



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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

NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE)

Open Agenda

Meeting Date: Friday 1 July 2022

Time: 9.00am

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
Napier

Livestreamed via Council's Facebook site

Committee Members Ngāti Pārau Hapū Trust – Chad Tareha (Chair)
Maungaharuru-Tangitū Trust – Robbie Paul
Maraenui & Districts Māori Committee – Waitiria Greeks
Māngai ā-Hapori – Rapihana Te Kaha Hawaikirangi
Mayor Kirsten Wise
Deputy Mayor Annette Brosnan
Councillor Maxine Boag
Councillor Keith Price

Mana Ahuriri Trust – (Vacant)
Te Taiwhenua o Te Whanganui-a-Orotū – (Vacant)
Pukemokimoki Marae – (Vacant)

Officer Responsible Pou Whakarae (Mōrehu Te Tomo)

Administration Governance Team

**Next Ngā Mānukanuka o te Iwi (Māori Committee) Meeting
Friday 12 August 2022**

ORDER OF BUSINESS

Karakia

Apologies

Nil

Conflicts of interest

Public forum

Announcements by the Chairperson

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Confirmation of minutes

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Updates from Māngai-ā-Hapori

Rapihana Te Kaha Hawaikirangi

Updates from Council Pou Whakarae

General business

Whakamutunga Karakia

AGENDA ITEMS

1. TE REO MĀORI POLICY

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1472552
<i>Reporting Officer/s & Unit:</i>	Beverley Kemp-Harmer, Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori

1.1 Purpose of Report

The purpose of this report is to present a new Te Kaunihere o Ahuriri/Napier City Council Te Reo Māori Policy for adoption to Ngā Mānukanuka o te Iwi.

Officer's Recommendation

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Adopt** the Te Kaunihere o Ahuriri/Napier City Council Te Reo Māori Policy.
- b. **Approve** that Council Officers commence the preparation of a Te Reo Māori Strategy or Action Plan that will work to deliver on the principles and objectives established by the Te Kaunihere o Ahuriri/Napier City Council Te Reo Māori Policy.

1.2 Background Summary

Te Reo Rua 2040 (a bi-lingual Aotearoa by 2040) presents us with an opportunity to embrace Te Reo Māori as a taonga, and to do all that we can to see it protected and nurtured.

Te Reo Māori 2016 (Māori Language Act 2016) reaffirms the status of Te Reo Māori as an official language of Aotearoa, New Zealand. It is protected under Te Tiriti o Waitangi.

The purpose of this Policy is to direct and guide the actions of Te Kaunihere o Ahuriri/Napier City Council in relation to the integration, protection, use and recognition of te reo Māori in Council business. It aims to affirm Councils commitment to use te reo Māori me ōna tikanga Māori in its work, and to honour the Treaty of Waitangi principles of partnership, ensuring equity, and protecting te reo Māori.

This work is intended to be delivered in two parts – the first is a declaration of our commitments, and establishes the guiding principles (the Te Reo Māori Policy). It also establishes a strategic framework/action plan for the second part of this work, which will identify a set of time-bound actions that work to deliver on these commitments.

Although this Policy is primarily an internal one, the very nature of the work Council does means that te reo will become much more visible within the community through Council showing more leadership in this space.

1.3 Issues

As stated above, Te Reo Māori is, alongside New Zealand Sign Language, the official language of Aotearoa/New Zealand, and is also protected through Te Tiriti o Waitangi. Council's commitments to Māori is enshrined in legislation, and as our relationships strengthen, Council is increasingly working in partnership with Māori. Local government is tasked with representing and providing for the needs of its constituents (the percentage of population identifying as Māori in Napier is 19.33%). It is important that the work Council does, and the way in which it communicates, is representative of our community, and signals our commitment to Te Reo Māori.

In recent years, Council has embarked on making this change, however this would be accelerated through a coordinated cross-Council approach that can be delivered through this Policy and its subsequent Strategy/Action Plan. The Policy is a commitment to the use of Te Reo Māori, and the Action Plan will support Council Officers with how and when Te Reo Māori should be used, both internally and externally, and will provide opportunities for Officers to increase their knowledge and skills of Te Reo Māori and Tikanga Māori.

1.4 Significance and Engagement

Te Reo Māori is the National Language of Aotearoa, New Zealand

This policy is intended to be an internal policy affecting our NCC operations, but will also include public touchpoints, such as signage, customer services and communications. The policy is limited to the use of language, rather than matters such as Māori design, but may encompass 'tikanga' protocols alongside it. There is no legal reason to consult widely as the policy is primarily internal. However, we will engage with our partners and key stakeholders in order to bring the community on the journey. In some public touchpoints, such as the Customer Services Centre, there is already bilingual signage – this policy formalises that approach and will help in its wider dissemination.

1.5 Implications

Adoption of this policy will have wide implications. Key council documentation such as its Long Term Plan and Annual Plans will be available in Te Reo and public touchpoints will be updated as part of their renewal programmes in line with Te Reo Rua 2040.

Financial

The financial implications of the policy will accompany an action plan to be agreed following the adoption of the policy. Social & Policy

Napier is a signatory to Te Reo Rua 2040, a movement that seeks to achieve a bi-lingual nation by 2040. The adoption of the Te Reo Māori Policy and its subsequent Action Plan will be a deliberate and coordinated step toward delivering on this aspiration.

This Policy is consistent with a number of Council plans, strategies and other documents, including:

- Council Outcomes and Goals, particularly 'A vibrant innovative city for everyone', 'A sustainable city', 'Council works with and for the community', and 'A safe and healthy city that supports community wellbeing'.
- NCC City Vision Framework, particularly the principles 'Putting people first' and 'Our people, our stories'.
- NCC Communications and Marketing Strategy, particularly in relation to Approach 10 'Reflect and respect diversity'

- Various community strategies and precinct plans, including Library & Civic Area Plan, Napier Inner Harbour Development Plan, Disability Strategy etc, that commit to providing accessibility to all, and embedding Māori culture and identity into design and delivery

Risk

The greatest risk is that Council does not adopt a Te Reo Māori Policy. Staying silent on this matter would send a signal to the community and our tangata whenua partners that Council does not value the use of Te Reo Māori. Additionally, a lack of a Policy and supporting Strategy/Action Plan would result in an ad hoc approach to Council Officers embarking on their Te Reo journey and in the way we use Te Reo in the delivery of our services. A coordinated approach brings greater rewards, and the opportunity for this will be lost without an adopted Policy and Plan.

1.6 Options

The options available to Council are as follows:

- a. Adopt the Te Reo Māori Policy, and endorse Council Officers to prepare a Te Reo Māori Strategy/Action Plan
- b. Do not adopt the Te Reo Māori Policy, and do not endorse Council Officers to prepare a Te Reo Māori Strategy/Action Plan


1.7 Development of Preferred Option

As Council increasingly uses Te Reo Māori in all its communication forms, this Policy will establish a strong organisation-wide commitment to how it will be used, and provides a platform for the next phase of this mahi, the Strategy or Action Plan. Te Reo Māori is a taonga to be protected and nurtured, and by using and having greater understanding Te Reo Māori in all its activities, Council can help support the revitalisation of Te Reo across the city. The next phase of this mahi will set out how Council will deliver on its commitments over time, a key piece of work to realise the Policy's underlying principles and values.

1.8 Attachments

- 1 Te Reo Me Ona Tikanga [↓](#)

INTERNAL POLICY

TE REO POLICY 			
Approved By			
Directorate	Te Waka Rangapū		
Original Approval Date	May 2022		
Next Review Deadline	Yearly review for 3 years	Document ID	
Relevant Legislation			
NCC Docs Referenced			

Kupu from Kaumatua (Piri Prentice)

TOI TE KUPU, TOI TE WHENUA, TOI TE MANA

Knowledge is the word, Knowledge is the land, Knowledge gives dignity.

There is great dignity in being Māori.

There is great satisfaction in knowing that we are people of the land, tangata whenua.

There is honour in being part of the peoples of Polynesia and knowing that we have relatives spread across the great Pacific Ocean.

Māori society is complex, it is certainly not a carbon copy of Pākehā society, nor are our interests exactly the same. While we share many common needs and interests, such as rugby, football, netball and beer, there are other aspects of life that we do not share.

Māori Culture is different. It has a different history, different origins, different relationships and different traditions and customs, and no purpose is served by pretending otherwise.

Māori identity is linked to this land Aotearoa. Archaeological surveyors/ samples from Islands on the Inner Harbour Ahuriri, confirm the settlement of our people dated as far back as the 12th century. European settlers began arriving in New Zealand from approximately 1820.

Marae, tangihanga, wharenui, dawn ceremonies, the obligatory welcome on the Marae, protocol, speeches and haka are recognisable elements of Māori culture. The majority culture is rarely involved in the day-to-day activities of Māori and that is fine, so long as not seeing does not translate into believing that Māori do not exist.

I see huge effort by new Marae and some sections of our society in the language area, and learning about Māori, its culture, its values, etc.

Watch the Māori News and the use of our Te Reo Māori is wonderful.

There is now much improved and clearer understanding of our dual obligations and responsibilities regarding the Treaty of Waitangi, as the founding document of our nation.

Our modern independent state was not based on colonial conquest or the illegitimate invasion of settlers. New Zealand, Aotearoa is founded on an agreement that continues today as a pact of partnership between Māori and Pākehā. It is an agreement that established our continuing links with the Crown; an agreement which continues to act as a national symbol of unity and understanding between cultures.

Kupu from Mayor (to come)

Kupu from CE (to come)

Context

Napier City Council has legislative obligations and considerations under Te Tiriti o Waitangi. These are reflected in how we work on a day-to-day basis. Some of the key mechanisms that enable our approach include:

- Ngā Manukanuka o te iwi - Māori Committee
- Community Plans
- Three Waters Strategy
- Long Term Plan
- Annual Plan
- District Plan, Policies and Strategies
- Spatial Planning
- Council Kaumatua

As an official language, and the indigenous language of New Zealand/Aotearoa, Te Reo Māori has enduring mana, and is important to our identity as a people and as a nation. Napier City Council has a role to play in its commitment to elevating the status of te reo Māori through its partnership with mana whenua, and through its own processes and functions, and how it communicates with the wider community.

Our commitment to Ahuriri is for Ahuriri City to become bi-lingual (Reorua) by 2040 - this is a commitment that Napier City Council has made towards a bi-lingual nation.

Napier City Council organisational values are clear in that commitment to this Te Reo Māori Policy is with Integrity, to all Communities they serve, the Customer Service they present with Excellence in its intention.

This Te Reo Māori Policy will contribute towards the development of a Māori Responsiveness Framework within Napier City Council to fulfil their commitments and obligations to Māori. This Te Reo Policy aligns and contributes to the Framework and provides a practical way for Council to fulfil our commitments and obligations to Māori.

In 2014, Napier City Council began to initiate the development of a Māori Partnership Unit with Ahuriri Mana Whenua, and in 2021 the Te Waka Rangapū directorate was created. This directorate has strong connections across the region with other Council Māori Partnership teams, forming the group known as Te Kupenga a Te Huki Takiwā. Wider connections with other Māori Partnership professionals, such as Te Taituarā and Te Pae Urungi, enable this directorate to share experiences and collaborate to achieve greater success.

Purpose

The purpose of this policy is to direct and guide the actions of Napier City Council in relation to the integration, protection, use, and recognition of te reo Māori in Council business.

It aims to affirm Napier City Council's commitment to use te reo māori me ōna tikanga māori in its work and to honour the Treaty of Waitangi's principles of partnership, ensuring equity and protecting te reo Māori by:

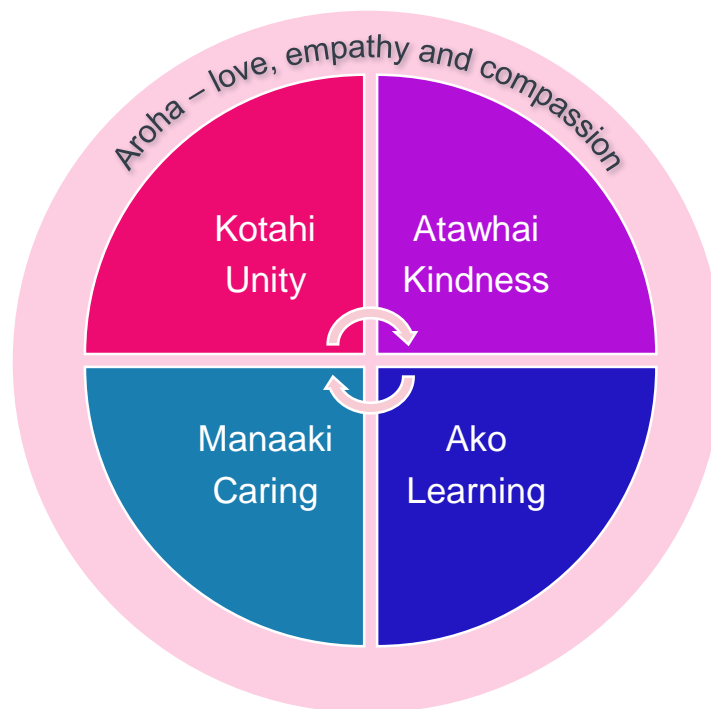
- Recognising and promoting te reo Māori as an official language of Aotearoa/New Zealand
- Acknowledging Te Reo Māori as a taonga (treasure) of iwi Māori, tāngata whenua, mana whenua, and te tangata tiriti
- Encouraging its use in actions, projects, hui, and day-to-day operations of the organisation
- Encouraging its use within the Ahuriri communities
- Using a growing understanding of reo and tikanga as ways to understand Te Ao Māori a Māori worldview
- Implementing the government's Reorua initiative
- Participating in Te Wiki o Te Reo Māori each year.
- Participating in, and/or offering Te Tiriti o Waitangi workshops and other learning opportunities each year
- Staff are encouraged to learn basic Te Reo Māori towards their professional development
- Staff Inductions to include a formal Tikanga Māori approach ie: powhiri
- Celebrating and participating in the Māori New Year initiatives (Matariki)
- Building relations with Post Settlement Governance Entities within Ahuriri
- Keeping māori communities informed through the monthly Marae Panui
- Facilitation of appropriate cultural karakia and blessings for significant projects and events

- Encouraging participation in NCC Kapa Haka

This policy provides the foundation for the action plan, which will identify priorities for implementing the policy to give it full effect.



Principles



The overarching principle of this policy is **Aroha** - one of love, empathy and compassion and it is intended that it be read in that spirit.

The four supporting principles are:

Kotahi – Unity

We aspire to:

- Have a shared vision and purpose
- Learn side by side
- Invite everyone to participate in a way that meets their cultural needs
- Appreciate diversity
- Demonstrate commitment to the kaupapa

Atawhai – Kindness

We aspire to:

- Understand each of us has something to offer
- Respect others for their learning journey
- Respect and embrace societal change with te ao Māori coming to the fore

Manaaki – Caring

We aspire to:

- Support people to be in their culture
- Find our place on our own journey

Ako – Learning

We aspire to:

- Build a growing understanding of kawa and tikanga (ways of doing things)
- Be open to change and learning
- Encourage questions as a part of learning
- Learn side by side
- Role model culturally competent practices
- Provide opportunities to increase others' knowledge

It is intended that these principles stand alongside and complement Napier City Council's existing values of Integrity, Community Service and Excellence.

Scope

This Te Reo Māori Policy will enhance the effectiveness of the Napier City Council's awareness of its Treaty obligations, in all factions of its organisation. The partnership with Te Waka Rangapū and Ahuriri Mana Whenua entities provides the platform towards kotahitanga (unity), which initiates inclusiveness in the spirit of being as one or all in this together. It must rely on all staff, individuals to participate, to learn, to grow as an organization together. This document can be a co-creation to encourage, to develop, to support the partnership, by means of karakia, Kapa Haka, all events of the Napier City Council's event calendar, projects, personal journeys etc, and it is ongoing. Te Reo is closely inter-connected with te ao Māori, and so although the focus of this Policy is reo, it must be recognised that committing to the use of te reo Māori will naturally result in a better understanding of tikanga Māori. Advice on tikanga is provided by Te Waka Rangapū.

Strategic framework

The framework below outlines the focus areas for the Policy's implementation. It includes two key components in order to meet the overall purpose of the Policy – one has an internal focus (Te Reo Māori for Napier City Council) and the other an external focus (Te Reo Māori for Ahuriri/Napier).

	Increase awareness	Increase use	Increase profile	Increase learning
Te Reo Māori for Te Kaunihera o Ahuriri Napier City Council	<p>Understanding the link to Te Tiriti, aims of Reorua</p> <p>Understand the inter-connected nature of te reo and tikanga</p>	<p>Incorporating te reo into every day Council operations</p> <p>Incorporating te ao Māori practices throughout the working day</p>	<p>Increase presence of te reo in our working spaces</p> <p>Support the champions (reo speakers)</p>	<p>Provide opportunities for informal and formal learning of te reo</p> <p>Financial recompense for achieving te reo skills</p>
Te Reo Māori for Ahuriri / Napier	<p>Te reo is visible in all of our places and spaces</p> <p>Our community understand the importance of te reo Māori</p>	<p>Include te reo in all official Council ceremonial activities, public meetings, external communities</p>	<p>Support the champions</p> <p>Public-facing information assets to included the use of te reo</p>	<p>Council-led & supported events & support of Te Wiki o te reo, Matariki</p>

Glossary of Terms

Version	Reviewer	Change Detail	Date

2. WASTE MANAGEMENT AND MINIMISATION UPDATE

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1472727
<i>Reporting Officer/s & Unit:</i>	Cameron Burton, Manager Environmental Solutions Alix Burke, Environmental Solutions Coordinator

2.1 Purpose of Report

This report is to provide an update on the implementation of the Joint Waste Management and Minimisation Plan (WMMP) and recent activities undertaken by Napier City Council's Waste Minimisation Team.

