



**NAPIER**  
CITY COUNCIL  
*Te Kaunihera o Ahuriri*

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# SUSTAINABLE NAPIER COMMITTEE

## Open Agenda

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Meeting Date: Thursday 16 June 2022

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Time: 9.30am

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

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Officers Responsible Director Infrastructure Services

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Administration Governance Team

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**Next Sustainable Napier Committee Meeting  
Thursday 28 July 2022**

# ORDER OF BUSINESS

## Karakia

## Apologies

Mayor Wise

## Conflicts of interest

## Public forum

Nil

## Announcements by the Mayor

### Announcements by the Chairperson 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

### Confirmation of minutes

That the Minutes of the Sustainable Napier Committee meeting held on Thursday, 5 May 2022 be taken as a true and accurate record of the meeting. ....31

### Agenda items

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| 1 | Kerbside Recycling - Increased level of service - Type 5 plastics ..... | 3  |
| 2 | Capital Programme Delivery .....  | 6  |
| 3 | Three Waters Operational Update .....                                   | 17 |
| 4 | Joint Solid Waste Bylaw Review Update .....                             | 20 |
| 5 | Initiation of Process To Change Reserve Purpose .....                   | 23 |
| 6 | Lease of Subsoil of Road .....  | 27 |

### Minor matters not on the agenda – discussion (if any)

Public excluded .....30

# AGENDA ITEMS

## 1. KERBSIDE RECYCLING - INCREASED LEVEL OF SERVICE - TYPE 5 PLASTICS

|  |   |
|--|---|
| <i>Type of Report:</i>                 | Procedural                                      |
| <i>Legal Reference:</i>                | Local Government Act 2002                       |
| <i>Document ID:</i>                    | 1467994   |
| <i>Reporting Officer/s &amp; Unit:</i> | Cameron Burton, Manager Environmental Solutions |

### 1.1 Purpose of Report

The purpose of this report is to outline an increase to the level of service to Napier's kerbside recycling service through the introduction of the acceptance of type 5 plastics for collection and recycling.

#### Officer's Recommendation

The Sustainable Napier Committee:

- a. Endorse an increase to the level of service to Napier's kerbside recycling service through the introduction of the acceptance of type 5 plastics for collection and recycling.
- b. Make a **Decision of Council** under delegated authority for the reason that this service is available to Napier with a short turnaround time, and a delay in approvals will result in type 5 plastics going to landfill until an endorsement is made.

### 1.2 Background Summary

In 2019 Napier City Council introduced a new kerbside recycling collection methodology whereby residents were provided with three 45L recycling crates in order to enable them to pre-sort their recycling before presenting it at the kerb. This new service accepted the following materials for collections:

- Paper and cardboard
- Glass
- Plastics 1 & 2

Plastic number 5 or PP plastic (polypropylene) is the second-most widely produced plastic and at the time this new contract was undergoing the tender process, there were insufficient markets for type 5 plastics within New Zealand. As a result, type 5 plastics were not considered as part of the contract as they would have contaminated an otherwise 'clean' yield which would have potentially ended up in the landfill.

### 1.3 Issues

In the past year, national markets for type 5 plastics have improved and our kerbside contractor has advised they are now able to accept this material at the kerb. In addition to this, on 1 March 2022 this year, Hastings District Council (who use the same kerbside

recycling contractor), started accepting type 5 plastic through their municipal kerbside recycling collection and given the close alignment between the two councils a similar arrangement in Napier is proposed.

#### **1.4 Significance and Engagement**

The Napier kerbside recycling service impacts the majority of our residential addresses every week of the year, so amendments to the service are widespread. It is hoped that following the endorsement of this paper that officers will be able to promote the collection of type 5 plastics and encourage additional recycling in the city.

Due to the level of submissions in relation to the Hastings District Council and Napier City Council Joint Waste Management and Minimisation Plan, which looks to reduce waste in Napier, adding an additional type of recyclable product to the current list, will be of interest to many.

#### **1.5 Implications**

##### **Financial**

Due to the success of the system we have implemented, participation rates from our residents have been higher than was expected and as a result, a contract variation has been submitted to Council by the contractor. This variation increased the payment to the contractor, and also increased the participation rate 'ceilings' for uptake of residents who use the service.

The inclusion of type 5 plastics for collection and recycling is unlikely to significantly impact participation rates (as participation in the service for the other types of recycling offered is already high). However doing so offers our customers an additional opportunity for them to reduce their waste going to landfill.

As there is now a market for the resale of type 5 plastics and this material has increased in value, our kerbside contractor will accept type 5 plastics at no additional cost to the contract.

##### **Social & Policy**

Kerbside solid waste, recycling and transfer station operations are services that the people of Napier are vocally passionate about, which is positive for engagement with the community. The inclusion of additional capabilities within these services impacts positively from an environmental, social, cultural and wellbeing perspective.

The Ministry for the Environment has recently begun consultation on wide ranging recycling reforms, including (amongst several others) standardisation of kerbside collections throughout NZ. Through this consultation it is extremely likely that by 2025 all councils in the country will be expected/required to collect type 1,2 & 5 plastics as a minimum.

Should the preferred option of increased service level be endorsed today, officers will further engage with the community to increase this positive change.

##### **Risk**

The risk of not providing the increased level of service is increased recyclable material being sent to landfill, and Napier would not keep up with the fast-paced change of waste reform currently underway.

#### **1.6 Options**

The options available to Council are as follows:



- a. Endorse an increase of the level of service to Napier's kerbside recycling service through the introduction of type 5 plastics for collection and recycling.
- b. Decline an increase of the level of service to Napier's kerbside recycling service, and retain the current collection of paper, cardboard, tins, cans, and glass bottles and jars, and type 1 and 2 plastics.

### **1.7 Development of Preferred Option**

In developing the preferred options, officers have concluded that there are very few reasons not to provide the increased level of service, and believe this is the best option for our residents at this time.

