Property  
Jenny Martin, Property and Facilities Officer  
Debra Stewart, Director Infrastructure Services

### 10.1 Purpose of Report

To obtain approval to grant a new ground lease to the Buzzy Bee Trust for the land occupied by the Mahoe Hall on the Anderson Park Reserve for a term of 15 years with one 15 year right of renewal.

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#### At the meeting

The Officer spoke to the report and in response to questions from the Committee it was clarified:

- The Buzy Bee Trust is a newly formed not-for-profit charitable trust which has been set up to take over the ground lease for Mahoe Hall.
- Council will enter a new lease with the Trust and the lease will specify that the activities in the building will have to be related to the recreation purpose of the reserve.

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#### COMMITTEE Councillors Browne / Wright RESOLUTION

The Sustainable Napier Committee:

- a. **Recommend** that Council agree to a new lease, under Section 54(1)(b) of the Reserves Act 1977, for the Buzzy Bee Trust for the land occupied by the Mahoe Hall at the southern end of Anderson Park Reserve for a term of 15 years plus one 15 year right of renewal.
- b. **Note** that Council is acting under delegated authority from the Minister of Conservation in granting this lease.

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Carried

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## 11. INITIATION OF PROCESS TO CHANGE RESERVE PURPOSE

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<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	1455595
<i>Reporting Officer/s &amp; Unit:</i>	Bryan Faulknor, Manager Property

### 11.1 Purpose of Report

To obtain Council's approval to initiate the process to change the purpose of part of the vested local purpose reserve at 274 Guppy Road, Taradale situated between the Expressway and Tareha Park. This process is required to provide an appropriate reserve purpose to accommodate a new drinking water bore field and associated equipment.

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#### At the meeting

The Officer spoke to the report and there was no discussion on this item.

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**COMMITTEE** Mayor Wise / Councillor Simpson

#### RESOLUTION

The Sustainable Napier Committee:

- a) Approves the initiation of the process, pursuant to Section 24A of the Reserves Act 1977, to change the purpose of part of an existing reserve as shown as area A in Scheme plan titled Guppy Road Reclassification Drawing No. TK 364-02. The reserve is situated at 274 Guppy Road with the legal description being Section 2 Survey Office Plan 457705 (held in record of title 646173).  
The change of purpose is from Local Purpose (sport and recreation buildings) reserve to Local Purpose (Water Supply) Reserve.
- b) Authorises the Chief Executive to publically notify the proposed change of purpose under Section 24A (2) of the Reserves Act 1977.
- c) Notes that the reasons for the change of purpose is to accommodate a new drinking water bore field, treatment plant and associated equipment and pipes. This is to ensure Council's priority for a clean, safe and sustainable drinking water supply for Napier.

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Carried

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*Meeting adjourned at 11.53am and resumed at 12.15pm*

# PUBLIC EXCLUDED ITEMS

Councillors Browne / Mawson

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

1. Land purchase

Carried

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. Land purchase	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.

*The meeting moved into Committee at 12.15pm*

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

Chairperson .....

Date of approval .....