Officer's Recommendation

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Receive** the report titled Waste Management and Minimisation Update dated 1 July 2022.

2.2 Background Summary

WMMP Progress Update

Joint Initiatives

Joint initiatives between both Hastings District Council and Napier City Council are reported in the Hastings District Council Waste Management and Minimisation Plan Implementation Update to this Committee, and are as follows:

- Sustainable is Attainable;
- PanPac treated timber disposal option;
- Solid Waste Bylaw review;
- Recruitment (unsuccessful to date) of a Regional Construction and Demolition Waste Minimisation Advisor;
- SWAP Surveys currently underway

Current Initiatives Underway

Kerbside Services

1. Kerbside Refuse/General Waste Collection

The October 2020 changes to kerbside general waste services are now well embedded within the community and have become a familiar and tidy part of Napier's streetscape.

- Kerbside waste participation rates of the kerbside waste collection service for April and May are 85.1%

- Additional bins over this period have been 14 replacements and 22 new subscribers.
- Tonnage of waste disposed per month from kerbside service is as follows: April 827.96T, May 808.06
- 2,892 customers have now signed up to Less Waste Incentive, participating in fortnightly collections to reduce waste to landfill.
- Seven customers have Assisted Services and 31 customers are provided with Alternative Services.
- Greenwaste in bins is deterred through educational messaging in the bins, and each empty is checked through the on-truck cameras, and a three-strike system is then used to further deter non-compliance.

2. Kerbside Recycling

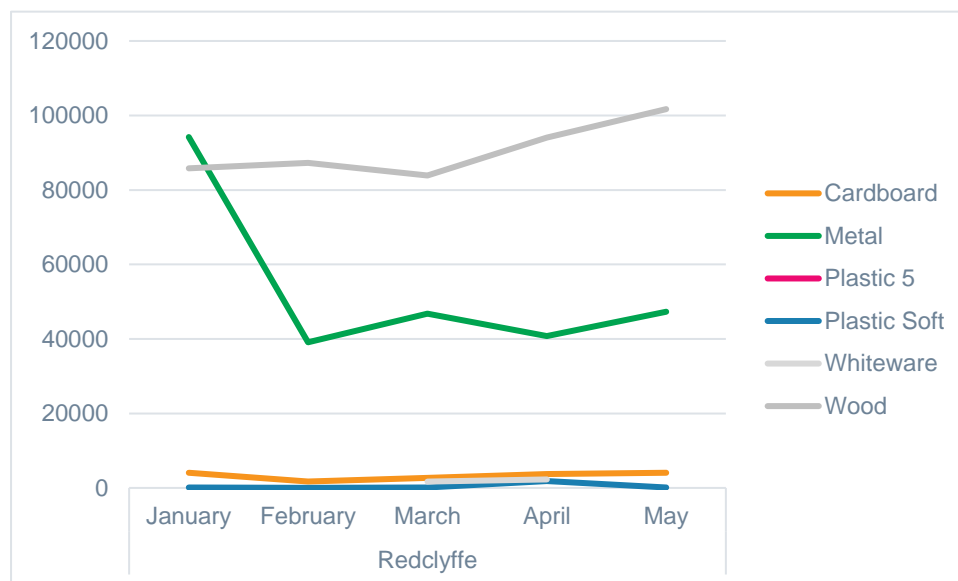
- At the time of writing, the recycling contractor has not been able to provide May's details, so information reported only refers to April.
- Napier currently has 24,730 households utilising the kerbside recycling service.
- In April 11 new subscribers were provided with three new crates each, and 17 crates were replaced.
- In April, 48.39 tonnes of paper and cardboard; 39.81 tonnes of glass, and; 50.99 tonnes of plastic was diverted for recycling.

Redclyffe Transfer Station

- Since July last year, a step-change in the way the site is facilitated has occurred. This involved contracting the diversion and recycling operations out to specialist waste contractors, and fully managing this site within the Environmental Solutions Team.
- The benefits of this change have been notable and the focus has changed from a Solid Waste Transfer facility to a service where customers are supported to recycle in a more organised, educational and opportune way and waste minimisation and waste diversion is now the key focus.
- Where previously there had been limited interaction with customers, now Waste Minimisation Custodians are available on the site and where previously almost all waste was literally transferred, significant quantities of timber products, type 1, 2, and 5 plastics, soft plastics, whiteware, ferrous and non-ferrous metals, and cardboard are now being diverted away from landfill. Reusable items are also collected and transferred for sale.
- This month, Council Officers have revamped the recycling drop-off area in preparation for a further step-change this coming July. Now a designated walkway is in place to delineate the vehicle area from the pedestrian area and a transit lane has been installed. A solid edge has also been put in place which enables receptacles to be perfectly aligned to enhance visibility for customers and clearly labelled and consistent bin types will be installed to

further enhance the appeal to customers and clarify and encourage visitors to the site to recycle more.

- Road resealing, widening, stabilising, improved signage, collapsible bollard installation and line-marking are all scheduled for June and July to further enhance the operational capabilities and customer experience on the site.
- The following graph shows the kilograms of diversion achieved for each of the material categories at Redclyffe Transfer Station this calendar year:



- Total diverted materials in April and May were 295.75 tonnes. In addition, 201.26 tonnes of greenwaste was diverted for composting over this period, as was 990kg of repurposed goods, meaning a total of 498 tonnes were diverted. 103 vehicle batteries were also diverted during this period.
- With over 1,003 tonnes sent to landfill over this period, the current diversion rate (not including batteries) is 33.17% by weight.

Other Waste Minimisation Activities

1. Public Composting Workshops

- With support from the Hastings District Council team, Napier City Council Officers launched a subsidy of 75% off for compost bins, worm farms and bokashi systems in early April. To be eligible for the subsidy residents must complete an introductory workshop held by the Environment Centre. This is to help ensure that they choose the right system for their situation and to improve success rates when using the bin, farm or bokashi at home. This has proved to be a big success with Napier residents filling up the online workshops within 24 hours of the dates being released.
- 129 people have attended an online workshop as of 30 May. There are two more online workshops for June after which the workshops will be offered in person across various locations in Napier.
- 31 people have collected their preferred system so far with the 20L bokashi system being the preferred option.

2. Schools

- Both Councils' waste teams collaborated with the Sustainability Trust and provided free 'Your Sustainable School' Workshops in Napier and Hastings. Both waste teams presented together and both workshops were a great success with positive feedback provided from attendees.
- NCC and HDC are working collaboratively on a project brief on the future of Waste Aware education programme.

Recruitment and Resourcing

Napier's Waste Minimisation Team currently consists of one Waste Minimisation and Sustainability Officer, focused on waste minimisation, community engagement, waste reduction opportunities, event waste minimisation in Napier, and project waste reduction.

Customer services, conflict resolution, data acquisition and administration of contracts is carried out by a part-time contractor with significant waste industry experience.

The remainder of the Contract Management, Transfer Station improvements and renewals, strategic planning (in particular being across Transforming Recycling consultations), operational waste, recycling, Committee reporting, and Transfer Station activities are being managed by Manager Environmental Solutions, with valued support from the Environmental Solutions Coordinator.

Recruitment of the Waste Minimisation Lead role, which has been vacant for eight months is awaiting approval. An additional Waste Minimisation Officer role is budgeted and approved for the 2022/23 Financial Year.

2.3 Issues

No Issues. Information report only.

2.4 Significance and Engagement

Not applicable as this report is for information only.

2.5 Implications

Financial

No financial issues. Information report only.

Social & Policy

No Issues. Information report only.

Risk

No risks as this report is for information only.

2.6 Options

The options available to Council are as follows:

- Receive the report titled Waste Management and Minimisation Update dated 1 July 2022.
- Do not receive the report titled Waste Management and Minimisation Update dated 1 July 2022.

2.7 Development of Preferred Option

Not applicable. Information report only.

2.8 Attachments

Nil

REPORTS FROM STANDING COMMITTEES

NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) RECOMMENDATION

That the Ngā Mānukanuka o te Iwi (Māori Committee) Recommendations arising from the discussion of the Committee reports be submitted to the Council meeting for consideration.

REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 9 JUNE 2022

1. COUNCIL SUPPORT FOR THE SALE AND SUPPLY OF ALCOHOL (HARM MINIMISATION) AMENDMENT BILL (PRIVATE MEMBERS' BILL)

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1465021
Reporting Officer/s & Unit:	Rebecca Peterson, Senior Advisor Policy

1.1 Purpose of Report

To seek endorsement from Council to publicly support the proposed Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill.

Councillor Brosnan / Mayor Wise

The Napier People and Places Committee:

- a. **Endorse** the proposed Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, which aims to:
 - i. Remove the special appeal process through Local Alcohol Policies.
 - ii. Wind down alcohol advertising and sponsorship of sport.
- b. **Note** Council's support for the bill is primarily in response to the matter of the Local Alcohol Policy special appeals process. Council notes no view on the support or otherwise of the advertising provisions in the Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill.

Councillors McGrath, Mawson, Tapine, and Taylor voted against the motion.

Carried

1.2 Background Summary

The Member of Parliament for Auckland Central, Chloe Swarbrick, has a Private Member's Bill (**Attachment 1**) seeking to amend the Sale and Supply of Alcohol Act to provide more controls to alcohol advertising, and reforming the appeals process relating to Local Alcohol Policies (LAPs). In the past, private members bills were subject to a ballot system process, this has changed and now if 61 non-Executive MPs show support they can promote the Bill onto the Order Paper without it being drawn from the ballot.

Health Coalition Aotearoa co-chairs have written to Mayors and Chief Executives of Councils around the country encouraging them to demonstrate leadership on changing alcohol policy:

"We encourage you and your Councillors to also request a comprehensive review of the Act, show support for the Private Member's Bill, and raising the need for a broad review of alcohol law at the Local Government New Zealand conference later this year. Through your actions, you can continue to play a key role in enabling New Zealanders to live in healthy environments that support their physical and mental wellbeing. This, in turn, will significantly reduce the strain on your local health, police and justice services. We recognise and support previous local government leadership on this issue".

Alcohol is considered New Zealand's most harmful drug, it is a recognised carcinogen, known to increase the risk of several types of cancer. In 2020, alcohol misuse estimated to cost New Zealand \$7.85 billion including justice, health and welfare costs, and 11% of ACC claims are attributed to alcohol-related injuries with 18% of Police budget being spent on alcohol incidents.

Rates of hazardous drinking across Hawke's Bay are higher than the rest of New Zealand (New Zealand Health Survey, 2020/21), with 25% drinking harmfully compared to 22% nationally, particularly the 45-64 year age group, whose rates have increased from 18-28% from 2017 to 2020.

Napier City Council is well placed to support this Bill, with an active Local Alcohol Policy (**Attachment 2**) and Joint Alcohol Strategy (**Attachment 3**) across Hastings and Napier whose vision is to create "A safe and health community, free from alcohol related harm".

Through the strategy we have shown leadership removing alcohol advertising on the Go Bus network and bus shelters and the development of an Alcohol Free Events brand. Napier City Council has also implemented an alcohol assessment matrix as part of the licencing process for Council led, Council sponsored/funded events and events held at Council venues or reserves.

Council commissioned an alcohol and young people report in 2019 which resulted in three recommendations including "there should be more activities in the community that don't involve alcohol".

Council has submitted to the Local Government New Zealand conferences in 2018 (with 95% support) and 2019 (with 88% support) seeking Government review the Sale and Supply of Alcohol Act 2012, that enables significantly more community views and the adoption of evidence based alcohol harm policy.

1.3 Issues

The objective of the Act includes that "the harm caused by the excessive or inappropriate consumption of alcohol should be minimised". Unfortunately, a number of aspects of the Act do not meet the objective. This Bill, proposes two means to fix this:

Part 1 of the Bill abolishes appeals on local alcohol policies to provide proper local controls over alcohol regulation.

Napier City Council is one of 41 (61%) of councils who have adopted Local Alcohol Policies. The objective of a LAP is for Council in consultation with Police, Medical Officers of Health, Licencing inspectors and the community to decide on the hours alcohol can be sold and location, density of alcohol outlets and proximity to sensitive sites.

The introduction of the Sale and Supply of Alcohol (2012) was viewed as an opportunity for local communities to have a degree of control over the supply of alcohol in their communities, this has not been realised. Replaced instead by a legal challenge process that is both time consuming, costly and should community wish to be involved almost impossible to navigate.

Part 2 of the Bill implements a number of the recommendations of the 2014 Ministerial Forum on Alcohol Advertising and Sponsorship. Focusing on reducing young person's exposure to messages that encourage them to drink alcohol and removing the link between sport and alcohol.

Alcohol sponsorship is a major source of alcohol marketing exposure for children in Aotearoa in particular tamariki Māori children are exposed at a rate of 5.4 times higher than non-Māori children. There is good evidence that alcohol marketing in sporting environments contributes to a culture of alcohol of consumption and is linked with hazardous drinking. Hawke's Bay District Health Board produced a comprehensive report in 2018, detailing the evidence around exposure to parental drinking and exposure to alcohol marketing. Tobacco advertising and sponsorship has been prohibited in New Zealand for decades, in contrast, alcohol advertising controls involve a voluntary code of practice known as the Advertising Standards Authority (ASA) Code for Advertising and Promotion of Alcohol. It is a self-regulating body comprising advertisers, agencies and the media.

There is evidence that the excise tax on alcohol could be used to "buy out" alcohol advertising and promote health initiatives. This could be as little as 2.5% of annual excise revenue. Government can use these policy levers removing gaps in funding for community groups and sporting codes, many who may depend on revenue collected by alcohol marketing in sports.

A recent presentation from Alcohol Healthwatch (**Attachment 4**) provided Council with an overview of alcohol use, harm and inequities in Hawke's Bay. Highlighting the key drivers of alcohol harm including alcohol availability (density, location of licensed premises, trading hours), price and affordability (minimum unit pricing, excise tax), advertising, marketing and sponsorship.

1.4 Significance and Engagement

The matters in this report are consistent with the Joint Alcohol Strategy and the Safer Napier Action Plan.

1.5 Implications

Financial

N/A

Social & Policy

The recommendations comply with the Council's policy requirements.

Risk

N/A.

1.6 Options

The options available to Council are as follows:

a. To support the recommendations (preferred)

This option enables the Council to support the Bill to be brought to the House bypassing the ballot process. Councils around the country are being asked to speak out in support of the amendments, which in Napier's case also aligns with its own Joint Alcohol Policy.

b. To not support the recommendations.

This option means the Bill may not get enough support to bypass the ballot process.

1.7 Development of Preferred Option

N/A

At the meeting

Cr Boag declared a conflict and took no part in the discussion or decision for this item. Councillor Wright chaired this item.

The Officer spoke to the report with the support of Dr Nicki Jackson, Executive Director of Alcohol Healthwatch. In response to questions it was noted:

- The Private Members' Amendment Bill provides exemptions for touring teams coming to New Zealand, certain international events and authorises the Minister to grant exemptions in certain circumstances.
- The prohibited broadcasting of alcohol advertising will only apply to broadcasts originating in New Zealand.
- Alcohol advertising is referring to the name of an alcoholic beverage, an alcohol trademark, or an alcohol manufacturer's name.
- The Private Members' Amendment Bill prohibits alcohol advertising in or on a sporting venue during a broadcast sports activity, and also prohibits the sponsorship of a sports broadcast and of a sporting venue.
- Alcohol Healthwatch will be advocating for the Bill to extend to all levels of sports at the Select Committee phase.
- For the purposes of this Amendment Bill, broadcast means any transmission received by the public of programmes over the radio, internet, or other means of telecommunication.
- The special appeals process is unique to alcohol policies. Appeals to the Hastings District & Napier City Councils' Local Alcohol Policy were made about trading hours by local supermarkets, and took a long time to be resolved.
- There are two mechanisms to "buy out" alcohol sponsorship. One is the current health promotion agency levy on purchased alcohol which is used to address alcohol related harm. Alternatively 2.5% of alcohol excise revenue could be

used. Alcohol excise revenue is \$1.2 billion per annum. This could be hypothecated by Treasury to address alcohol related harm.

- In the 1990s a 'buy out' of tobacco sponsorship occurred. The Smokefree Environments Act 1990 established the Health Sponsorship Council which received approximately \$6 million per year for five years to 'buy out' tobacco sponsorship. Research showed that as tobacco stopped sponsoring teams, other businesses stepped forward to take its place.
- Many countries followed New Zealand's lead in the 1990s and there has been significant reductions in people smoking. Research has found there are more young people in the United Kingdom who can't name a tobacco brand than can.
- If the Committee support the Private Members' Amendment Bill there are a number of options Council can use to address specific aspects of the Bill directly.
- Due to lack of research alcohol harm statistics are dated. In 2007 there were 802 alcohol related deaths, current annual figures can be estimated to be over 1000 per year. Approximately one in five New Zealanders report being harmed by other's alcohol consumption. It is New Zealand's most harmful drug.