Accordingly it is recommended that The Sustainable Napier Committee:

- a. Endorse an increase of the level of service to Napier's kerbside recycling service through the introduction of type 5 plastics for collection and recycling.

### **1.8 Attachments**

Nil

## 2. CAPITAL PROGRAMME DELIVERY

|  |   |
|--|---|
| <i>Type of Report:</i>                 | Information                                       |
| <i>Legal Reference:</i>                | N/A   |
| <i>Document ID:</i>                    | 1467632   |
| <i>Reporting Officer/s &amp; Unit:</i> | Jamie Goodsir, Acting 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.

#### Officer's Recommendation

The Sustainable Napier Committee:

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

### 1.2 Background Summary

#### Situational update

Covid-19 continues to impact on the planned timeframes associated with the delivery of Napier's capital programme, both in terms of project planning and construction. This is resulting in the completion dates for some phases of work on some projects being pushed out.

Council has however introduced a number of new initiatives aimed at increasing our capital programme spend. Several of these initiatives are underway now and are detailed further in this report.

#### Capital Programme Summary

Currently, the Programme Delivery team have over 50 projects in progress, to the value of \$60M some of which is spread over several financial years.

Other asset teams are underway on the early planning phases of other projects, which this report proposes to document in the future.

#### Projects Going to Tender

The following notable projects are currently progressing through the tender phase:

- Onslow Steps Renewal
- Building Warrant of Fitness Services
- Taradale Library Air-conditioning Upgrade
- Cab Chassis for Compactor Truck (Depot)

#### Tenders in Evaluation Stage

- Supply And Maintenance of Public Space Closed Circuit Television Cameras (City Strategy)
- War Memorial Roll of Honour Plaque Restoration

- Civil Building Demolition
- Internal Audit Services for Hawkes Bay 5 Councils (Corporate Services)

### **Contracts Awarded**

The following notable projects have successfully completed the procurement process in this reporting period:

- Western Hill Cemetery Extension – Stage 2
- Pandora Industrial Pipeline Remediation
- Pandora Industrial Pipeline Flow Meters

### **Projects nearing / at completion**

The following projects are nearing the completion of their construction phase:

- FW2 Fire flows network upgrades
- The Centennial Hall Flood Damage Repairs
- Parklands Area 3, Stages 8, 9 and 10 subdivision
- Kenny Rd / Eriksen Road Intersection Upgrade
- Ellison St to Marine Parade Walking and Cycling Improvements (MBIE Shovel Ready Project)

The attached report (Appendix 1) indicates the progress of notable projects currently underway.

### **Future Reports**

Officers intend reporting on projects underway across other Directorates going forward. Prior reporting has been based on what projects had landed in the Programme Delivery Team, but this information doesn't capture projects being progressed through the early phases of project delivery in other teams, 3 Waters, Building Asset Management and Transportation for example. Similarly Community Services and City Strategy are progressing projects associated with the capital programme. By reporting on work underway in other teams as well, Council will have better visibility on our capital programme delivery progress.

### **Processes Undergoing Review**

In order to improve programme delivery performance, a number of initiatives and reviews are in progress, or already implemented. The objective of these reviews is to ensure Council's programme delivery processes are fit for purpose and consistent.

A selection of these work packages are summarised below:

#### Council's Project Management Framework (PMF) review

Council is undertaking a review of the following PMF stages to ensure best practice:

- Project Classification
- Project Lifecycle
- Roles and Responsibilities
- Project Governance
- Project Reporting

The outcome of this review is the likely modifications to the Project Management Framework in Sytle and the development and delivery of training material for project related staff across Council.

#### Project Financial Reporting

Council Officers will reassess what level and detail of financial information is required to enable project teams to accurately track spend on projects. The review team will then look to see if the revised information needs can be satisfactorily met by existing systems, or whether different tools are required.

This review will be informed by other planned packages of work relating to the Project Management Framework.

#### Programme and Project Reporting

Sycle has a reporting module that enables users to develop their own reports tailored to their own and stakeholder's needs. Council Officers will be reviewing this module with the intention of developing new reports to meet Council reporting requirements.

#### NCC Project Management Manual

Together with the above packages of work, Council's existing project related manuals, documentation and templates are being reviewed. This documentation will be complemented with training material that can be rolled out to Council Officers and PM Panel members involved in the development and delivery of Council's projects.

As part of this initiative, work has been completed on the development of project scoping templates so that better direction can be provided to Activity and Asset Managers as they work up project scopes for the Programme Delivery team. These templates will be included in the Framework Review, manual and training materials.

#### Procurement Opportunities

Council Officers are already looking at next year's capital programme of works and what that entails. These initial discussions include consideration of what if any bundling opportunities of projects exist, both in terms of engagement with Panels of service providers and the bundling of projects for the procurement of physical works.

#### Project Management Training

Introductory training on Project Management fundamentals is underway. This '101' style Project Management training is intended for staff new to project work. The training will cover Project Management Principles of cost management, time management, risk management and reporting.

#### Delivery Capacity Constraint improvement initiatives

The Three Waters Technical Panel of consultants and the Project Management Panel of consultants already in place and are significantly augmenting internal resource capacity to enable more effort to be directed at the scoping of projects, and ultimately project delivery.

Both panels have numerous projects already assigned, with further projects planned for allocation over the coming months.

The City Services team are also gearing up to assist with capital programme works when they have capacity. They are currently undertaking a small stormwater project in Cameron Terrace.

There is a clear indication of an increased level of collaboration occurring across the business to improve programme delivery.

### 1.3 Issues

#### Industry Capacity

Many projects, both Council and privately delivered, are experiencing delays relating to resourcing and materials constraints as a result of Covid-19. Our panels will similarly come under pressure due to increased demands, so Council will shortly undertake a renewed round of Project Manager recruitment, but this will be challenging. A search on Seek indicates 9,127 Project Manager roles advertised New Zealand wide, with 225 of these, vacancies to be filled in Hawkes Bay, so our recruitment and marketing will need to be on point to maintain momentum.

### 1.4 Significance and Engagement

This report is for information purposes only.

### 1.5 Implications

#### Financial

The financial performance of individual projects does not form part of this report.

#### Social & Policy

The Centennial Hall flooring replacement and lighting upgrade project is nearing completion. Sports were able to be played in the hall from Monday 23<sup>rd</sup> May 2022. The completion of remaining works with the exception of the kitchen and dining areas are programmed for 13<sup>th</sup> June 2022. There is more work to do in the mezzanine spectator area, and assessments as to what that entails are underway.

#### Risk

Significant project risks are reported to Council separately via the Audit and Risk Committee. As previously reported, capacity constraints across Asset and Activity Management sectors of Council present a risk to programme delivery.

This risk was recognised at the commencement of the current financial year and actions have been taken to alleviate these constraints.

### 1.6 Options

This report is for information purposes only.

### 1.7 Development of Preferred Option

This report is for information purposes only.

### 2.8 Attachments

- 1 Capital Programme Report June 2022 [↓](#)



| PROJECT NAME   | ASSET DISCIPLINE                 | PROJECT UPDATE   | % OF PROJECT | FINANCIALS | SCHEDULE | REASON FOR RED OR AMBER STATUS   | COMPLETION DATE |
|--|----------------------------------|--|--------------|------------|----------|--|-----------------|
| Airport Sewer Pump Station Renewal                         | Waste Water                      | Project in construction.   | 89%          |            |          |  | Aug-22          |
| Ahuriri Regional Park Master Plan                          | Infrastructure                   | Ahuriri Regional Park report going to the Future Napier Committee Council meeting on 16 June.  | 5%           |            |          |  | TBC             |
| Anderson Park - Stage 2 Playground Development             | Parks Reserves and Sportsgrounds | Project to Project Management Panel.   |              |            |          |  | TBC             |
| Aquarium Reef Tank Diver Access Investigation              | National Aquarium                | The project has been delayed by two months due to Covid related resource constraints faced by the fabricator.  | 57%          |            |          |  | Oct-22          |
| Aquarium Sea Water Supply Pump                             | National Aquarium                | Construction to be undertaken by Depot. Resource Consent progressing.  | 88%          |            |          |  | TBC             |
| Bay Skate - Rink Boards                                    | Sports & Recreation              | Designs confirmed and under final review. Different contractors engaged for quotes. Potential increase in budget.  | 43%          |            |          |  | TBC             |
| Cameron Tce Stormwater Improvements                        | Stormwater                       | Project underway.  | 88%          |            |          |  | Aug-22          |
| Centennial Hall (RGCEC Floor and Lighting Replacement)     | Building Asset Management        | Floor and lighting works now complete. The venue is partially open and in use. Remaining works in progress for a complete opening by 13th June.                                      | 59%          |            |          |  | Jun-22          |
| Civic Building Demolition                                  | Community Services               | Demolition Contract currently out for tender   |              |            |          |  | TBC             |
| Clyde Road Retaining Wall                                  | Transportation                   | With Project Management Panel for delivery.  | 58%          |            |          |  | Dec-22          |
| Dolbel to Otatara (Maggie's Way)                           | Parks Reserves and Sportsgrounds | Project in construction.   | 68%          |            |          |  | Aug-22          |
| Doris Memorial   | Business & Tourism               | <b>On hold</b> due to budget issues - sponsor to require funds of \$178k   |              |            |          |  | Jan-23          |
| Douglas McLean Avenue new footpath                         | Transportation                   | Procurement has been amended to include the additional 3waters work. Designer working on final amendments. Tender docs have been drafted and are under review.                       | 66%          |            |          |  | TBC             |
| Ellison St to Marine Parade Walking & Cycling Improvements | Transportation                   | MBIE Shovel Ready Project. Project completion in August 2022. Covid / resourcing is impacting the contractor causing completion delays.  | 62%          |            |          | The contractor is making better progress but a late July 2022 finish is predicted.   | Aug-22          |
| Eriksen / Kenny Rd Intersection Upgrade                    | Transportation                   | Construction 80% complete. Completion programmed for August 2022.  | 63%          |            |          |  | Aug-22          |
| Essex Street Reserve Playground Renewal                    | Parks Reserves and Sportsgrounds | Civil work started on 02/05/2022. We are expecting delays in the installation of playground equipment due to supply chain issues. Installation expected to be done in August 2022.   | 73%          |            |          | Installation of equipment will be delayed by 2 months due to supply chain issues.  | Jul-22          |
| FW2 Fire Flow Network Upgrades                             | Water Supply                     | Construction nearing completion.   | 68%          |            |          | Delays due to contract & COP clash   | Jul-22          |
| Gloucester St / Springfield Rd Intersection Upgrade        | Transportation                   | In design phase.   |              |            |          |  | TBC             |
| Hadfield Terrace Retaining Wall                            | Transportation                   | With Project Management Panel for delivery.  | 56%          |            |          |  | Dec-22          |
| HBRU Game Field  | Sportsgrounds                    | Lights livened and in use. Consultant closing out commissioning .  | 69%          |            |          |  | Jul-22          |
| Latham Street Rising Main Valve Renewal                    | Waste Water                      | Project design currently at 100% stage ready for Engineering Approval grant. 3 PE pipes have been ordered and waiting for couplers to arrive at December 2021 to begin construction. | 53%          |            |          | At this stage budget is unclear as still waiting for prices for Gibaults. Depot to provide budgets for there works and materials in stock. | Jun-22          |
| Marewa Shops Improvements                                  | Transportation                   | Project being rescope. Awaiting further instructions from project sponsor.   | 55%          |            |          | Project to be re-scoped. New budget.   | TBC             |