It was noted that Council can make a submission at the appropriate time highlighting concerns for the sponsorship and advertising of alcohol at sporting venues.

1.8 Attachments

- 1 Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill (Member's Bill) (Doc Id 1467568)
- 2 Hastings District and Napier City Councils' Local Alcohol Policy 2019 (Doc ID 1467569)
- 3 Joint Alcohol Strategy, Napier City Council and Hastings District Council Revised 2017 (Doc ID 1467570)
- 4 Nicky Jackson - The Strong Case for Championing Alcohol Law Change.pdf

DRAFT FOR CONSULTATION

Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The objective of the Sale and Supply of Alcohol Act 2012 (**the Act**) includes that “the harm caused by the excessive or inappropriate consumption of alcohol should be minimised”. Unfortunately a number of aspects of the Act do not meet this harm minimisation or public health approach and this Bill does two things to fix this.

Part 1 of the Bill abolishes appeals on local alcohol policies in order to provide proper local control over alcohol regulation. Territorial authorities can try to develop local alcohol policies to enhance community wellbeing. However, this part of the Act has failed because large companies have used their appeal rights in the Act to largely block the development of local alcohol policies. And those that have been adopted have only rarely included regulations over the location and density of stores selling alcohol. This means that communities have not been able to develop public health approaches to the provision of alcohol in their areas.

The Health Promotion Agency, a Crown agent, recommends that the appeal process should be abolished because the appeals process is “expensive and time-consuming”, for community members it is “unfamiliar, stressful and intimidating”, and the Act already requires territorial authorities to go through a special consultative process before adopting a local alcohol policy.

Part 2 of the Bill implements a number of the recommendations of the 2014 Ministerial Forum on Alcohol Advertising and Sponsorship. The Forum’s recommendations focus on reducing young people’s exposure to messages that encourage them to drink alcohol and removing the link between sport and alcohol. The Bill implements their recommendations by banning alcohol sponsorship and advertising of all streamed and live sports and banning alcohol sponsorship at all sporting venues.

The cultural connection between sport and alcohol needs to be broken, particularly given the large number of young people who attend and watch sports games. Similar restrictions on tobacco advertising and sponsorship have contributed to reduced harm from tobacco use and falling rates of youth consumption.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause and provides for:

- *Part 1* of the Bill to come into force on the day after Royal assent; and
- *Part 2* of the Bill to come into force 6 months after Royal assent.

Clause 3 identifies the Sale and Supply of Alcohol Act 2012 as the Act being amended by the Bill (the **principal Act**).

Part 1

Amendments relating to local alcohol policies

Clause 4 amends section 79 of the principal Act to replace references to a provisional local alcohol policy with references to a final local alcohol policy.

Clause 5 replaces section 80 of the principal Act, to reflect both the removal of the procedure for producing a provisional local alcohol policy and the ability to appeal against such a policy.

Clause 6 repeals section 81 to 86 of the principal Act, to remove both the procedure for producing a provisional local alcohol policy and the ability to appeal against such a policy.

Clause 7 amends section 87 of the principal Act, to reflect both the removal of the procedure for producing a provisional local alcohol policy and the ability to appeal against such a policy.

Clauses 8 to 10 make consequential amendments to sections 88 to 90 of the principal Act.

Clause 11 amends section 105 of the principal Act to specify two further criteria that the licensing authority or the licensing committee must have regard to in deciding whether to issue a licence.

Clause 12 amends section 131 of the principal Act to require the licensing authority or the licensing committee to have regard to all the matters set out in section 105(1) in deciding whether to renew a licence.

Clause 13 replaces section 133 of the principal Act, which relates to the renewal of licences where a relevant local alcohol policy exists.

Clause 14 amends section 135 of the principal Act, which relates to decisions on renewal of licences.

Clause 15 makes a consequential amendment to section 170 of the principal Act.

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Clause 16 makes a consequential amendment to section 205 of the principal Act.

Part 2

Amendments relating to alcohol advertising and sponsorship

Clause 17 inserts a *new Part 4* into the principal Act. *New Part 4* inserts *new sections 396A to 396K*, which impose prohibitions on alcohol advertising and sponsorship:

- *new section 396A* is the interpretation section for *new Part 4*;
- *new section 396B* prohibits alcohol advertising during a broadcast sports activity;
- *new section 396C* prohibits alcohol advertising in or on a sporting venue during a broadcast sports activity;
- *new section 396D* prohibits alcohol sponsorship of a broadcast sports activity;
- *new section 396E* prohibits alcohol sponsorship of the name of a sports team or a player in a broadcast sports activity;
- *new section 396F* prohibits alcohol sponsorship of sports merchandise, uniforms, and equipment in a broadcast sports activity;
- *new section 396G* prohibits alcohol sponsorship of a sporting venue;
- *new section 396H* exempts certain international events from *new sections 396B to 396G* and authorises the Minister to grant exemptions in respect of certain international events;
- *new section 396I* authorises the Minister to grant exemptions from *new sections 396B to 396G* for certain multinational sporting events;
- *new section 396J* provides for the treatment of notices made under *new sections 396H and 396I*;
- *new section 396K* creates an offence of contravening *new sections 396B to 396G*.

Clause 18 makes a consequential amendment to the heading in Part 3, subpart 3, of the principal Act.

Chlöe Swarbrick

Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill

Member's Bill

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Sale and Supply of Alcohol (Harm Minimisation) Amendment Act **2021**.

Sale and Supply of Alcohol (Harm Minimisation)
Amendment Bill

Part 1 cl 7

2 Commencement

- (1) **Part 1** of this Act comes into force on the day after the date on which this Act receives the Royal assent.
- (2) **Part 2** of this Act comes into force on the day that is 6 months after the date on which this Act receives the Royal assent.

3 Principal Act

This Act amends the Sale and Supply of Alcohol Act 2012 (the **principal Act**).

Part 1

Amendments relating to local alcohol policies

4 Section 79 amended (Territorial authority must produce provisional policy by consulting on draft policy using special consultative procedure)

- (1) In the heading to section 79, replace “**provisional**” with “**final**”.
- (2) In section 79(1) and (2), replace “provisional” with “final”.
- (3) After section 79(2), insert:
- (3) Once a territorial authority has produced a final policy, the authority must consider whether to adopt the policy.

5 Section 80 replaced (Territorial authority wishing to adopt provisional policy must give public notice)

Replace section 80 with:

80 Territorial authority wishing to adopt final policy must give public notice

- (1) If, after producing a final policy under section 79, a territorial authority continues to wish to have a local alcohol policy, it must then give public notice of the final policy.
- (2) The public notice must be given in accordance with regulations made under this Act.

6 Sections 81 to 86 repealed

Repeal sections 81 to 86.

7 Section 87 amended (When local alcohol policy adopted)

- (1) Replace section 87(1) with:
- (1) A final local alcohol policy is adopted 30 days after its public notification.
- (2) Delete section 87(2) to (5).

**Sale and Supply of Alcohol (Harm Minimisation)
Amendment Bill**

Part 1 cl 8

8 Section 88 amended (Territorial authority may discontinue development of local alcohol policy)

Repeal section 88(2).

9 Section 89 amended (Disallowance of local alcohol policy)

In section 89(1), replace “Once a provisional local alcohol policy has been adopted and ceased to be provisional” with “Once a final local alcohol policy has been adopted”.

10 Section 90 amended (When local alcohol policy is in force)

In section 90(1), replace “Once a provisional local alcohol policy has been adopted and ceased to be provisional” with “Once a final local alcohol policy has been adopted”.

11 Section 105 amended (Criteria for issue of licences)

After section 105(1)(g), insert:

- (ga) whether (in its opinion) the current availability of alcohol for sale and supply in the locality is inadequate or insufficient:
- (gb) whether (in its opinion) the issue of the licence will benefit the community and not contribute to alcohol-related harm:

12 Section 131 amended (Criteria for renewal)

In section 131(1)(a), delete “paragraphs (a) to (g), (j), and (k) of”.

13 Section 133 replaced (Renewal of licences where relevant local alcohol policy exists)

Replace section 133 with:

133 Renewal of licences where relevant local alcohol policy exists

- (1) A licensing authority or licensing committee may refuse to renew a licence if, in its opinion, the renewal of the licence or the consequences of its renewal would be inconsistent with policies, on any or all of the matters set out in paragraphs (a) to (d) of section 77(1), that are contained in any relevant local alcohol policy.
- (2) A licensing authority or licensing committee may impose particular conditions on any licence it renews if, in its opinion, the renewal of the licence or the consequences of its renewal without those conditions would be inconsistent with policies, on any or all of the matters set out in paragraphs (e) to (g) of section 77(1), that are contained in any relevant local alcohol policy.

14 Section 135 amended (Decision on renewal)

In section 135(1), delete “, subject to section 133,”.

Sale and Supply of Alcohol (Harm Minimisation)
Amendment Bill

Part 2 cl 17

15 Section 170 amended (Functions of licensing authority)

Repeal section 170(c).

16 Section 205 repealed (Right of persons to appear in relation to appeal under section 81)

Repeal section 205.

Part 2

Amendments relating to alcohol advertising and sponsorship

17 New Part 4 inserted

After section 396, insert:

Part 4

Prohibitions on alcohol advertising and sponsorship

396A Interpretation

(1) In this Part,—

alcohol product advertisement means any words, whether written, printed, or spoken, including on film, video recording, or other medium, broadcast or telecast, and any pictorial representation, design, or device, used to encourage the use or notify the availability or promote the sale of any alcohol product or to promote the consumption of alcohol; and includes—

- (a) any depiction, in a film, video recording, telecast, or other visual medium, of an alcohol product or an alcohol product trade mark, where in return for that depiction any money is paid, or any valuable thing is given, whether to the maker or producer of that film, video recording, telecast, or visual medium or to any other person; and
- (b) the use in any advertisement or promotion to the public of an alcohol product manufacturer's company name where that name or any part of that name is used as, or is included in, an alcohol product trade mark

broadcast means any transmission of programmes, whether or not encrypted, by radio waves or other means of telecommunication for reception by the public by means of broadcasting receiving apparatus and includes—

- (a) any delayed transmission of programmes; and
- (b) any transmission of programmes streamed on the internet by a broadcaster; and
- (c) any transmission of programmes made on the demand of a particular person for reception only by that person

broadcaster means, subject to **subsection (2)**, a person who broadcasts programmes

**Sale and Supply of Alcohol (Harm Minimisation)
Amendment Bill**

Part 2 cl 17

craft means—

- (a) an aircraft;
- (b) a ship (as defined in section 2(1) of the Maritime Transport Act 1994)

large retailer, in relation to a person that is alleged to have committed an offence in a certain accounting period, means a retailer whose total turnover in the prior accounting period exceeded \$50 million (as accounting period and turnover are defined by section 2(1) of the Commerce Act 1986, except that in those definitions body corporate is to be read as any retailer)

organised sports activity means an organised sports activity that is—

- (a) to take place, is taking place, or has taken place, in whole or in part, in New Zealand; and
- (b) to be broadcast

programme—

- (a) means sounds or visual images, or a combination of sounds and visual images, intended—
 - (i) to inform, enlighten, or entertain; or
 - (ii) to promote the interests of any person; or
 - (iii) to promote any product or service; but
- (b) does not include visual images, whether or not combined with sounds, that consist predominantly of alphanumeric text

publish means—

- (a) insert in any newspaper or other periodical publication printed, published, or distributed in New Zealand; or
- (b) send to any person, by post or otherwise; or
- (c) deliver to any person or leave upon premises in the occupation of any person; or
- (d) broadcast; or
- (e) include in any film or video recording; or
- (f) include in any disk for use with a computer; or
- (g) disseminate by means of any other electronic medium; or
- (h) distribute by any means; or
- (i) display by way of a sign, notice, poster, or other means; or
- (j) bring to the notice of the public in New Zealand in any other manner

sporting venue includes a multi-purpose venue used for sports and for other activities

streamed means transmitted over the Internet as a continuous flow of data

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Part 2 cl 17

trade mark includes any trade mark whether or not it is registered or registrable as such under the Trade Marks Act 2002; and also includes—

- (a) any brand name;
 - (b) any company name, where that name is used for advertising or promotional purposes;
 - (c) any name, word, or mark that so resembles any trade mark that it is likely to be taken as, or confused with, that trade mark.
- (2) For the purposes of this Part, a person who supplies transmission services to a person who broadcasts programmes is not, by reason only of the provision of those services, a broadcaster within the meaning of this Act unless the person who provides the transmission services is, where the person who broadcasts programmes is a company, in a position to exercise control, either alone or in association with any other person, of—
- (a) the operations of that company; or
 - (b) the management of any broadcasting station operated by that company; or
 - (c) the management of programmes broadcast by that company; or
 - (d) the selection or provision of programmes to be broadcast by that company.

Prohibitions on alcohol advertising

396B Alcohol advertising during broadcast sports activity prohibited

No person may publish in New Zealand, or arrange for any other person to publish in New Zealand, an alcohol product advertisement intended to be broadcast during an organised sports activity.

396C Alcohol advertising at sporting venue during broadcast sports activity prohibited

No person may publish an alcohol product advertisement in, at, or upon a sporting venue during an organised sports activity.

Prohibitions on alcohol sponsorship

396D Alcohol sponsorship of broadcast sports activities prohibited

- (1) No person who is a manufacturer, importer, distributor, or retailer of alcohol may sponsor (within the meaning of **subsection (2)**) an organised sports activity that involves the use, in the name of that activity, or on or through any thing other than an alcohol product, of all or any of the following:
- (a) an alcohol trade mark;
 - (b) all or any part of a company name included in an alcohol trade mark;

**Sale and Supply of Alcohol (Harm Minimisation)
Amendment Bill**

Part 2 cl 17

- (c) 1 or more words, logos, colours, shapes, sounds, smells, or other elements of an alcohol product trade mark that, as those 1 or more elements are used in the name, or on or through the thing, are likely to cause a person exposed to the name or thing to believe that the 1 or more elements are used in, on, or through it only or mainly for the purpose of advertising the product.
- (2) A person sponsors an activity for the purposes of **subsection (1)** if, and only if, the person does all or any of the following:
 - (a) organises or promotes, before the activity is to take place, or during the time that it takes place, some or all of the activity;
 - (b) makes, before the activity is to take place, or during or after the time that it takes place, any financial or non-financial contribution towards some or all of the activity;
 - (c) makes, before the activity is to take place, or during or after the time that it takes place, any financial or non-financial contribution to any other person in respect of the organisation or promotion, by that other person, of, or the participation, by that other person, in, some or all of the activity.

396E Alcohol sponsorship of team or player in broadcast sports activity prohibited

- (1) No person may use an alcohol trade mark for the purpose of advertising or identifying to the public—
 - (a) any sports team participating in an organised sports activity; or
 - (b) any person playing as a member of a sports team that is participating in an organised sports activity; or
 - (c) any person participating in an organised sports activity.
- (2) **Subsection (1)** applies despite a person being licensed to use the alcohol trade mark in question for that purpose.

396F Alcohol sponsorship of sports merchandise, uniforms, and equipment in broadcast sports activity prohibited

- (1) No person may use an alcohol trade mark on a non-alcohol article that is—
 - (a) offered for sale or otherwise supplied; and
 - (b) associated with—
 - (i) any sports team participating in an organised sports activity; or
 - (ii) any person playing as a member of a sports team that is participating in an organised sports activity; or
 - (iii) any person participating in an organised sports activity.
- (2) No person may use an alcohol trade mark on a non-alcohol article that is—

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Part 2 cl 17

- (a) part of a uniform associated with—
 - (i) any sports team participating in an organised sports activity; or
 - (ii) any person playing as a member of a sports team that is participating in an organised sports activity; or
 - (iii) any person participating in an organised sports activity; or
- (b) an item of sports equipment used by or associated with—
 - (i) any sports team participating in an organised sports activity; or
 - (ii) any person playing as a member of a sports team that is participating in an organised sports activity; or
 - (iii) any person participating in an organised sports activity.
- (3) For the purposes of this section, **non-alcohol article** means an article that is not—
 - (a) an alcohol product; or
 - (b) a package or container in which an alcohol product is sold or shipped.

396G Alcohol sponsorship of sporting venue prohibited

No person may permit the official name of a sporting venue to include all or any of the following:

- (a) an alcohol trade mark;
- (b) all or any part of a company name included in an alcohol trade mark;
- (c) 1 or more words, logos, colours, shapes, sounds, smells, or other elements of an alcohol product trade mark that, as those 1 or more elements are used in the name, or on or through the thing, are likely to cause a person exposed to the name or thing to believe that the 1 or more elements are used in, on, or through it only or mainly for the purpose of advertising the product.

Exemptions

396H Exemptions for participants in certain events

- (1) **Sections 396B to 396G** do not apply to the display, on any craft, of any alcohol product trade mark or the company name of any alcohol product manufacturer, where—
 - (a) that craft is participating in an international race; and
 - (b) the alcohol product manufacturer who manufactures that alcohol product, or whose company name is so displayed, is sponsoring, in whole or in part, the participation of that craft in that race; and
 - (c) New Zealand is a port of call for that race.

**Sale and Supply of Alcohol (Harm Minimisation)
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Part 2 cl 17

- (2) The Minister may, by notice in writing, grant an exemption from any or all of **sections 396B to 396G** in respect of the promotion of any international craft race where New Zealand is a port of call for that race.
- (3) The Minister may, by notice in writing, grant an exemption from any or all of **sections 396B to 396G** in respect of any participant in an organised sports activity (not being a participant who is a New Zealand resident) for the purpose of allowing that participant to fulfil any obligation imposed on that participant to acknowledge any sponsor (being an obligation incurred before that participant submitted that person's entry for that activity), provided that—
 - (a) the Minister is satisfied that the organised sports activity is of international significance; and
 - (b) any part of that activity is to take place in New Zealand.
- (4) The Minister may grant an exemption under **subsection (2) or subsection (3)** either unconditionally or subject to such conditions as the Minister thinks fit.
- (5) The Minister may from time to time, by notice in writing to the person to whom any exemption is granted under **subsection (2) or subsection (3)**, amend or revoke that exemption.

396I Exemption for multinational sporting events

- (1) In this section, **multinational sporting event** means any sporting event, or any series of sporting events,—
 - (a) in which 3 or more countries are, or will be, represented; and
 - (b) that is being held, or will be held, in 2 or more countries, including New Zealand.
- (2) The Minister may, by notice in writing, grant an exemption from any or all of **sections 396B to 396G** in respect of—
 - (a) the use, in the name of a multinational sporting event, of—
 - (i) an alcohol product trade mark; or
 - (ii) a company name, or any part of a company name, of any manufacturer, importer, or distributor of alcohol products; or
 - (b) the advertisement of—
 - (i) a multinational sporting event; or
 - (ii) the fact that a multinational sporting event is organised or promoted or sponsored, in whole or in part, by any manufacturer, importer, or distributor of alcohol products; or
 - (c) the use, on any article, of—
 - (i) an alcohol product trade mark; or

**Sale and Supply of Alcohol (Harm Minimisation)
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Part 2 cl 18

- (ii) a company name, or any part of a company name, of any manufacturer, importer, or distributor of alcohol products—
for the purpose of advertising or promoting or identifying to the public—
 - (iii) a multinational sporting event; or
 - (iv) the fact that a multinational sporting event is organised or promoted or sponsored, in whole or in part, by any manufacturer, importer, or distributor of alcohol products.
- (3) The Minister may grant an exemption under **subsection (2)** either unconditionally or subject to such conditions as the Minister thinks fit.

396J Treatment of notices under sections 396H and 396I

A notice given under **section 396H or 396I** must, as soon as practicable after it is given, be—

- (a) published on an Internet site administered by or on behalf of the Ministry of Justice; and
- (b) notified in the *Gazette*.

Offences

396K Offence in respect of alcohol advertising and sponsorship

Every person who contravenes any or all of **sections 396B to 396G** commits an offence and is liable on conviction to,—

- (a) in the case of a manufacturer, an importer, or a distributor, to a fine not exceeding \$600,000; or
- (b) in the case of a large retailer, to a fine not exceeding \$200,000; or
- (c) in any other case, to a fine not exceeding \$50,000.

18 New part heading inserted

Replace the subpart heading and cross-heading above section 397 with:

**Part 5
Other matters**

Regulations



HASTINGS DISTRICT & NAPIER CITY COUNCILS' LOCAL ALCOHOL POLICY

August 2019



LOCAL ALCOHOL POLICY

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LOCAL ALCOHOL POLICY

1. INTRODUCTION

The Sale and Supply of Alcohol Act 2012 (the Act) was enacted on 18 December 2012. The Act allows territorial authorities to develop a local alcohol policy (LAP) and it allows two or more territorial authorities to develop a joint LAP. This is the joint Local Alcohol Policy for the Hastings District and Napier City territorial areas. This policy applies to any licensing application made to a District Licensing Committee within Hastings District or Napier City.

Under the Act a Local Alcohol Policy is to consist of a set of decisions made by Council in consultation with the Police, Medical Officers of Health and licensing inspectors as well as the community about the sale and supply of alcohol. Once the LAP is in place, the Council's District Licensing Committee and the Alcohol Regulatory and Licensing Authority will have to consider the policy when they make decisions on licence applications.

THE LOCAL ALCOHOL POLICY:

- **May restrict the default maximum trading hours set out in the Act.**
- **May impose conditions on groups of licences such as one-way door conditions whereby a patron is allowed to leave a premise after a certain time but not enter or re-enter after a certain time.**
- **May specify restrictions on the location of licensed premises in particular areas or near facilities of particular kinds.**
- **May specify whether further licences (or licences of a particular kind or kinds) should be issued for premises in a particular area.**
- **May recommend discretionary conditions.**

2. LAP OUTCOMES

This Local Alcohol Policy will guide decisions on alcohol licence applications by the District Licensing Committee in the aim of:

- Creating a safe and healthy community free from alcohol related harm
- Fostering safe and responsible drinking environments
- Reflecting community views on the sale and supply of alcohol within the district.

3. OBJECTIVES OF THE LAP

The objectives of the Sale and Supply of Alcohol Act (2012) are that:

- The sale, supply and consumption of alcohol should be undertaken safely and responsibly; and
- The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

Beyond the objectives stated in the Act, the objectives of Hastings District and Napier City Council's Local Alcohol Policy are:

- To support the purpose and intent of the Sale and Supply of Alcohol Act 2012.
- To identify what types of harm caused by the excessive or inappropriate consumption of alcohol the community is concerned about and address those harms to the extent appropriate.
- To provide a framework for the District Licensing Committee and Alcohol Regulatory and Licensing Authority to guide their decisions on alcohol licence applications.
- To promote transparency and provide clarity for the public and applicants about whether an application will meet the provisions of the LAP.
- To demonstrate leadership to achieve a safe drinking culture.
- Work collaboratively with community and agencies on initiatives to reduce alcohol related harm.

4. POLICY PRINCIPLES

- The use of the discretionary conditions will seek insofar as is possible to meet the principles of Crime Prevention through Environmental Design (CPTED) and the preservation of good order and amenity.
- A preliminary review of the policy shall be initiated three years after the policy becomes operative to determine whether a full review is required earlier than the six year review required under s 97 of the Sale and Supply of Alcohol Act 2012.



LOCAL ALCOHOL POLICY

5. HOURS

The following maximum trading hours apply to all licensed premises within the Hastings District and Napier City territorial areas.

5.1 ON-LICENCE HOUR

ON LICENSE TYPE	MAXIMUM TRADING HOURS
Taverns/bars/pubs/night-clubs	8.00am to 3.00am the following day Monday to Sunday One way door restriction: Mandatory at 2.00am
Cafes/restaurants/wineries/winery restaurants	8.00am to 2.00am the following day Monday to Sunday
Entertainment Venues	Licensing hours are to be consistent with the nature and activities of the premise and in general shall range from: 8.00am to 2.00am the following day Monday to Sunday

NOTE: The owner/operator of an on-licensed premise will be constrained by the hours defined by any resource consent or District Plan requirements. The above-stated hours do not imply any right to operate outside any requirements set under the Resource Management Act 1991.

5.2 OFF-LICENCE HOURS

OFF LICENSE TYPE	MAXIMUM TRADING HOURS
Grocery stores and supermarkets	7.00am to 10.00pm Monday to Sunday
All other off licenses	9.00am to 10.00pm Monday to Sunday

LOCAL ALCOHOL POLICY

5.3 CLUB LICENCE HOURS

CLUB LICENCE TYPE	MAXIMUM TRADING HOURS
	<p>Licensing hours are to be consistent with the nature and activities of the club and in general shall range from:</p> <p>8.00am to 1.00am the following day Monday to Sunday</p>

6. SPECIAL LICENCES

Special Licences may be issued for the on-site or off-site consumption of alcohol for a special event or series of events. The Sale and Supply of Alcohol Act 2012 allows special licences to be issued for up to 12 months. Unlike other kinds of licences, special licences are not subject to the Act's default maximum trading hours so can apply up to 24 hours a day. Special licenses are to allow the sale and supply of alcohol at events and are not intended to be a substitute for an "on", "off" or "club" licence.

Applications for special licences should be filed 20 working days prior to the intended event. This time period is specified by statute to allow sufficient time for reporting by the Police, Medical Officer of Health and Licensing Inspector. Applications submitted with less than 20 working days available to the District Licensing Committee may not be processed in time for the event and are submitted at the applicant's risk.

All applications must comply with the provisions of the District Plan. Conditions may be imposed on any special licence to mitigate the potential for noise or other environmental effects. Where an objection to an application is received the application will be referred for a formal hearing to the District Licensing Committee for a decision.

7. LOCATION OF LICENSED PREMISES

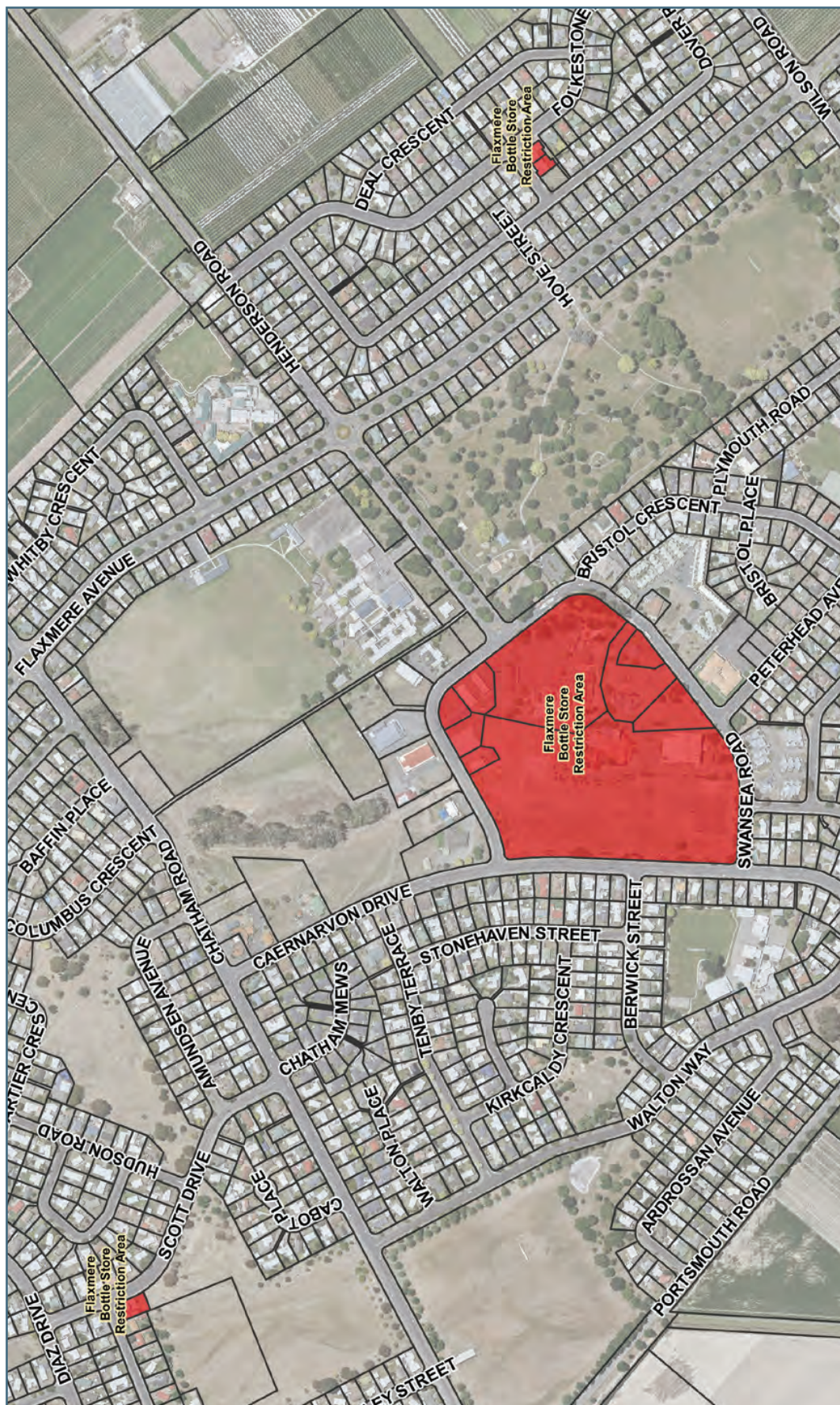
From the date this LAP comes into force, no further off-licences are to be issued for any premises being a bottle store on land located within:

- Flaxmere - the Commercial Service or Suburban Commercial zone in Flaxmere, or any Precinct within the Flaxmere Village Centre Zone or Scheduled sites 1 and 2 within Flaxmere shown as identified in Map 1.
- Camberley - the suburban commercial zone in Camberley identified in Map 2.
- Maraenui – the Reserve, Suburban Commercial and Residential Zone in Maraenui identified in Map 3.

NOTE: In all areas not listed above the District Licensing Committee may grant an on, off or club licence for any premises located in any zone where the sale and supply of alcohol is a permitted activity under the relevant District Plan. Applications will not be considered in other areas unless resource consent has been granted.



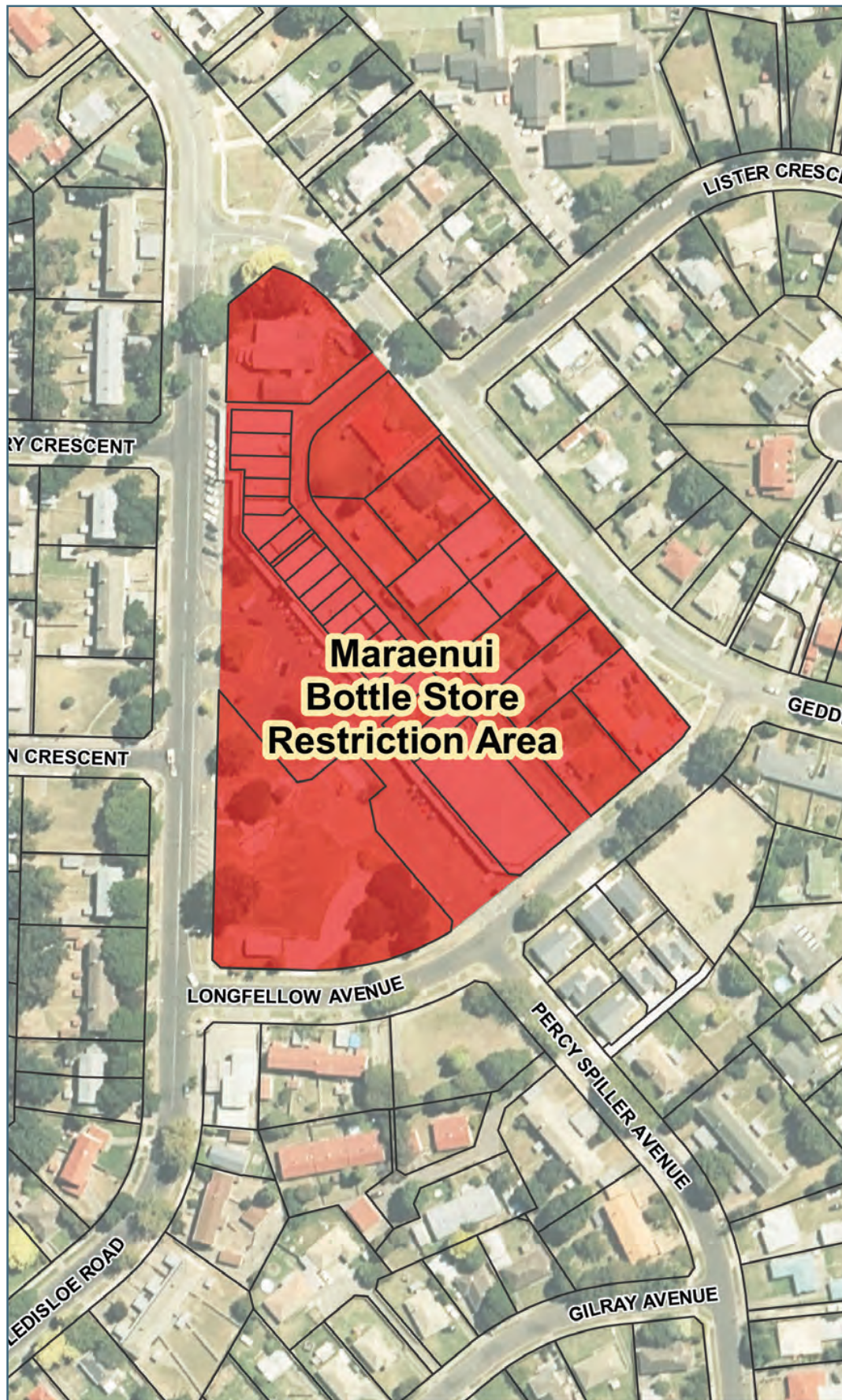
BOTTLE STORE RESTRICTION AREA MAP FLAXMERE



BOTTLE STORE RESTRICTION AREA MAP CAMBERLEY



BOTTLE STORE RESTRICTION AREA MAP MARAENUI



8. DISCRETIONARY CONDITIONS

Section 117 of the Act permits a District Licensing Committee to issue any licence subject to any reasonable conditions not inconsistent with the Act.