| PROJECT NAME                              | ASSET DISCIPLINE                 | PROJECT UPDATE   | % OF PROJECT | FINANCIALS | SCHEDULE | REASON FOR RED OR AMBER STATUS  | COMPLETION DATE |
|---|----------------------------------|--|--------------|------------|----------|---|-----------------|
| Marine Parade War Memorial                | Business & Tourism               | Trial plaque restoration underway. Building Consent and Resource Consent applications in progress. Floral Clock relocation underway. Physical works to be completed by March 2023.                                     | 59%          |            |          | Further funding of additional \$500 is now available for the project. The costs for the plaque work, restoration, names reviews and IT input are still to be worked out. A reasonably accurate cost estimate expected by end of April 22. Schedule impacted by Covid enforced delays. | Mar-23          |
| McLean Park Digital Screen                | Business & Tourism               | Awaiting submission of structural engineer's report. Manufacture of screen remains on track for completion and despatch from factory by 30 June.   |              |            |          | Covid enforced delays in the project  | Sep-22          |
| Napier Aquatic Centre Expansion           | Sports & Recreation              | Now that the site investigations are complete, Council considered a report that outlines the costs, risks and timeframes of constructing a new aquatic facility. Council is now considering the consultation approach. |              |            |          |   | TBC             |
| NMT Auditorium Ceiling Space Access       | Business & Tourism               | Project underway and outsourced to PM Panel member.  |              |            |          |   | TBC             |
| Ocean Spa - Changing Rooms Renewal        | Sports & Recreation              | Awaiting detailed layout design from the designer.   | 53%          |            |          |   | TBC             |
| Ocean Spa Upgrades (Sauna and Steam Room) | Parade Pools                     | The contractor has purchased all specialist materials. Materials are on their way to NZ from Finland. ETA to Napier late June 2022.  | 85%          |            |          |   | TBC             |
| Parklands Area 3 Stage 11                 | Parklands                        | Currently in design phase  | 13%          |            |          |   | TBC             |
| Parklands Area 3 Stages 8, 9, 10          | Parklands                        | The Contract is 65% complete. Stage 8 (Separable Portion A) is 95% complete and due for completion in August. The balance Stages 9 and 10 will similarly be completed in August.                                       | 89%          |            |          |   | Aug-22          |
| Parklands Area 4                          | Parklands                        | Currently in design phase  | 16%          |            |          |   | TBC             |
| Poraiti Road Corridor Improvements        | Transportation                   | Project deferred at sponsors request.  | 29%          |            |          |   | TBC             |
| Puketitiri Road Safety Improvements       | Transportation                   | Preliminary geotech nearing completion. Design underway. The lwi liaison has been completed. Planning Consultant engaged to prepare an assessment of environmental effects.  | 67%          |            |          |   | TBC             |
| Reservoir Inlets and Outlets Improvements | Water Supply                     | Project on hold and being rescoped to align with budget.   | 56%          |            |          | Project on hold and being rescoped.   | TBC             |
| Spencer Road Retaining Wall               | Transportation                   | With Project Management Panel for delivery.  | 68%          |            |          |   | Dec-22          |
| Steps and Ramps 2020/21 (Onslow Steps)    | Transportation                   | Tender published in GETS. Awaiting update on steps manufacture from Wagners. Building consent awaiting additional information from Wagners before approval. Property purchase awaiting residents' approval.            | 69%          |            |          |   | Jun-22          |
| Swan Memorial Lamp Repair                 | Parks Reserves and Sportsgrounds | Project progressing.   | 82%          |            |          | Project had been delayed now nearing completion.  | Aug-22          |



| PROJECT NAME  | ASSET DISCIPLINE                 | PROJECT UPDATE   | % OF PROJECT | FINANCIALS | SCHEDULE | REASON FOR RED OR AMBER STATUS                      | COMPLETION DATE |
|---|----------------------------------|--|--------------|------------|----------|---|-----------------|
| Tamatea & Parklands DMA                             | Water Strategy                   | Works underway.  | 68%          |            |          |   | TBC             |
| Taradale Library Air Conditioning Upgrade           | Libraries                        | Currently in tender phase.   | 64%          |            |          | Delays through tender process.                      | Nov-22          |
| Thompson Road Slip Remediation                      | Transportation                   | With Project Management Panel for delivery.  | 57%          |            |          |   | Dec-22          |
| Veronica Sunbay Remedial Project                    | BAM                              | Project underway and outsourced to PM Panel member.  |              |            |          |   | TBC             |
| Western Hill Extension - Stage 2                    | Parks Reserves and Sportsgrounds | Contract awarded.  |              |            |          |   | Oct-22          |
| Westshore Playground Redevelopment                  | Parks Reserves and Sportsgrounds | Project to Project Management Panel.   |              |            |          |   | TBC             |
| Westshore to Ahuriri Walking & Cycling Connectivity | Transportation                   | The designer has been received Sponsor's comments from the safety audit to implement into the design. Design to have a walkover with PM and other stakeholders to discuss the bakery car park next week. | 61%          |            |          | Design delays                                       | TBC             |
| Whakarire Ave Coastal                               | Reserves                         | HBRC consent extension approved. BECA investigating quarry / materials options. Current plan is to re-tender mid 2022 for March 2023 start.  | 63%          |            |          | BECA to review documents to hopefully reduce costs. | Dec-23          |



### 3. THREE WATERS OPERATIONAL UPDATE

|                             |   |
|-----------------------------|---|
| Type of Report:             | Operational   |
| Legal Reference:            | N/A   |
| Document ID:                | 1468002   |
| Reporting Officer/s & Unit: | Russell Bond, Manager Water Strategy<br>Philip Kelsen, Team Leader 3 Waters Operations Planning |

#### 3.1 Purpose of Report

Regular reports are provided in relation to Three Waters capital works, including Reform programme of works. Given the priority Council has placed on Three Waters it is considered appropriate to provide a brief update on Three Waters operations planning activities, key findings and status of remedial actions for information.