Discretionary conditions are in addition to the mandatory conditions specified within the Act. This provision allows the District Licensing Committee a wide ranging discretion as to conditions that may be applied to a licence. In order to provide some guidance to the District Licensing Committee and some certainty to applicants, the following conditions are a list of those which may be imposed by the District Licensing Committee where they are considered appropriate. In using its discretion to apply conditions, the District Licensing Committee will be guided by the following:

- **CONNECTION** – whether there is a connection between the problem to be addressed and the proposed activity
- **IMPACT** – whether in the opinion of the District Licensing Committee the proposed condition will contribute to making the drinking environment safer and minimise harm
- **REASONABLENESS** – whether it is within the capabilities of the applicant or licensee to satisfy this condition.

NOTE: While the District Licensing Committee has the discretion to add any condition(s) that it deems to be appropriate, it is anticipated that an applicant would have the opportunity to submit comments to the District Licensing Committee prior to the imposition of any condition that may have a financial or management impact on their business.

LOCAL ALCOHOL POLICY

The following are examples of conditions which may be applied to alcohol licences by the District Licensing Committee:

ON-LICENCES

- CCTV cameras (location and number)
- Provision of effective exterior lighting
- No serving in glass containers at specified times
- Number of door-staff and provision of additional security staff after specified times
- Management of patrons queuing to enter the licensed premise
- Limit on the number of drinks per customer at specified times
- No shots or types of drinks to be served after specified times
- Limit on drink sizes after specified times
- Conditions relating to management: such as certificated staff required if the maximum occupancy exceeds a prescribed number or if recommended by Police or the Inspector, requirement for multiple managers etc
- One way door restrictions
- Provision of transport for patrons
- Restriction on the use of outdoor areas after a specified time

CLUB LICENCES

- Conditions relating to management: such as certificated staff required at all clubs unless the bar is staffed voluntarily and membership is below a prescribed number.

OFF-LICENCES

- Display of safe drinking messages/material

SPECIAL LICENCES

- Restriction on the type of drinks sold, the alcohol percentage of the drinks and the type of containers the drinks are served in
- One way door restrictions

DEFINITIONS

Alcohol	<p>means a substance—</p> <p>(a) that—</p> <ul style="list-style-type: none"> (i) is or contains a fermented, distilled, or spirituous alcohol; and (ii) at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or <p>(b) that—</p> <ul style="list-style-type: none"> (i) is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and (ii) is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or <p>(c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people (refer section 5(1) of the Act)</p>
Alcohol related harm	<p>(a) means the harm caused by the excessive or inappropriate consumption of alcohol; and</p> <p>(b) includes-</p> <ul style="list-style-type: none"> (i) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and (ii) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in subparagraph (i) (refer section 5(1) of the Act)
Bottle store	<p>means retail premises where at least 85% of the annual sale revenue is expected to be earned from the sale of alcohol for consumption somewhere else (refer section 31(1) of the Act)</p>
Bar	<p>in relation to a hotel or tavern, means a part of the hotel or tavern used principally or exclusively for the sale or consumption of alcohol (refer section 5(1) of the Act)</p>
Café	<p>has the same meaning as restaurant in terms of the licence</p>

LOCAL ALCOHOL POLICY

Club	<p>means a body that-</p> <ul style="list-style-type: none"> (a) Is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or (b) Is a body corporate whose object is not (or none of whose objects is) gain; or (c) Holds a permanent club charter (refer section 5(1) of the Act)
Club licences	where the licensee (e.g. a club) can sell and supply alcohol for consumption on the club premises by authorised customers (see section 21 of the Act);
Entertainment Venue	means premises used or intended to be used in the course of business principally for providing any performance or activity such as but not limited to theatre, cinema, bowling, pool/snooker/billiard hall, brothel, function centre, wedding venue, live entertainment venue, strip club.
Grocery Store	means a shop that has the characteristics normally associated with shops of the kind commonly thought of as grocery shops such as but not limited to annual sales revenue, product range; and comprises premises where a range of food products and other household items are sold; but the principal business carried on is or will be the sale of food products (refer section 33(1) of the Act). In most cases grocery stores will be less than 1,000 m ² in size
Hotel	<p>means premises used or intended to be used in the course of business principally for providing to the public-</p> <ul style="list-style-type: none"> (a) Lodging; and (b) Alcohol, meals, and refreshments for consumption on the premises (refer section 5(1) of the Act)
Night-club	has the same meaning as tavern in terms of the licence
On-licences	where the licensee can sell and supply alcohol for consumption on the premises and can let people consume alcohol there (see section 14 of the Act);

Off-licences	where the licensee sells alcohol from a premise for consumption somewhere else (see section 17 of the Act);
Pub	has the same meaning as tavern in terms of the licence
Restaurant	means premises that- (a) Are not a conveyance; and (b) Are used or intended to be used in the course of business principally for supplying meals to the public for eating on the premises (refer section 5(1) of the Act)
Special licences	can be either on-site or off-site special licences. With an on-site special, the licensee can sell or supply alcohol, for consumption there, to people attending an event described in it. With an off-site special, the licensee can sell the licensee's alcohol, for consumption somewhere else, to people attending an event described in it (see section 22 of the Act).
Supermarket	means premises commonly thought of as a supermarket with a floor area of at least 1000m ² , including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items.
Tavern	(a) means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but (b) does not include an airport bar (refer section 5(1)). (ie, an airport bar is not treated as a tavern for alcohol licensing purposes).
Winery	means an activity carried out on the same site as a vineyard involving wine making and cellar door sales (the retail sale of the wine produced on the site), and any related entertainment facilities including the serving of food and beverages (refer Hastings District Plan definitions section).

APPENDIX 1 – REASONS

Reasons for the key elements of the Local Alcohol Policy are provided as follows. The reasons outline the key considerations of the Local Alcohol Policy Joint Committee as a result of hearing and considering all of the submissions and the reporting officer's report, as well as the appeals to the Provisional Local Alcohol Policy.

CLAUSE	REASONS
ON-LICENCE HOURS The maximum trading hours for: Taverns/bars/pubs/night-clubs are 8.00am to 3.00am the following day Monday to Sunday with a mandatory one way door restriction at 2.00am	<p>The opening hours of 8am for all on-licence venues are consistent with the default opening hours set out under the Act.</p> <p>The closing hours are consistent with historical closing hours outlined under previous Hastings and Napier Sale of Alcohol Policies as being 7am-3am.</p> <p>The Committee does not have evidence that the on-licence hours for taverns/ bars/pubs/ night-clubs should be further restricted in the territorial authority areas of Napier and Hastings.</p> <p>The Committee considered that because of the range of controls that apply to on-licences and the number of conditions and measures that on-licences are bound by to ensure they are operated responsibly that a 3.00am closure is appropriate. The Police and Medical Officer of Health while supporting a 2.00am close also recognised that licenced premises are a good place to consume alcohol in a safe way.</p> <p>The Committee considered that a one-way door should be mandatory at 2.00am as it provides an extra tool in the management of potential alcohol harm by reducing the likelihood of the movement of patrons between venues.</p> <p>From the submissions made by the Police and some licence holders, the evidence supports the implementation of a mandatory one-way door policy. Evidence indicated previous voluntary local trials of a one-way door policy were successful.</p>

CLAUSE	REASONS
Cafes/restaurants/wineries/winery restaurants are 8.00am to 2.00am the following day Monday to Sunday.	<p>The Committee determined that there should not be a differentiation between trading hours for taverns/bars/pubs/night-clubs and cafes/restaurants/wineries and that by having the same licence hours provides for more effective monitoring and enforcement.</p> <p>The Committee recognises that these businesses are commercial enterprises and market demand dictates closing time, and that these venues generally close at 11pm and only on occasion would go through to 2.00am.</p>
Entertainment venues licensing hours are to be consistent with the nature and activities of the premise and in general shall range from 8.00am to 2.00am the following day Monday to Sunday.	<p>The Committee recognises that the District Licensing Committee should have the ability to determine licence hours which are consistent with the nature and activity of the premises.</p>

APPENDIX 1 – REASONS

CLAUSE	REASONS
OFF-LICENCE HOURS The maximum trading hours for: Wineries, hotels, bars, taverns and bottle stores are 9.00am to 10.00pm Monday to Sunday	<p>The Committee determined the opening hours of 9.00am will assist in reducing alcohol related harm given that many of these premises are located in suburban or local communities and are more easily accessible to residential areas.</p> <p>Stopping the sale of alcohol at 10.00pm will also assist in reducing the incidences of pre-loading, side-loading and the further purchases of alcohol by people who have already been drinking throughout the evening and will therefore contribute to reducing the potential for alcohol related harm.</p>
Grocery stores and supermarkets 7.00am to 10.00pm Monday to Sunday	<p>The main purpose of supermarkets and grocery stores is to sell food, with alcohol sales being secondary to that. Having a 7.00am opening hour provides for the convenience of supermarket and grocery shoppers carrying out their normal grocery purchases at that time.</p> <p>Stopping the sale of alcohol at 10.00pm will assist in reducing incidences of pre-loading, side loading and the further purchases of alcohol by people who had already been drinking throughout the evening, and will therefore contribute to reducing the potential for alcohol related harm.</p> <p>There is no differentiation between closing hours for off-licences, as all alcohol can result in alcohol related harm. At this point in time, there is not sufficient local evidence to support a difference in the closing hours of different off-licences.</p>

CLAUSE	REASONS
<p>CLUB LICENCE HOURS</p> <p>Licensing hours are to be consistent with the nature and activities of the club and in general shall range from 8.00am to 1.00am the following day Monday to Sunday.</p>	<p>The start time for Club Licences at 8am is consistent with the default starting time set out in the Act.</p> <p>The finishing hours are consistent with historical operating hours of clubs in the territorial authority areas of Napier and Hastings with no evidence of alcohol related harm associated with these hours to justify imposing more restrictive hours. Further, the District Licensing Committee will be able to set licence hours which are consistent with the nature and activities of the club.</p>
<p>SPECIAL LICENCES</p> <p>Special Licences may be issued for the on-site or off-site consumption of alcohol for a special event or series of events. The Sale and Supply of Alcohol Act 2012 allows special licences to be issued for up to 12 months. Unlike other kinds of licences, special licences are not subject to the Act's default maximum trading hours so can apply up to 24 hours a day. Special licences are to allow the sale and supply of alcohol at events and are not intended to be a substitute for an "on", "off" or "club" licence.</p> <p>Applications for special licences should be filed 20 working days prior to the intended event. This time period is specified by statute to allow sufficient time for reporting by the Police, Medical Officer of Health and licensing inspector. Applications submitted with less than 20 working days available to the District Licensing Committee may not be processed in time for the event and are submitted at the applicant's risk.</p> <p>All applications must comply with the provisions of the District Plan. Conditions may be imposed on any special licence to mitigate the potential for noise or other environmental effects. Where an objection to an application is received the application will be referred for a formal hearing to the District Licensing Agency for a decision.</p>	<p>No maximum trading hours for special licences are specified in this policy due to the uncertainty of types of events and when these may occur. Maximum trading hours for special licences are also not prescribed in the Act.</p> <p>The Committee considers that it is appropriate for the District Licensing Committee to consider each application on its own individual merits taking into account the statutory criteria that must be considered and that conditions may be imposed on a Special Licence to mitigate adverse effects.</p>

APPENDIX 1 – REASONS

CLAUSE	REASONS
<p>LOCATION OF LICENSED PREMISES</p> <p>From the date this LAP comes into force, no further off-licences are to be issued for any premises being a bottle store on land located within:</p> <ul style="list-style-type: none"> • FLAXMERE - the Commercial Service or Suburban Commercial zone in Flaxmere, or any Precinct within the Flaxmere Village Centre Zone or Scheduled sites 1 and 2 within Flaxmere shown as identified in Map 1. • CAMBERLEY - the suburban commercial zone in Camberley identified in Map 2. • MARAENUI – the Reserve, Suburban Commercial and Residential Zone in Maraenui identified in Map 3. <p>NOTE: In all areas not listed above the District Licensing Committee may grant an on, off or club licence for any premises located in any zone where the sale and supply of alcohol is a permitted activity under the relevant District Plan. Applications will not be considered in other areas unless resource consent has been granted.</p>	<p>The Committee determined that there was sufficient local evidence to justify the implementation of location restrictions.</p> <p>A number of submissions were in support of location restrictions for Flaxmere and Camberley and submissions from the Police and Medical Officer of Health also requested that there also be bottle store restrictions put in place in Maraenui.</p> <p>That Maraenui has similar demographic and social problems as Flaxmere and Camberley and the Committee considered that it was therefore appropriate for a ‘no further bottle store restriction’ to be applied to Maraenui.</p> <p>Evidence from the Medical Officer of Health also showed that the Hastings Regional Hospital Emergency Department alcohol-related injury presentations are more likely to occur in private residences than licensed premises and that young people particularly those from high deprivation areas are more at risk of presenting with alcohol-related injuries than those from less deprived areas.</p> <p>The Committee did not consider further restrictions in relation to proximity to premises or facilities of a particular kind or kinds were warranted as it considers the District Licensing Committee to be in the best position to consider this on a case by case basis with the criteria relating to amenity and good order contained in the Act.</p>
<p>DISCRETIONARY CONDITIONS</p>	<p>The Committee notes that by their nature, discretionary conditions may or may not be applied by the District Licensing Committee and that the intention of this element of the policy is to draw attention to the types of conditions that the District Licensing Committee could consider. Outlining such conditions in the policy also provides some guidance to applicants regarding the nature and scope of potential discretionary conditions.</p>



JOINT ALCOHOL STRATEGY

REDUCING ALCOHOL RELATED HARM

NAPIER CITY COUNCIL

HASTINGS DISTRICT COUNCIL

REVISED 2017



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STRATEGY SUMMARY

Vision: A safe and healthy community,
free from alcohol related harm

Objective 1:
Demonstrate
leadership to
reduce
alcohol harm

Objective 2:
Foster safe
and
responsible
events and
environments

Objective 3:
Change
attitudes
towards
alcohol to
reduce
tolerance for
alcohol harms

At risk group 1: Young people (including under-age drinkers)

At risk group 2: Men

At risk group 3: Māori

At risk group 4: Women who are or may become pregnant

Council areas of influence
Leadership
Event and facility management
Advocacy
Promotion
Regulation
Collaboration

BACKGROUND

Hawke's Bay is renowned as 'wine country'. We have the ideal climate and environment for growing grapes, yet set amongst this we also have one of the highest hazardous drinking rates in New Zealand. Our chances of getting alcohol related cancers or injuries are much greater in Hawke's Bay where one in every four adults is a 'hazardous drinker' – meaning they are likely to be harming their own health or causing harm to others through their behaviour.¹ Our hazardous drinking levels are not explained by our younger population or our higher proportion of Māori.

Alcohol leads to a range of problems, including health issues, death and injury, violence, suicide, assault, and anti-social behaviours. The issues manifested by alcohol consumption are a problem across the whole community including for young newly-born babies, infants and children, young people, adults and seniors, and across the generations.

Our hazardous drinking levels have remained relatively steady since 2002 and unless we do more than what we are currently, this is unlikely to change. Harmful alcohol consumption is a contributor to health inequities in Hawke's Bay. As stated in the 2014 *Health Inequity* report, "for a difference to be made we must tackle this collectively, and take responsibility as a community."²

The original joint alcohol strategy was adopted by Napier City Council (NCC) and Hastings District Council (HDC) in 2011. A literature review was prepared to inform the Strategy's vision and objectives, and stakeholders were consulted during its development. The 2011 Strategy recognised that while many enjoy alcohol in a responsible way, the region experiences issues relating to alcohol misuse such as crime, hospital visits, injuries, abuse and violence. Not every instance of alcohol use is harmful. However, the immediate and longer-term effects of alcohol use can be significant and wide-ranging.

This Strategy acknowledges the many groups and organisations working towards reducing alcohol harm and that collaboration is crucial. A key partner in this work is Hawke's Bay District Health Board (HBDHB), who have as a priority in their alcohol position statement to "input into the delivery of the ... Joint Alcohol Strategy to limit availability and promote safe, responsible drinking".³

The Strategy also closely aligns with the goals of our two local safe communities, Safer Napier and Safer Hastings, who have each identified reducing alcohol harm as a priority area.

This revised Strategy covers the period 2017-2022.

¹ McElnay C. 2014. *Health Inequity in Hawke's Bay*. Hastings, Hawke's Bay District Health Board.

² Ibid. p5.

³ Hawke's Bay District Health Board. 2016. *Position Statement on Reducing Alcohol-Related Harm*. Adopted by HBDHB 30 November 2016. See Appendix C.

VISION

The Strategy's vision is: "A safe and healthy community, free from alcohol related harm".

This is the same as the 2011 Strategy vision. It has been retained unchanged as it is aspirational and reflects feedback from the Napier and Hastings communities who identify alcohol harm as an issue in both areas.⁴

OBJECTIVES

Three key objectives are identified for the Strategy. These reflect areas in which the two Councils have either a leadership role or where they may have some influence.

The 2017-2022 Strategy objectives are:

1. Demonstrate leadership to reduce alcohol harm
2. Foster safe and responsible events and environments
3. Change attitudes towards alcohol to reduce tolerance for alcohol harms

The objectives also aim to support the following high-level priorities outlined in a range of national and local documents.⁵

- Reduce hazardous drinking of alcohol
- Delay uptake of alcohol by young people
- Reduce illness and injury from alcohol.

The Strategy supports a combination of regulatory approaches and preventative and educational interventions, acknowledging that all of these contribute to reducing alcohol harm. The Strategy also encourages collaboration between partner organisations – including councils, government agencies, community and business groups.

GROUPS AT RISK

To achieve the greatest impact, initiatives need to focus on a mix of both population-wide activities, and those targeting 'at-risk' groups. The information review available highlights the following priority groups for reducing alcohol harm in Hawke's Bay:

- Young people (including under-age drinkers)
- Men
- Māori.

An additional group is women who are or may become pregnant (and their family/whanau), recognising the potential risk of giving birth to a baby with fetal alcohol spectrum disorder if the mother drinks alcohol during pregnancy.

⁴ Community feedback on safe community priorities is sought annually via stakeholder workshops in Napier.

⁵ National Drug Policy (Inter-Agency Committee on Drugs. 2015. *National Drug Policy 2015 to 2020*. Wellington: Ministry of Health)

Health Promotion Agency's Statement of Intent (Health Promotion Agency. 2014. *Statement of Intent 2014 -2018*. Wellington: Health Promotion Agency)

Hawke's Bay District Health Board's Alcohol Harm Position Statement (Hawke's Bay District Health Board. 2016. *Position Statement on Reducing Alcohol-Related Harm*. Adopted by HBDHB 30 November 2016).

These four priority groups align with those identified by the HBDHB in their alcohol position statement, and with the national Fetal Alcohol Spectrum Disorder Action Plan.⁶

MONITORING AND REVIEW

The Strategy will be reviewed in five years. Annual assessments of progress will be undertaken through analysis of the following set of high-level alcohol harm indicators, for which reasonably reliable data is available.⁷ These assessments will determine if implementation activities are making an impact on the Strategy's objectives. They will also enable response to any emerging issues.

- Number of alcohol related fatal and serious injury road crashes
- Number of excess breath and blood alcohol traffic proceedings
- Number of 15 years and older hospitalisations wholly attributed to alcohol
- Hazardous drinking prevalence
 - Young people aged 15-24
 - Men
 - Maori
 - Maori men
 - Young Maori aged 15-24
- Alcohol attributable Emergency Department presentations
- Late night assaults

The indicator set will be reviewed and revised if new data becomes available.

Review of any collaborative activities will be undertaken following completion of each activity using the Results Based Accountability framework.

STRATEGIC LINKS

This Strategy links to a number of national and local policies and plans, as well as to the Sale and Supply of Alcohol Act 2012.⁸ See details in Appendix D.

⁶ FASD Working Group. 2016. *Taking Action on Fetal Alcohol Spectrum Disorder: 2016-2019: An action plan*. Wellington: Ministry of Health.

⁷ These indicators were developed locally as part of the Safe Communities monitoring framework.

⁸ Sale and Supply of Alcohol Act 2012. <http://www.legislation.govt.nz/act/public/2012/0120/latest/DLM3339333.html> Accessed 6 January 2017.

APPENDIX A: DATA AND INFORMATION SUMMARY, 2016⁹

DRINKING LEVELS

Alcohol continues to be an issue in Hawke's Bay and it is one that contributes to our rates of health inequities.¹⁰ Of particular concern is the continued high rate of hazardous drinking. We drink at almost twice the national hazardous drinking level and this is showing no sign of change (2002/03 to 2011/14¹¹). Levels of drinking in Hawke's Bay are higher than nationally among men and women, Māori and non-Māori, and across almost all age groups.

*The Hawke's Bay population as a whole is drinking more hazardously than New Zealand and this is not explained by our younger population or our higher proportion of Māori.*¹²

Rates of hazardous drinking have increased over the last decade for many groups, but particularly for Māori. Māori in Hawke's Bay have higher hazardous drinking rates compared to their non-Māori counterparts. In 2011/14 Māori men were 1.7 times more likely to have a hazardous drinking level than non-Māori men. Levels for Māori women were twice as high than non-Māori women.

In terms of age groups, hazardous drinking levels are highest in 15-24 year olds. Over half of young men in Hawke's Bay (54%) drank at hazardous levels in 2011/14, and 31% of young women. Our young men drink at significantly higher rates than the national average.

HOSPITAL VISITS

Another measure indicates ongoing high rates of Hawke's Bay hospital admissions attributable to alcohol. In recent years (since 2013), these rates have increased. Māori admission rates are now almost twice those of non-Māori.

Between 500 and 600 people are admitted to Hawke's Bay hospital each year for alcohol related issues, with an average hospital stay of 4.2 days. In 2014/15 the total direct hospital costs for these stays was over \$3 million (\$3,107,049).¹³ This cost excludes any outpatient and rehabilitation costs.

A recent study of all hospital emergency departments in New Zealand (including Hawke's Bay) found that one in four patients were there because of the harmful use of alcohol.¹⁴

⁹ Note that a number of other harms are linked to alcohol use but data is either unavailable or poor quality (eg, Police, Addiction services).

¹⁰ Hawke's Bay District Health Board. 2014. *Health Inequity in Hawke's Bay: Key findings 2014*. Hawke's Bay: HBDHB.

¹¹ Note New Zealand Health Survey data is pooled across multiple survey years to provide regional information.

¹² Hawke's Bay District Health Board. 2014. *Health Inequity in Hawke's Bay: Key findings 2014*. Hawke's Bay: HBDHB. p64.

¹³ HBDHB Data Warehouse.

¹⁴ *1 in 4 in NZ Emergency Departments Affected by Alcohol*. Australasian College for Emergency Medicine. Press Release 20 December 2016. <http://www.scoop.co.nz/stories/GE1612/S00101/1-in-4-in-nz-emergency-departments-affected-by-alcohol.htm> Accessed 5 January 2017.

MOTOR VEHICLE CRASHES

Our rate of motor vehicle crashes where alcohol was involved declined over the six years to 2014. Hawke's Bay rates are now similar to national rates, following a period of being significantly higher between 2009 and 2011.

While the rate of alcohol related crashes has declined in recent years, the proportion of crashes resulting in injuries (severe or non-fatal) has increased.¹⁵ These rates are slightly higher than the New Zealand averages.

The number of unique offenders exceeding the alcohol or other substance limit in Hawke's Bay continues to fall, declining 21% in the 12 months to March 2016.¹⁶ This is likely to be attributable to the lowered alcohol limit for drivers, introduced in December 2014. The majority of offenders are aged 15-29 (46%) and the number of Maori offenders is 30% higher than the number of European offenders.

¹⁵ Massey University – Wellington. Environment Health Indicators NZ Programme.

¹⁶ Statistics New Zealand 2106. www.nzdotstat.stats.govt.nz

APPENDIX B: STRATEGY STAKEHOLDERS

As with the 2011 Strategy, this revised document also recognises the importance of collaborating with stakeholders in working towards the Strategy’s vision.

DEVELOPMENT OF THE STRATEGY

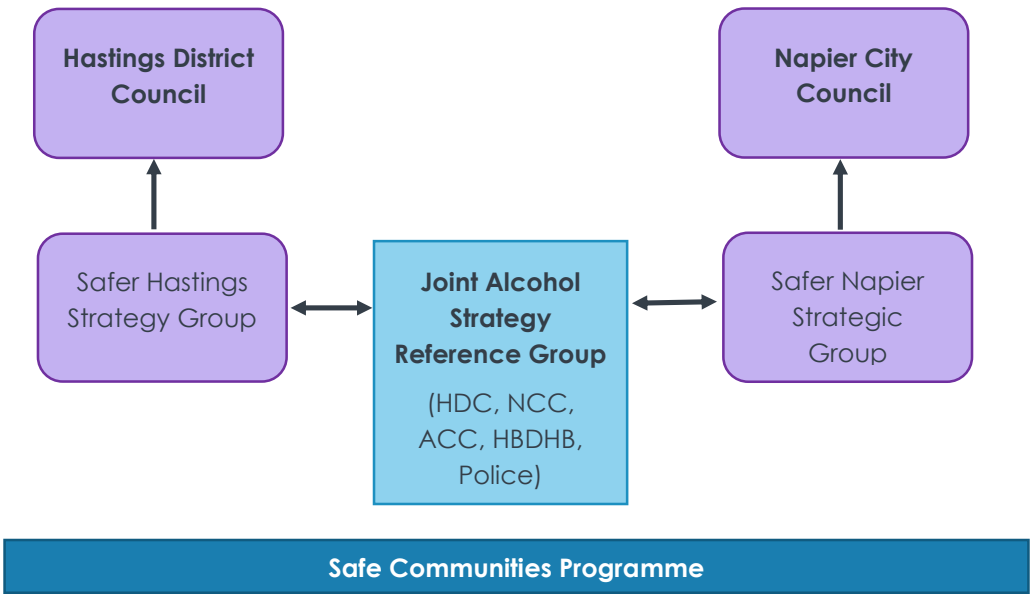
NCC and HDC staff conducting the review worked with the Joint Alcohol Strategy Reference Group in revising the document. The Reference Group supports the safe community objectives of both Safer Napier and Safer Hastings. Reference Group members are:

- ACC (Injury Prevention Coordinator)
- Eastern Police (Alcohol Harm Reduction Officers)
- Hawke’s Bay District Health Board (Medical Officer of Health, Population Health)
- Napier City Council (Community Strategies, Safer Napier, Liquor Licensing)
- Hastings District Council (Social and Youth Development, Safer Hastings, Liquor Licensing).

The following key stakeholders were also invited to provide comment on the revised Strategy:

- Directions Youth Health
- Health Hawke’s Bay
- Ministry of Social Development
- RoadSafe Hawke’s Bay
- Sport Hawke’s Bay
- Te Kupenga Hauora - Ahuriri
- Te Puni Kōkiri
- Te Taiwhenua o Heretaunga.

GOVERNANCE STRUCTURE



IMPLEMENTATION PLAN

NCC and HDC staff will work with the Joint Alcohol Strategy Reference Group to develop the Strategy's Implementation Plan. Other stakeholders will also be involved to ensure alignment with other alcohol strategies, inclusion of other actions, and identification of collaboration opportunities.

APPENDIX C: HAWKE'S BAY DISTRICT HEALTH BOARD'S POSITION STATEMENT ON REDUCING ALCOHOL-RELATED HARM, 2016

HAWKE'S BAY DISTRICT HEALTH BOARD POSITION

Harmful alcohol consumption is a major risk factor which contributes to the physical, mental and social ill-health in our community and to Māori: non-Māori health inequities in Hawke's Bay. This health and social burden is borne not just by drinkers but often by others.

The Hawke's Bay District Health Board recognises that the widespread promotion of and accessibility to alcohol has a significant role to play in people's drinking behaviour. Similarly, the DHB understands that the strongest measures to reduce alcohol-related harm operate at a policy level and include increasing price, reducing availability and reducing advertising.

Hawke's Bay District Health Board commits to taking a leadership role in reducing alcohol-related harm in our community. The first steps involve the DHB developing a high-level Strategy and a more detailed Implementation (and Communication) Plan to take action in collaboration with our stakeholders and community.

OUR VISION

"Healthy communities, family and whānau living free from alcohol-related harm and inequity"

The Core DHB Values that underpin the *process* for developing the DHB's Strategy and plans to address alcohol-related harm are:

Rāranga te tira - Working in partnership across the community

The improvement of Māori outcomes will require Iwi defined and led strategies

Community engagement & ownership will be critical to change attitudes to alcohol –related harm

Tauwhiro - High quality care

Effective strategies need to be evidence informed

Population-based prevention strategies are the most effective and efficient, where possible to deliver at the local level

Improving early intervention support & treatment has an important role

He kauanuanu - Showing respect to staff, patients and community

A harm minimisation approach is realistic for many people, accepting that target groups need tailored advice and strategies

Systems thinking is critical to develop strategies which work synergistically

Akina - Continuous improvement

DHB leadership entails being a role model, e.g. holding alcohol-free events within our health system and thus leading the way towards moderation in the community

Relies on strengthened intelligence through improving health system data collection

The Hawke's Bay District Health Board is committed to supporting our government's [National Drug Policy 2015-2020](#)¹⁷ to:

- reduce excessive drinking by adults and young people
- protect the most vulnerable members of our community when it comes to alcohol-related harm e.g. children and young people, pregnant women and babies (Fetal Alcohol Spectrum Disorder)
- reduce the harm caused by alcohol use including crime, disorder, public nuisance and negative public health outcomes
- support the safe and responsible sale, supply and consumption of alcohol
- improve community input into local alcohol licensing decisions
- improve the operation of the alcohol licensing system.

Further to the above, the Hawke's Bay District Health Board is committed to:

- reduce and eliminate alcohol and other drug-related harm inequities – particularly for Māori, young people, pregnant women and others who experience disproportionate alcohol-related harm in our community.

NEXT STEPS

The Hawke's Bay District Health Board will undertake the following next steps as a priority.

1. Identify the appropriate capacity and resource to lead the development of an Alcohol Harm Reduction Strategy and Implementation Plan.
2. Identify a governance and management structure to guide and provide an accountability mechanism for the Coordination and Strategy/Plan delivery.
3. Support high-level Champions within our health system and in the community to act as spokespersons and be credible role models to help shift staff, community, whanau, family and individual attitudes to reduce harmful alcohol consumption.
4. Identify the best way to input into the review and delivery of the Napier City and Hastings District Councils' Joint Alcohol Strategy to limit availability and promote safe, responsible drinking.
5. Establish the best method to engage the relevant departments across our DHB and PHO, and to engage with Iwi, Pasifika, young people and community (building on existing groups -Safer Communities, Māori NGOs etc), to develop appropriate strategies and to provide support.
6. Consider the development of a local Alcohol Coalition of NGOs and other agencies, akin to the Hawke's Bay Smokefree Coalition to build support at a community level.
7. Identify service gaps and priority objectives for local DHB action to include:
 - improved systems for health data collection/screening and brief intervention (e.g. in the Emergency Department, Maternity and Primary Care)
 - appropriate clinical referral pathways and treatment services
 - support for strong, consistent health messaging (such as no drinking in pregnancy).

KEY OUTCOMES

Consistent with the National Drug Policy the key outcomes our District Health Board is striving for, include:

- Reduced hazardous drinking of alcohol
- Delayed uptake of alcohol by young people
- Reduced illness and injury from alcohol

¹⁷ <http://www.health.govt.nz/system/files/documents/publications/national-drug-policy-2015-2020-aug15.pdf>

- Changed attitudes towards alcohol and reduced tolerance for alcohol-related harms

November 2016

Position Statement Review date: July 2017 (6 months) and on a 3 year cycle thereafter.

LINKAGES

National Drug Policy Framework (2015-2020) (Inter-Agency Committee on Drugs, 2015)

Rising to the Challenge - The Mental Health and Addiction Service Development Plan (2012-2017)

Hawke's Bay District Health Board:

Health Equity in Hawke's Bay (McElnay C 2014)

Health Equity in Hawke's Bay Update (McElnay C 2016)

Youth Health Strategy (2016-2019)

FASD Discussion Document (December 2015)

Intimate Partner Violence Intervention (Reviewed September 2016)

Mai, Māori Health Strategy (2014-2019)

Māori Health Annual Plan (2016 – 2017).

APPENDIX D: STRATEGIC LINKS

NATIONAL

Sale and Supply of Alcohol Act 2012

The Sale and Supply of Alcohol Act 2012¹⁸ replaces the Sale of Liquor Act 1989. It covers the safe and responsible sale, supply, and consumption of alcohol and the minimisation of harm caused by its excessive or inappropriate use. The Act introduces the following new provisions (among others):

- Default national maximum trading hours
- The opportunity for territorial authorities to develop local alcohol policies
- Criteria for issuing licences
- Conditions on licences (eg, one-way door restrictions, drinking water, food, low alcohol and non-alcoholic drinks, display of alcohol)
- Establishment of the Alcohol Regulatory Licensing Authority (ARLA) and District Licensing Committees (DLCs)
- Conditions for promotion of alcohol
- Restrictions on supplying alcohol to minors
- A clear definition of 'intoxication'.

National Drug Policy 2015-2020

The National Drug Policy¹⁹ is the guiding document for policies and practices responding to alcohol and other drug (AOD) issues. Its goal is to minimise alcohol and other drug-related harm and promote and protect health and wellbeing for all New Zealanders. Its objectives are:

- Delaying the uptake of AOD by young people
- Reducing illness and injury from AOD
- Reducing hazardous drinking of alcohol
- Shifting our attitudes towards AOD.

Activities identified in the Policy are categorised under three strategies: problem limitation, demand reduction, and supply control. The Policy aims to guide decision-making by local services, communities, and NGOs, to improve collaboration and maximize the effectiveness of the system as a whole.

Fetal Alcohol Spectrum Disorder Action Plan 2016-2019

The Fetal Alcohol Spectrum Disorder (FASD) Action Plan²⁰ aims to create a more effective, equitable and collaborative approach to FASD. It is a cross-agency commitment to support the current system to be more responsive to the needs of individuals, families, whānau, and communities. The goals of the plan are that FASD is prevented and that people with FASD and their family/whānau live the best possible lives. The four priority areas are prevention, early identification, support, and evidence.