#### Officer's Recommendation

The Sustainable Napier Committee:

- a. Receive the Three Waters Operational Update report

#### 3.2 Background Summary

Following is a brief summary of key operational projects being undertaken by the Three Waters operational team.

| Item or Issue   | Current Status  |
|---|---|
| <b><u>Drinking Water Leak Detection Programme of Works</u></b> <ol style="list-style-type: none"> <li>135 leaks found over 2 weeks of investigation between CBD/Napier South, Marewa, Maraenui and Te Awa.</li> <li>Estimated 13 L/s loss. 99% is soaking straight into ground and not visible. Major leak repairs have reduced this total by about 50%.</li> <li>It should be noted that 1200 toby's are either buried/unable to be located/inside property. Tobies should be outside of property boundaries to enable appropriate.</li> </ol> | <ol style="list-style-type: none"> <li>2. and 3. - Leak repairs are being prioritised based on flow and location.</li> </ol>            |
| <b><u>Collapsed Waste Water pipes</u></b> <p>There are three significant collapsed waste water pipes. Officers are currently investigating options to replace or slip line.</p> <ol style="list-style-type: none"> <li>354 Kennedy Road identified September 21.</li> </ol>   | <ol style="list-style-type: none"> <li>Repair complete</li> <li>2. and 3. Investigating options for relining or replacement.</li> </ol> |

|   |   |
|---|---|
| <ol style="list-style-type: none"> <li>Hyderabad Road identified October 21.</li> <li>106a Latham Street identified March 22.</li> </ol>  |   |
| <p><b><u>Storm Water and Waste Water CCTV</u></b></p> <ol style="list-style-type: none"> <li>Clarence Cox Crescent CCTV Identified storm water pipe full of debris/gravels.</li> <li>Austin Street/Lipton Street CCTV identified a storm water pipe 50% blocked with concrete grout causing localised commercial flooding.</li> <li>CCTV identified a tree growing in wastewater manhole, holding back flow that could have overflowed into Taradale High School and Intermediate.</li> </ol>   | <ol style="list-style-type: none"> <li>Pipe cleaned.</li> <li>Pipe cleaned, investigating source of grout</li> <li>Tree removed, further CCTV planned for remaining pipe.</li> </ol>  |
| <p><b><u>Enfield Reservoir Assessment</u></b></p> <p>Supplies drinking water around the Hospital Hill and suburbs below.</p> <ol style="list-style-type: none"> <li>The reservoir is old and in poor condition.</li> <li>Recent independent inspection recommended reducing water in reservoir by a 1/3 immediately to lessen risk of collapse in a severe earthquake and look to decommission as soon as possible. Reducing the water levels will begin the week of 30 June 2022.</li> </ol>   | <ol style="list-style-type: none"> <li>Detailed structural review being scoped.</li> <li>Reservoir level has been lowered to reduce risk. Investigation underway to ascertain geotechnical information.</li> </ol>  |
| <p><b><u>SCADA</u></b></p> <p><b>SCADA Servers</b></p> <ol style="list-style-type: none"> <li>Working with the Council's IT department new servers have been installed and commissioned. These are located in the Civic Library building and the Waste Water Treatment Plant (WWTP).</li> </ol> <p><b>Site access improvements</b></p> <ol style="list-style-type: none"> <li>The teams of Capeview and Depot have started the roll out of Bluetooth enabled locks. These new locks remove the need for a physical key and use staff phones to allow access. Council Officers are able to monitor <i>real time</i> when locks are activated or tampered with.</li> </ol> <p>The initial trial is on reservoir hatches and when successful it will roll out to all three waters.</p> <p><b>SCADA digital upgrade</b></p> <ol style="list-style-type: none"> <li>Officers have installed the new Ultra High Frequency (UHF) digital base stations at the Civic Library's Crow's Nest and the historic Thompson</li> </ol> | <ol style="list-style-type: none"> <li>Server changeover complete</li> </ol><br><ol style="list-style-type: none"> <li>Bluetooth locks are now in place on reservoir hatches.</li> </ol><br><ol style="list-style-type: none"> <li>Upgrades continue</li> </ol> |

|   |   |
|---|---|
| Water Tower. These two sites give superb coverage over Napier to our remote stations. Officers have currently upgraded 20% of sites.  |   |
| <b><u>Storm Water Quality Improvements - Witches Hats</u></b><br><br>1 Filters (witches hats) placed into roading sumps to collect solids washed from roadways during rainfall.<br><br>2 Trial 1 completed. Trial 2 underway and Officers have 19 hats out in the fields collecting more samples.                           | 1, and 2 - Approximately 51kg of sediment was captured and diverted from the receiving waterway.                    |
| <b><u>WWTP – Waste Water Treatment plant</u></b><br><br>1. Outfall pump maintenance programmed to begin with first pump programmed for July 22.<br><br>2. New leaks have been identified from the wastewater outfall pipe and investigations into the cause are planned as soon as the specialist divers can get to Napier. | 1. Planning continues<br><br>2. Divers are planning to be here week of the 15 <sup>th</sup> June weather dependent. |

### 3.3 Issues

The issues related to each item are noted above.

### 3.4 Significance and Engagement

Not applicable, this report is for information only.

### Risk

There are a number of risks which are being mitigated as Officers undertake this operational programme of works. The investigations and preventative maintenance are undertaken to reduce risk and highlight areas in which we need to focus.

### 3.5 Options

- a. Receive the Three Waters Operational Update report, or
- b. Not receive the Three Waters Operational Update report.