¹⁸ <http://www.legislation.govt.nz/act/public/2012/0120/latest/DLM3339333.html> Accessed 6 January 2017.

¹⁹ Inter-Agency Committee on Drugs. 2015. *National Drug Policy 2015 to 2020*. Wellington: Ministry of Health.

²⁰ FASD Working Group. 2016. *Taking Action on Fetal Alcohol Spectrum Disorder: 2016–2019: An action plan*. Wellington: Ministry of Health.

LOCAL

Local Alcohol Policy (LAP)

The Sale and Supply of Alcohol Act 2012 allows local authorities to develop local alcohol policies (LAPs), which may cover the following:

- Location of licensed premises and proximity to certain facilities or premises
- Number of licensed premises in district or parts of district
- Maximum trading hours
- Discretionary conditions
- One-way door restrictions.

LAPs are optional. NCC and HDC have prepared a joint LAP to cover both districts. The provisional LAP was notified in June 2016 and was subsequently appealed. At the time of this Strategy's review the appeal was waiting to be heard by the Alcohol Regulatory and Licensing Authority.

Hawke's Bay District Health Board Position Statement on Alcohol Related Harm

The Hawke's Bay District Health Board (HBDHB) finalised their position statement on reducing alcohol-related harm in late 2016. In it, HBDHB states that it commits to taking a leadership role in reducing alcohol-related harm in the community. The first steps involve the DHB developing a high-level Strategy and a more detailed Implementation (and Communication) Plan to take action in collaboration with stakeholders and community.

HBDHB is committed to:

- reduce excessive drinking by adults and young people
- protect the most vulnerable members of the community when it comes to alcohol-related harm (eg, children and young people, pregnant women and babies (Fetal Alcohol Spectrum Disorder))
- reduce the harm caused by alcohol use including crime, disorder, public nuisance and negative public health outcomes
- support the safe and responsible sale, supply and consumption of alcohol
- improve community input into local alcohol licensing decisions
- improve the operation of the alcohol licensing system
- reduce and eliminate alcohol and other drug-related harm inequities – particularly for Māori, young people, pregnant women and others who experience disproportionate alcohol-related harm in the community.

District Plan

The Resource Management Act 1991 requires each local authority to develop a district plan that sets out the objectives and policies for suitable management of natural and physical resources. Both Hastings and Napier have provision in their district plans to control the sale of alcohol in various zones. Liquor ban areas are also determined by each Council through liquor control bylaws.

Long Term Plan

Under the Local Government Act 2001, Councils must develop Long Term Plans that promote community wellbeing. Reducing alcohol related harm contributes to the following community outcomes:

- Achieving and maintaining good health and wellbeing
- An environment that is appreciated, protected and sustained for future generations
- Safe and accessible recreational facilities
- Accessible, safe and affordable transport system
- A strong, prosperous and thriving economy
- Communities that value and promote their unique culture and heritage
- Safe and secure communities
- Strong leadership that is connected to its community.



The strong case for championing alcohol law change

Dr Nicki Jackson,
Executive Director, Alcohol Healthwatch

Overview

Current context of drinking and harm

Key drivers of alcohol use and harm

- Price and affordability of alcohol
- Availability
- Advertising and sponsorship

Public support for alcohol law change

Current policy windows to effect change

History leading to law change in 2012

Manurewa liquor store owner
Navtej Singh.



9.00pm 7 June 2008, Riverton Drive, Manurewa, South Auckland

Over 100 community members march to the Porirua District Court to hear the 'Creek Liquor Store' application, chanting "No more bottle stores".



Courtesy of Alcohol Advisory Council New Zealand.

Women's alcohol consumption has been increasing over time across all ages but particularly among young women.



Schoolboy dies after party drinks

10 May 2010 04:00 AM

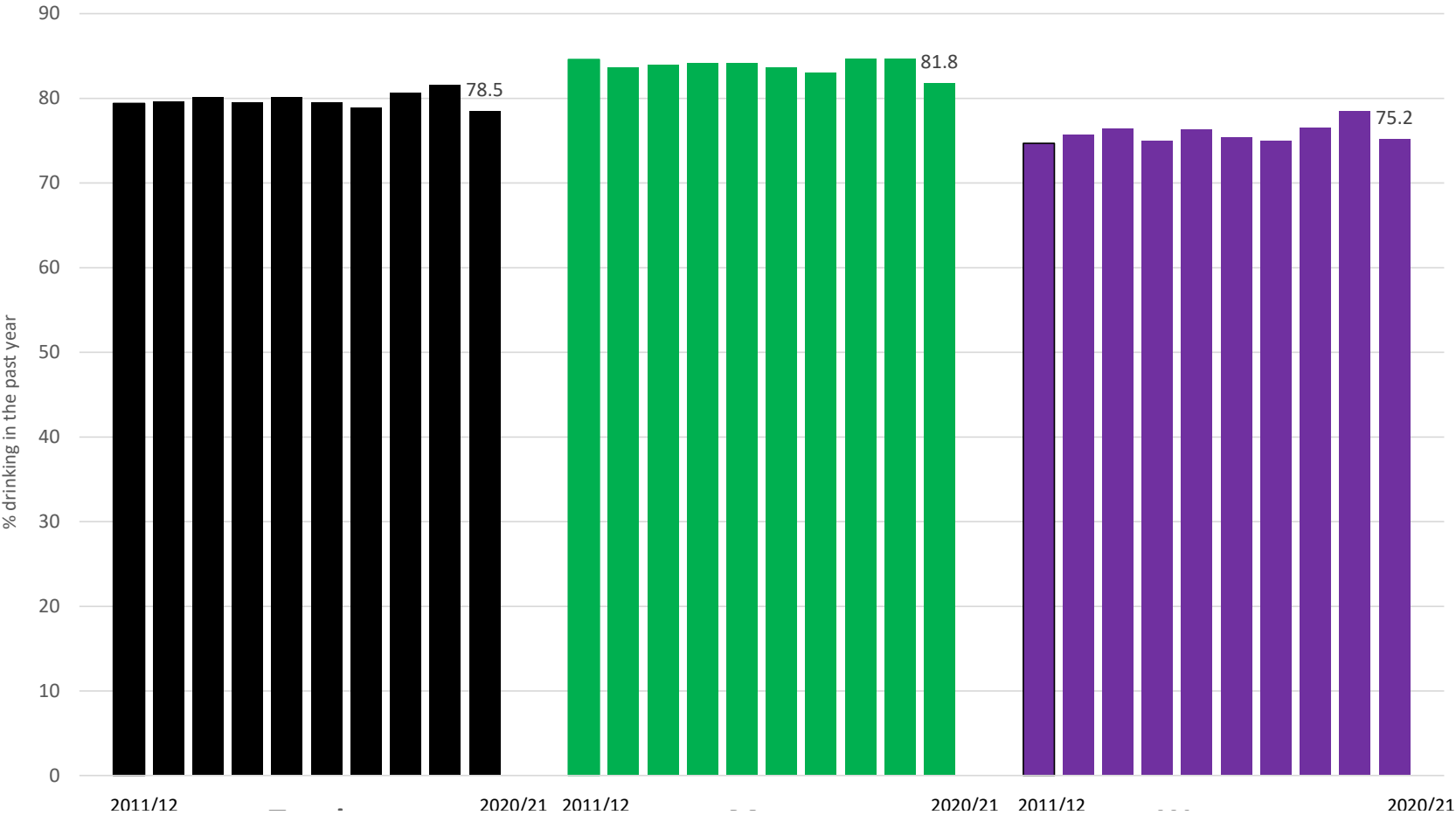
1 minutes to read



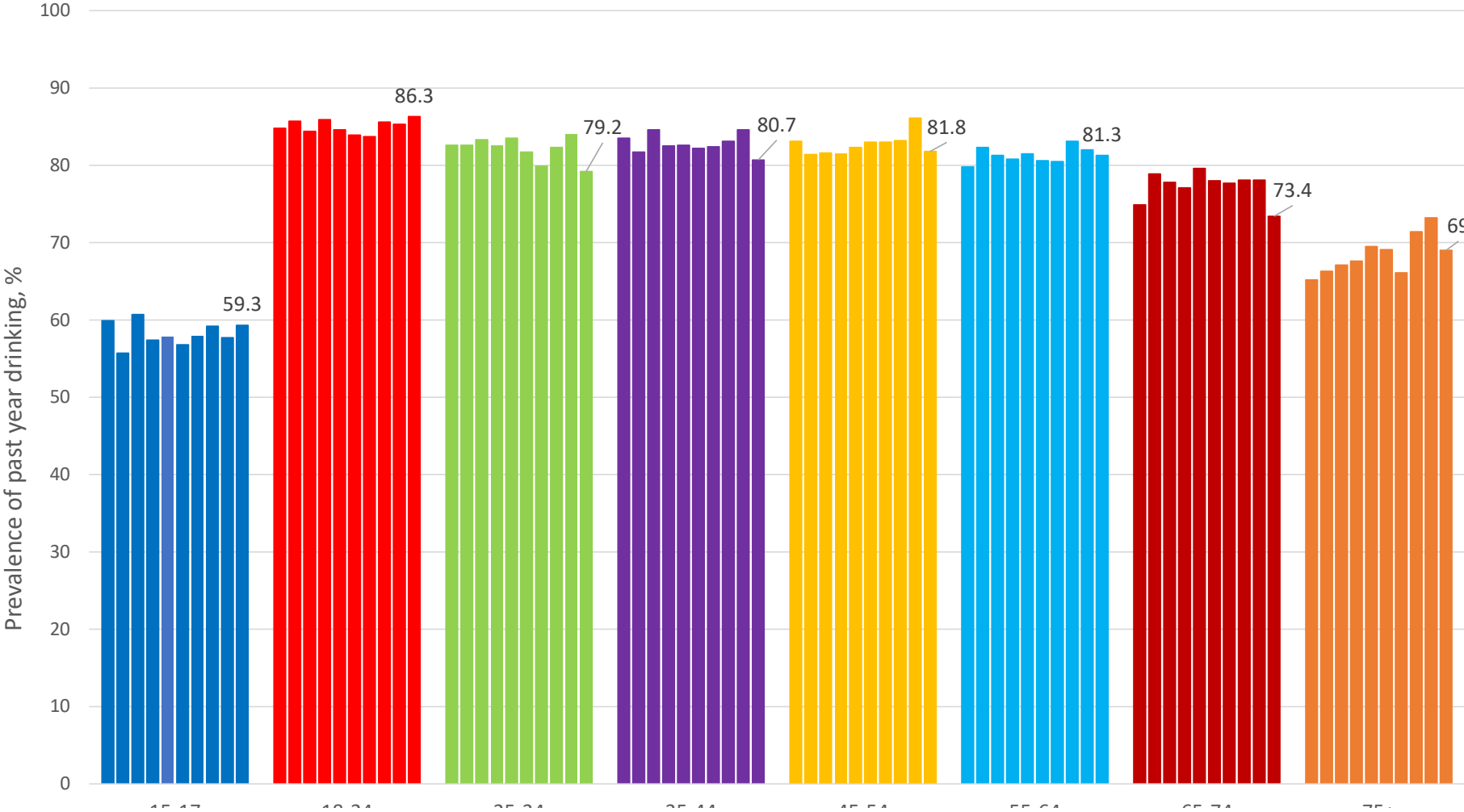
James Webster was a wonderful boy and a great all rounder, his headmaster says. Today, King's students will wear their formal white uniform to honour him. Photos / Screenshot

Current drinking patterns - NZ

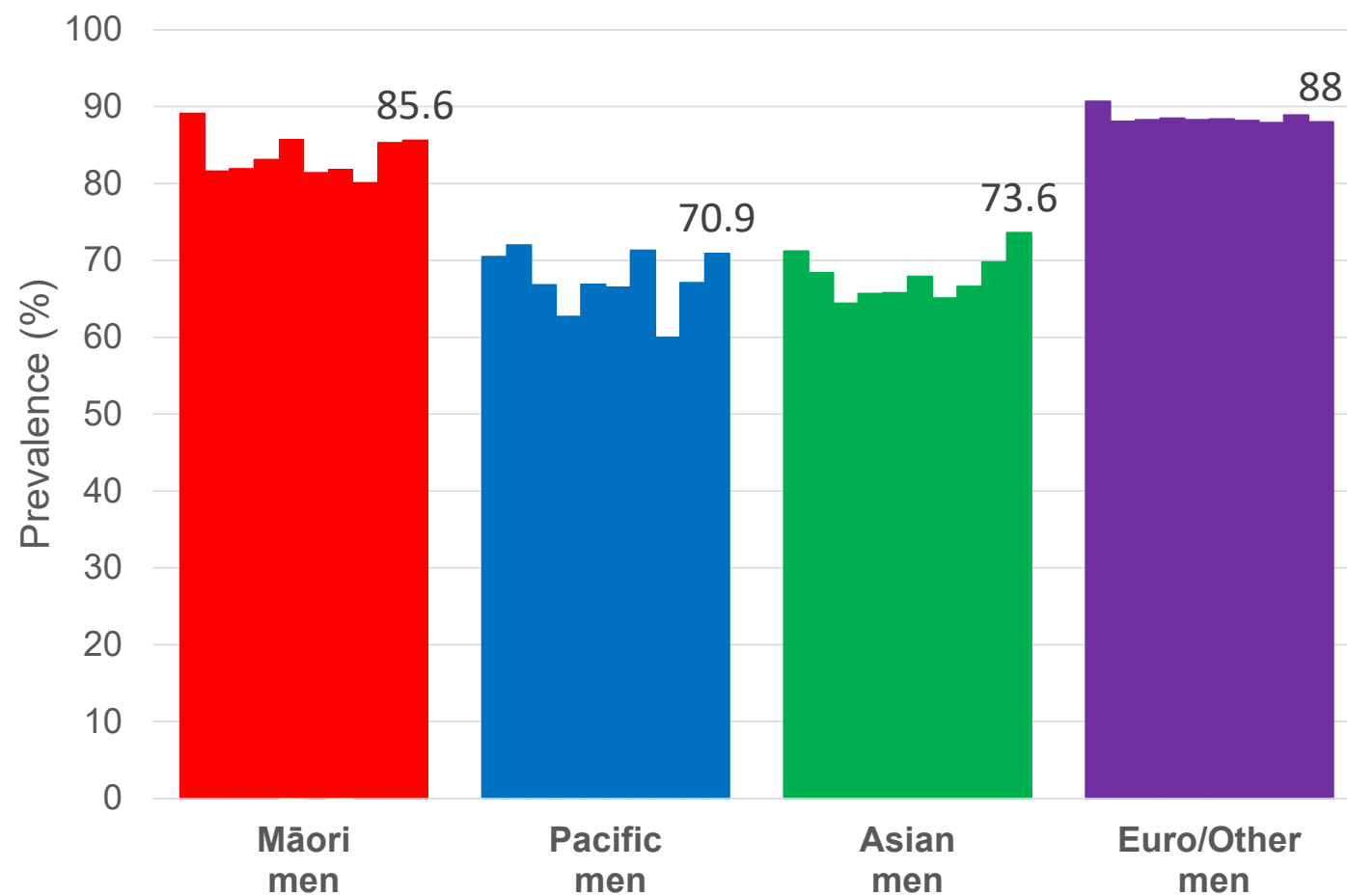
Past-year drinking (2011/12- 2020/21)



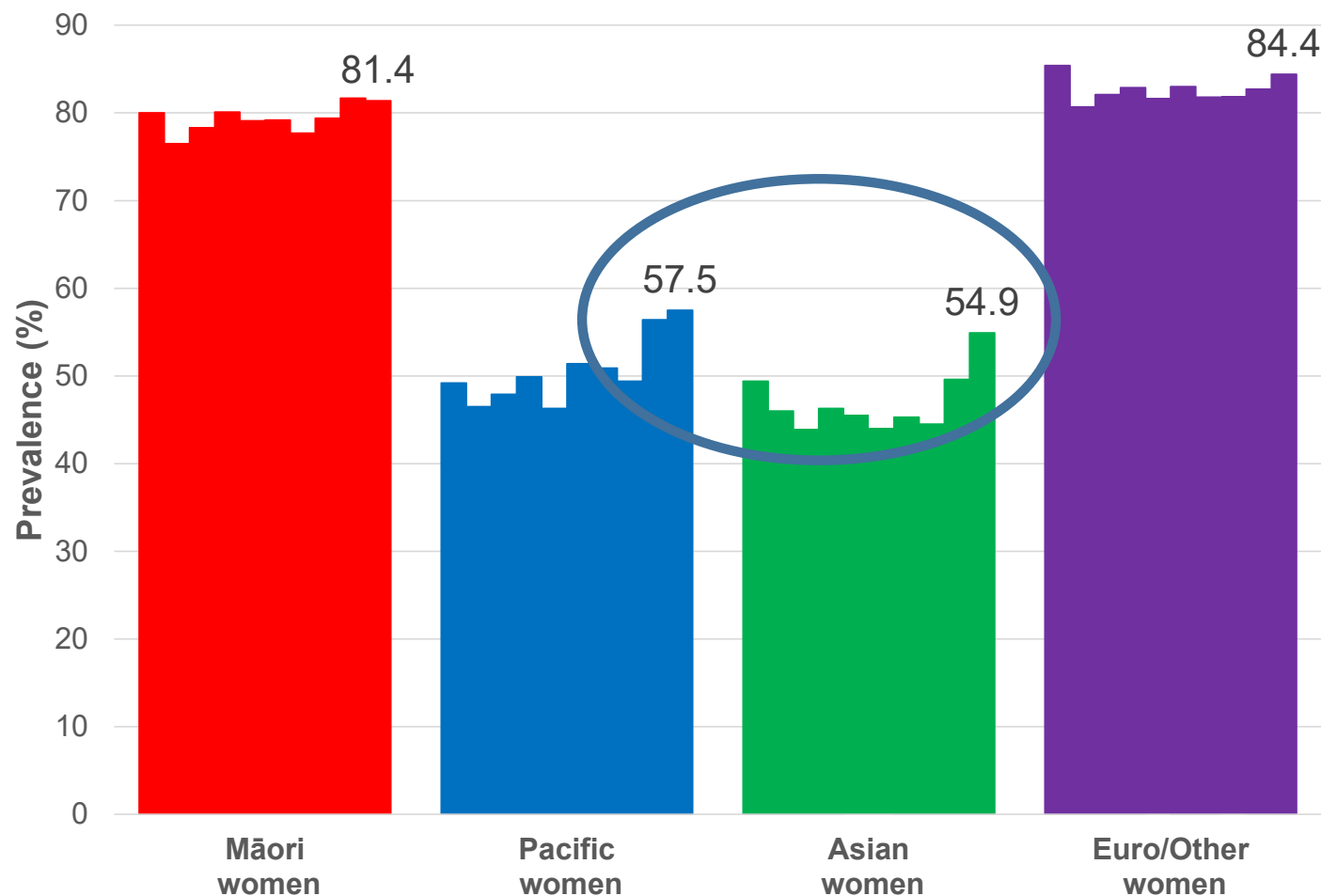
Past-year drinking, by age (2011/12- 2020/21)