### 3.6 Attachments

Nil

## 4. JOINT SOLID WASTE BYLAW REVIEW UPDATE

|                             |   |
|-----------------------------|---|
| Type of Report:             | Operational                                     |
| Legal Reference:            | Local Government Act 2002                       |
| Document ID:                | 1468418   |
| Reporting Officer/s & Unit: | Cameron Burton, Manager Environmental Solutions |

### 4.1 Purpose of Report

The purpose of this report is to update the Sustainable Napier Committee on the Joint (Hastings District and Napier City Councils) Solid Waste Bylaw Review

#### Officer's Recommendation

The Sustainable Napier Committee:

- a. Receive the report entitled Joint Solid Waste Bylaw Review Update
- b. Endorse the approach outlined in Option 1 (below); slow down the pace of the Solid Waste Bylaw review in order for alignment of that Bylaw with national policy, strategy and legislation changes which are currently underway

### 4.2 Background Summary

The Joint Waste Management and Minimisation Plan (WMMP) 2018-2024 identified Council planning controls (including the Solid Waste Bylaw) as a specific action to be reviewed and align with the Joint WMMP.

The impacts caused to the city and to the environment from residual waste remains a significant issue and in the context of the Bylaw includes issues related to household waste, the Transfer Station facility, hazardous waste, litter and illegal dumping.

### 4.3 Issues

This bylaw review is being undertaken jointly by both Hastings District Council and Napier City Council Officers. This is due to a number of factors including the Joint WMMP, joint ownership of Ōmarunui Landfill and being collaborative neighbouring authorities. Given these factors, it is considered prudent to undertake the bylaw review together.

The agreed approach in 2021 was for Officers from both Councils to engage a suitably qualified provider to assist officers with undertaking the reviews.

A meeting was held on 14 February 2022 with the Pou Ahurea and Te Waka Rangapū teams from both Councils to discuss options for engagement with our Māori communities. One of the recommendations from this meeting was to involve Te Waka Rangapū in the procurement process.

Following the presentation of the original reports to both Councils' committees seeking approval to commence the review of the Solid Waste Bylaws there has been a number of changes to external factors that need to be considered which also includes national policy and legislation changes relating to the waste sector.



The new National Waste Strategy is due to be released in August or September 2022. The new strategy is anticipated to set an innovative bold direction for everyone in New Zealand to transform the way we think about and manage waste.

The Ministry for the Environment are developing the detail of the waste legislation based on the consultation undertaken in late 2021, which is still ongoing. A bill is expected to be developed and introduced to Parliament later in 2022. The new legislation is expected to go through the House during 2023.

#### **4.4 Significance and Engagement**

Solid waste services relate to almost every address in Napier, so ensuring the correct decisions are made in this regard can be significant. The number of submissions received for Joint Waste Management and Minimisation Plan (WMMP) 2018-2024 shows the level of engagement within our community.

#### **4.5 Implications**

##### **Financial**

Nil assessed

##### **Social & Policy**

It is important to align the Solid Waste Bylaw with national policy, strategy and legislation changes which are currently underway, and to enable robust engagement with our community and Māori partners.

##### **Risk**

N/A

#### **4.6 Options**

The options available to Council are as follows:

Option 1: Continue with the approach outlined in option one (see below under Development of Preferred Option); slow down the pace of the review in order for the review to align with external influences.

Option Two – Status Quo: Continue the current approach to complete the review of the Solid Waste Bylaws in the 2022 calendar year.

- Work was temporarily paused due to other priorities from the Covid-19 outbreak affecting service levels and the government current consultation on Transforming Recycling. This means that the crucial pre-agenda with Māori partners has not occurred and it is unlikely that the review would be completed by the end of 2022.

#### **4.7 Development of Preferred Option**

Option 1: Continue with the approach outlined in option one; slow down the pace of the review in order for the review to align with external influences.

Continue with the approach outlined in option one; slow down the pace of the review in Option one – Preferred Option: Reduce the pace of the review in order to align with the developments of external influences and deepen relationships with Māori partners, to ensure this 10-year bylaw is as accurate, aligned and as relevant as it can be.

*i. Advantages:*

The Government is proposing new and more comprehensive legislation on waste to replace the Waste Minimisation Act 2008 and the Litter Act 1979. Waiting for this legislation to be enacted would mean that our bylaws would have better alignment and not require a second review (including the significant public consultation work required) within a short time frame.

Feedback from our Pou Ahurea and Te Waka Rangapū teams is that many organisations are under severe pressure to respond to consultation from local and central government. We need to use a critical and strategic approach around engagement to avoid kaupapa fatigue. The Joint WMMP consultation needs to be woven into this consideration also.

The introduction of new Maori Wards for both Councils and the Para Kore Kaiārahi ki Kahungunu role will be incorporated into our engagement approaches to create strong relationships with iwi prior to commencing the review.

*ii. Disadvantages*

Napier City Council's bylaw has lapsed and therefore now has no Solid Waste Bylaw in place. Napier City Council's compliance issues generally occur from illegal dumping and these are adequately dealt with under the Litter Act 1979. Issues arising from kerbside collections are provided for by our Council approved Terms of Service for Kerbside Refuse and Recycling Collections.

The benefits of a robust approach to the preparation of a new bylaw far outweigh the likely results of a rushed bylaw that is likely to be outdated well before its review is due.

The disadvantages for Hastings District Council is that not all waste issues are covered under the current Bylaw such as waste management at events and multi-unit dwellings, use/access to waste facilities, privately provided waste services and the disposal of hazardous waste.

In addition, some waste issues that are already covered by the Bylaw, such as misuse of kerbside collection services, need to be reviewed to ensure alignment with the new Council kerbside collection contracts.

The Solid Waste Bylaw could be seen as having limited effectiveness (within the constraints of the resources available and current legislation) and need to be improved.

The Bylaw currently provides a framework detailing residents' obligations for the Council's previous kerbside refuse and recycling collection services.

#### **4.8 Attachments**

Nil

## 5. INITIATION OF PROCESS TO CHANGE RESERVE PURPOSE

|  |                                  |
|--|----------------------------------|
| <i>Type of Report:</i>                 | Legal and Operational            |
| <i>Legal Reference:</i>                | Reserves Act 1977                |
| <i>Document ID:</i>                    | 1468780                          |
| <i>Reporting Officer/s &amp; Unit:</i> | Bryan Faulknor, Manager Property |

### 5.1 Purpose of Report

To obtain Council's approval to initiate the process to change the purpose of part of the vested local purpose recreation reserve on Marine Parade. This process is required to provide an appropriate reserve purpose to accommodate the restoration of the War Memorial attached to the Napier War Memorial Centre on Marine Parade.

#### Officer's Recommendation

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 Marine Parade reserve as shown as area B and described as Pt Sec 3 SO396199 in the attached Scheme Plan.

The change of purpose is from Local Purpose Passive Recreation Reserve to Local Purpose Community Building 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 reason for the change of purpose is to accommodate the restoration of the War Memorial attached to the Napier War Memorial Centre on Marine Parade.
- d. Make a **Decision of Council** under delegated authority for the reason that public notification of the proposed change of purpose is required urgently to enable the process to commence.

### 5.2 Background Summary

As has been widely publicised, Council has commenced a project to restore the Napier War Memorial. An important part of this project includes the reinstallation of the Floral Clock, reinstatement of the Roll of Honour and Perpetual Flame.

### 5.3 Issues

The plans have shown that the War Memorial will be required to be constructed over two reserve titles with different purposes under the Reserves Act. The land currently occupied by the Napier War Memorial Centre is Local Purpose Community Buildings Reserve whereas the land to the south is Local Purpose Passive Recreation Reserve.

Both titles are held by Napier City Council.

To rectify this situation a subdivision will be required. The attached Scheme Plan shows as area B the area required to be sub-divided and amalgamated into area A and have its purpose changed to Local Purpose Community Building Reserve.

#### **5.4 Significance and Engagement**

Section 24A requires that before the purpose of a Reserve is changed the Council must:

- i. Publically notify the proposed change of purpose, providing reasons;
- ii. Allow every affected person the right to object within 1 month after the date of the first publication. Objections must be made in writing to the Chief Executive; and
- iii. Consider those objections as soon as possible.

If the Council decides to finalise the change of purpose, it does so by notice in the Gazette.

#### **5.5 Implications**

##### **Financial**

The costs relating to the change of purpose will be funded from the War Memorial budget.

##### **Social & Policy**

The restoration of the War Memorial has significant public support.

##### **Risk**

The risk that a change of purpose will not be approved is minimal. Should the process not be completed prior to building consent application then a Section 75 Certificate pursuant to the Building Act 2004 could be issued. This applies where a building is constructed on two or more allotments and specifies that those allotments must not be transferred except in conjunction with each other.

#### **5.6 Options**

The options available to Council are as follows:

- a. Agree to initiate the process to change the reserve purpose; or
- b. Decline to approve the initiation of the process.

#### **5.7 Development of Preferred Option**

The actions required are important to ensure appropriate reserve classification for the occupation of the War Memorial on reserve land.

Option a. above is therefore the preferred option.

#### **5.8 Attachments**

- 1 Scheme Plan [↓](#)





NOTE: All areas and dimensions are subject to survey.

| SCHEDULE OF AREAS |                    |           |   |
|-------------------|--------------------|-----------|---|
| SHOWN             | DESCRIPTION        | AREA      | ACTION  |
| Ⓐ                 | Sec 2 SO 396199    | 1.6877 ha | To be retained as Local Purpose Community Buildings Reserve   |
| Ⓑ                 | Pt Sec 3 SO 396199 | 0.1310 ha | To be amalgamated into Area A & have reserve purpose changed to Local Purpose Community Buildings Reserve |
| Ⓒ                 | Pt Sec 3 SO 396199 | 2.2668 ha | To be retained as Local Purpose Passive Recreation Reserve  |

|              |            |
|--------------|------------|
| PREPARED BY  | PP         |
| CREATED DATE | 04/12/2021 |
| AMENDED DATE | 30/05/2022 |
| REVISION     | A          |

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NAPIER CITY COUNCIL • INFRASTRUCTURE DIRECTORATE

SCHEME PLAN OF PROPOSED SUBDIVISION OF SECTIONS 2 & 3 SO 396199 and Change of Purpose of Vested Reserve



ORIGINAL SCALES  
1: 1250  
@ A3  
DATUM - NZGD 2000  
Hawke's Bay Circuit 2000  
Rt. in terms of Hawke's Bay Datum 1972  
and NCC 2014 BM Network (MSL + 10m)





## 6. LEASE OF SUBSOIL OF ROAD

|  |   |
|--|---|
| <i>Type of Report:</i>                 | Legal and Operational   |
| <i>Legal Reference:</i>                | Local Government Act 2002   |
| <i>Document ID:</i>                    | 1466626   |
| <i>Reporting Officer/s &amp; Unit:</i> | Bryan Faulknor, Manager Property<br>Jenny Martin, Property and Facilities Officer |

### 6.1 Purpose of Report

To obtain Council approval to an initial Agreement to Grant a lease of Subsoil of the Road and the actual formal Lease of Subsoil of Road to Pernot Ricard Winemakers Pty Limited trading as Church Road Winery.

#### Officer's Recommendation

The Sustainable Napier Committee:

- a. Approve for the installation, operation and maintenance of two pipelines in part of the sub soil beneath Tironui Road, Taradale to Pernot Ricard Winemakers Pty Limited trading as Church Road Winery the following:
  - i. An Agreement to Grant a Lease of Subsoil of Road; and
  - ii. A Lease of Subsoil of Road pursuant to Section 341 of the Local Government Act 1974.

### 6.2 Background Summary

Church Road Winery currently have a conditional tradewaste discharge consent which contains limits that they must meet by treating their trade waste. To treat the trade waste to comply with the consent, they need to separate trade waste from the domestic flow on their site and treat the trade waste at an on-site treatment plant. They are proposing to build the treatment plant on the other side of Tironui Drive on land they also own. To get the waste from the winery to the treatment plant they need to install pipes underneath the road. There is no space for the treatment plant in the existing winery processing area and it is a priority for them to keep any waste water away from the customers.

The pipe installation and treatment plant will allow the winery to achieve compliance with their trade waste consent and result in less loading of contaminants on Council's wastewater system with better environmental outcomes.

Winery staff are discussing Council's requirements for the pipe installation with our Three Waters Team and Engineers. The terms and conditions of the Agreement and lease of subsoil are also under discussion. While these discussions are continuing the proposal has the full support of Council's Environmental Solutions team. Council's Transportation team have been consulted and support the proposal.

The proposed draft lease is solely for the installation, maintenance and operation of the pipelines under the legal road. Due to the proposed lease being contingent on various consents,

an Agreement to Grant a Lease will first be entered into with the draft lease attached. The final formal lease will be signed once all conditions have been met.

Council's suggested pipeline road crossing is shown with a pink star on the attached aerial plan.

### **6.3 Issues**

There are no issues.

### **6.4 Significance and Engagement**

Not applicable.

### **6.5 Implications**

#### **Financial**

There are no financial costs to Council. The winery are paying for the installation of the pipelines, and will be responsible for on-going maintenance and maintenance costs of them. They are also paying all associated legal fees relating to the Agreement and Lease. The proposed lease provides for an annual rental of \$200.00 plus GST.

#### **Social & Policy**

Not applicable

#### **Risk**

There is no risk to Council

### **6.6 Options**

The options available to Council are as follows:

- a. To approve, for the installation, operation and maintenance of trade waste pipes to Pernot Ricard Winemakers Pty Limited trading as Church Road Winery the following in part of the subsoil beneath Tironui Road:
  - i. An Agreement to Grant a Lease of Subsoil and the Lease of Subsoil of Road; and
  - ii. A Lease of subsoil of Road
- b. To decline to enter into an Agreement to Grant a Lease of subsoil and the Lease of Subsoil of Road.

### **6.7 Development of Preferred Option**

Option (a) is the preferred option to give both Council and Pernot Ricard Winemakers Pty Limited trading as Church Road Winery certainty of their obligations.

### **6.8 Attachments**

- 1 Proposed pipeline road crossing [↓](#)





Scale: 1:879  
Original Sheet Size A4  
Print Date: 30/05/2022

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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## A. PUBLIC EXCLUDED ITEMS

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

### AGENDA ITEMS

1. Land Acquisition

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 Acquisition                              | 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:<br>(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. |

# 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)

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## 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

|  |  |
|--|--|
| <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

#### 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.

**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.

Carried

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

|                             |  |
|-----------------------------|--|
| Type of Report:             | Procedural   |
| Legal Reference:            | Reserves Act 1977  |
| Document ID:                | 1455857  |
| Reporting Officer/s & Unit: | 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.

#### 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.

#### COMMITTEE Councillors McGrath / Mawson RESOLUTION

The Sustainable Napier Committee:

- 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.
- 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.

Carried

### 3. PROPOSED MACRAE FIELD TOILET

|  |  |
|--|--|
| <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).

##### 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.

#### COMMITTEE Councillors Taylor / McGrath RESOLUTION

The Sustainable Napier Committee:

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

Carried



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

|  |                                 |
|--|---------------------------------|
| <i>Type of Report:</i>                 | Operational                     |
| <i>Legal Reference:</i>                | N/A                             |
| <i>Document ID:</i>                    | 1455019                         |
| <i>Reporting Officer/s &amp; Unit:</i> | 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

##### At the meeting

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

##### COMMITTEE Councillors Simpson / Mawson RESOLUTION

The Sustainable Napier Committee:

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

Carried

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

|  |   |
|--|---|
| <i>Type of Report:</i>                 | Information   |
| <i>Legal Reference:</i>                | N/A   |
| <i>Document ID:</i>                    | 1456775   |
| <i>Reporting Officer/s &amp; Unit:</i> | 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.

##### 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.

- It is favourable that Council will spend the \$12.5 million it was allocated for the three waters reform projects.

**COMMITTEE** Councillor Simpson / Mayor Wise

**RESOLUTION**

The Sustainable Napier Committee:

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

Carried

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

*Type of Report:* Procedural

*Legal Reference:* Resource Management Act 1991

*Document ID:* 1456794

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

### 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.

#### 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.

**COMMITTEE** Councillors Simpson / Browne

**RESOLUTION**

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

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### 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

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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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|--|--|
| <i>Type of Report:</i>                 | Contractual                                  |
| <i>Legal Reference:</i>                | Local Government Act 2002                    |
| <i>Document ID:</i>                    | 1459320                                      |
| <i>Reporting Officer/s &amp; Unit:</i> | 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.

#### 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. 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.

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**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.

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

**COMMITTEE** Mayor Wise / Councillor Simpson

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**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

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

### 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.

#### At the meeting

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

### COMMITTEE RESOLUTION

Councillors Mawson / Chrystal

The Sustainable Napier Committee:

- a) 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.
- b) Authorises the Chief Executive to make an application to LINZ for the above road stopping under Section 116 of the Public Works Act 1981.
- c) 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.
- d) Approves, in exercise of the Ministerial consent (under delegation from the Minister of Conservation), the granting of the above easement.

Carried

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

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|--|--|
| <i>Type of Report:</i>                 | Legal and Operational  |
| <i>Legal Reference:</i>                | Reserves Act 1977  |
| <i>Document ID:</i>                    | 1447530  |
| <i>Reporting Officer/s &amp; Unit:</i> | Bryan Faulknor, Manager Property<br>Jenny Martin, Property and Facilities Officer<br>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.

#### At the meeting

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

- The Buzzy 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.

### COMMITTEE Councillors Browne / Wright RESOLUTION

The Sustainable Napier Committee:

- 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.
- Note** that Council is acting under delegated authority from the Minister of Conservation in granting this lease.

Carried

## 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.

#### At the meeting

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

**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.

Carried

*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:<br>(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 .....