Past-year drinking, men (2011-2021)

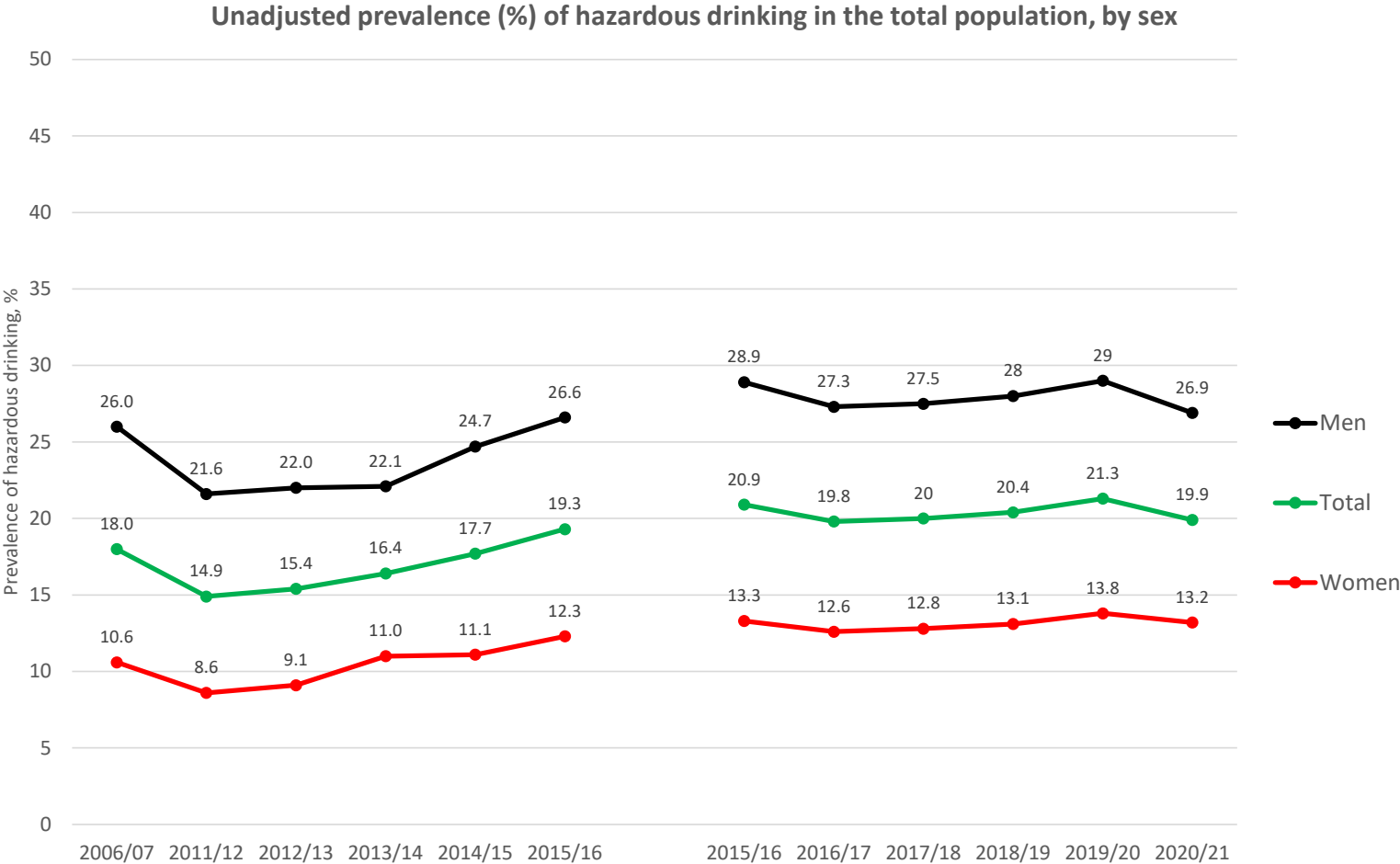


Past-year drinking, women (2011-2021)



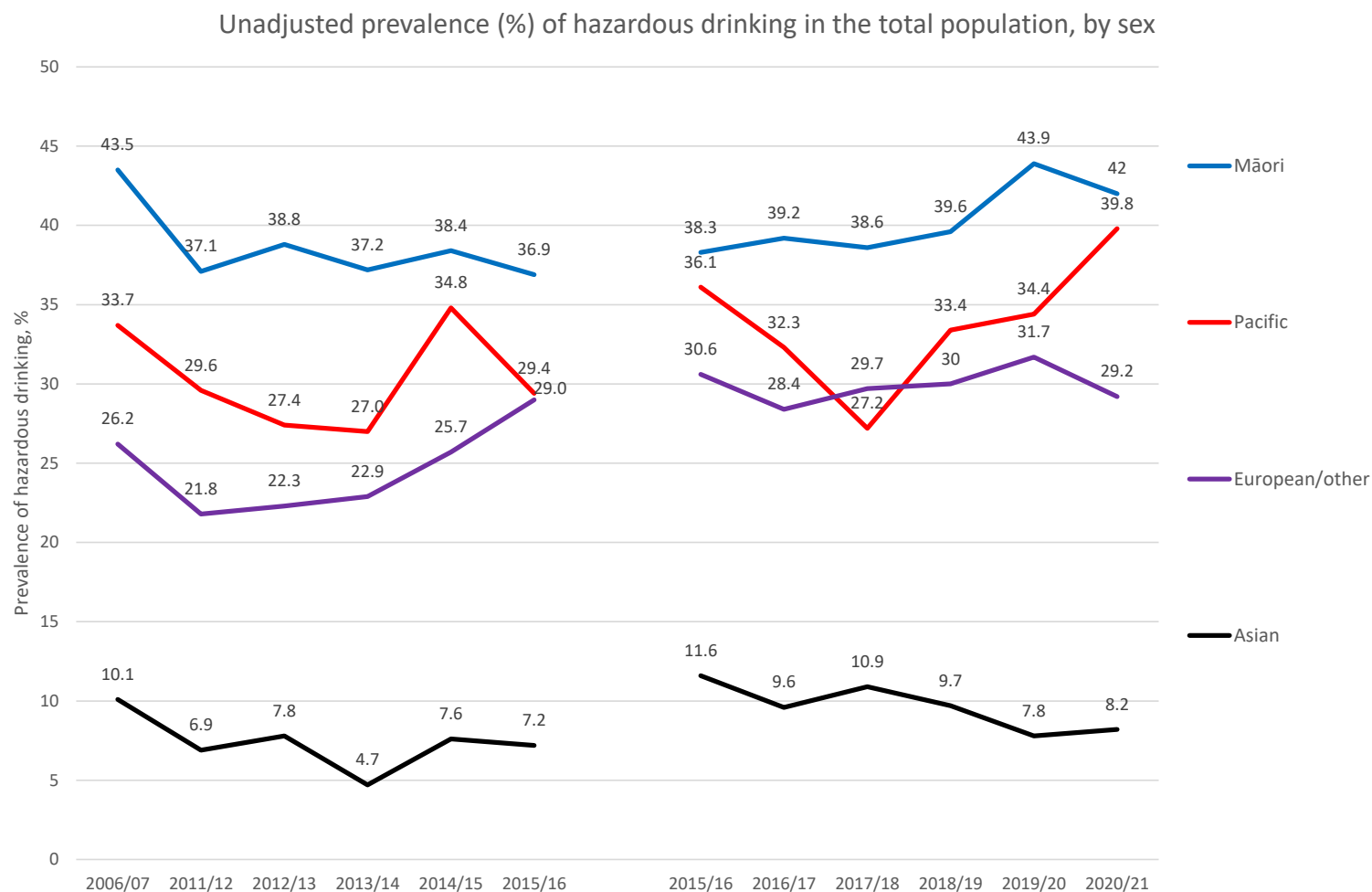
TOTAL:
78.5% of females aged
15+ yrs

Hazardous drinking, by sex

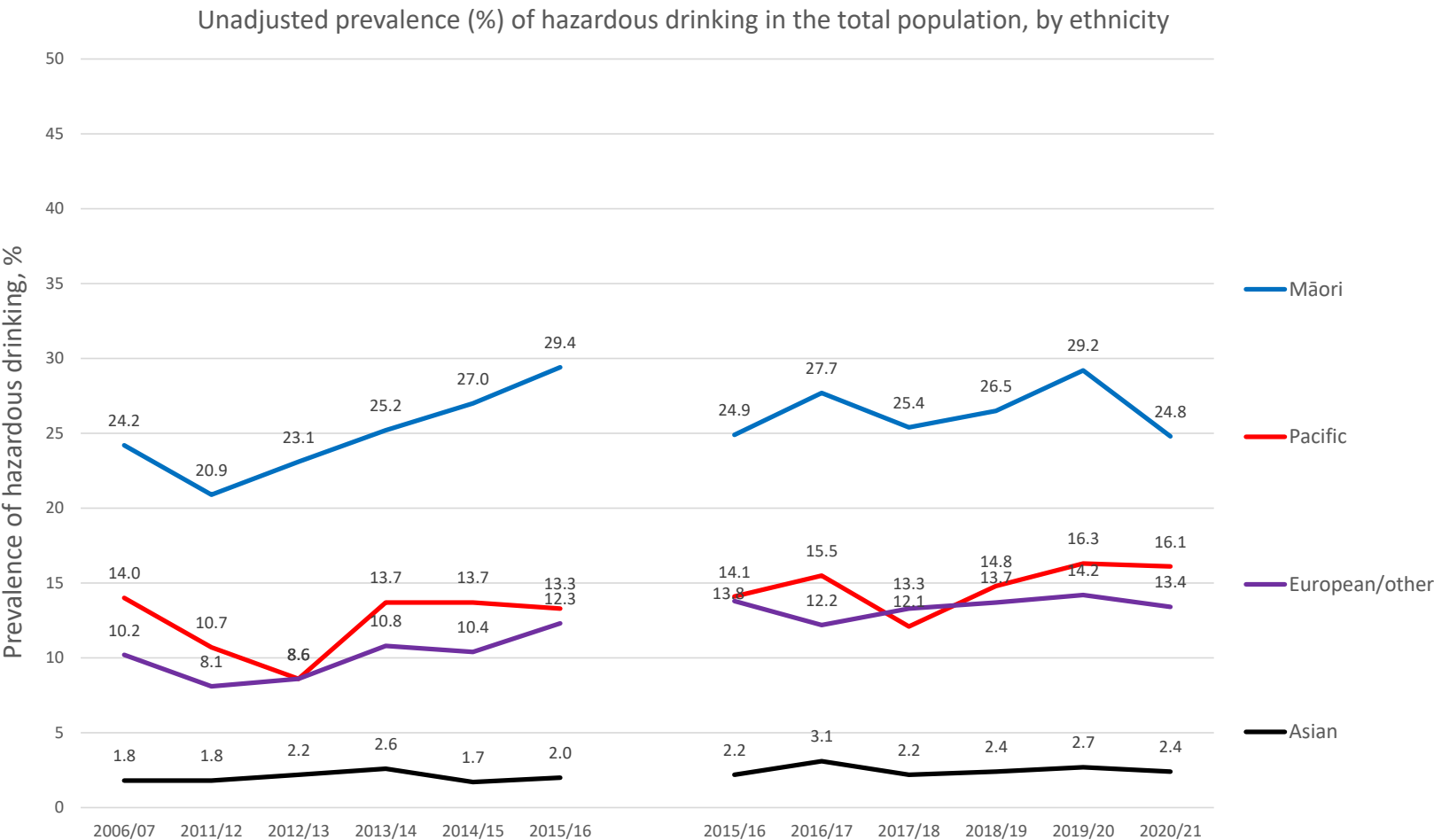


824,000 adults

Hazardous drinking, men

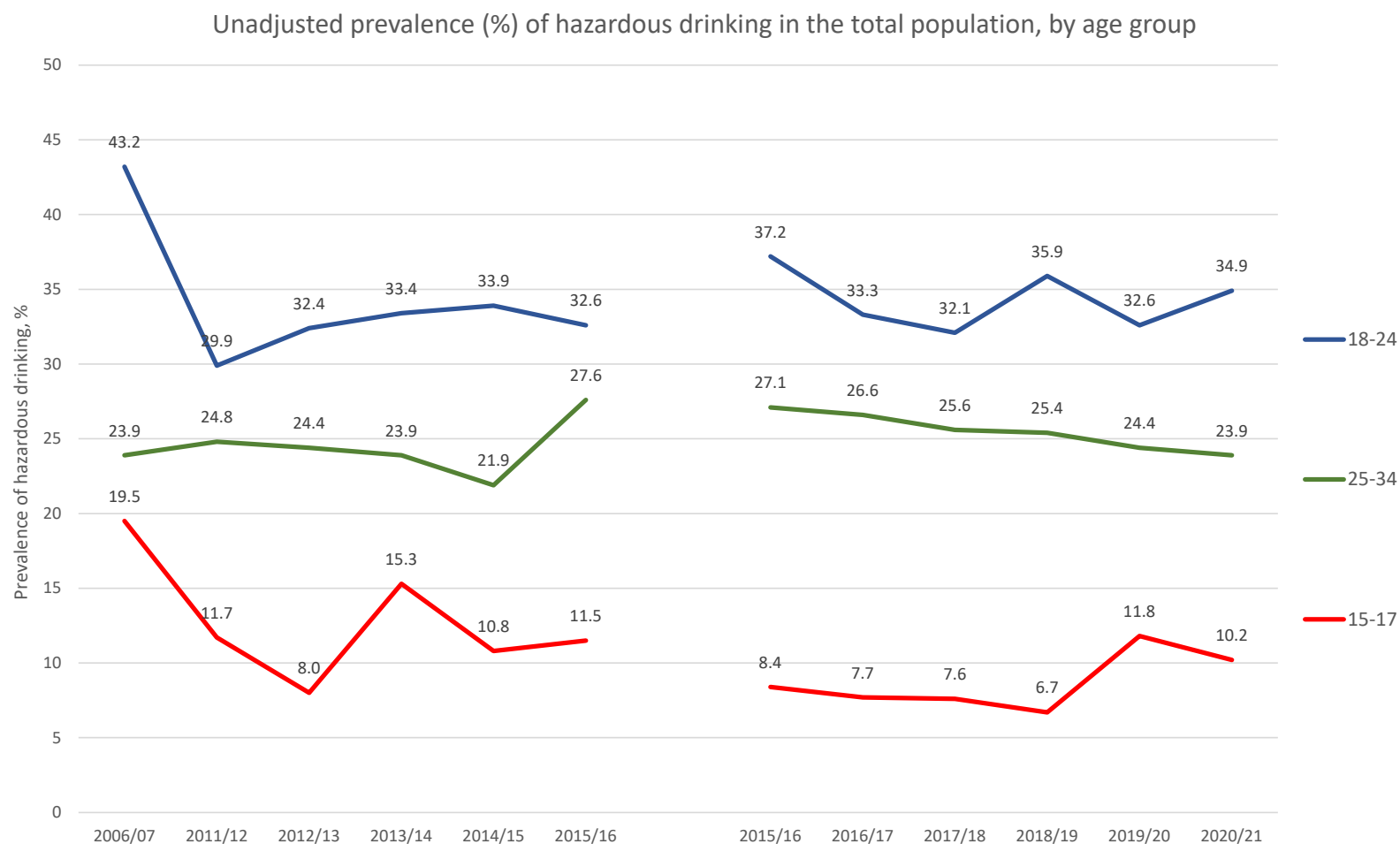


Hazardous drinking, women



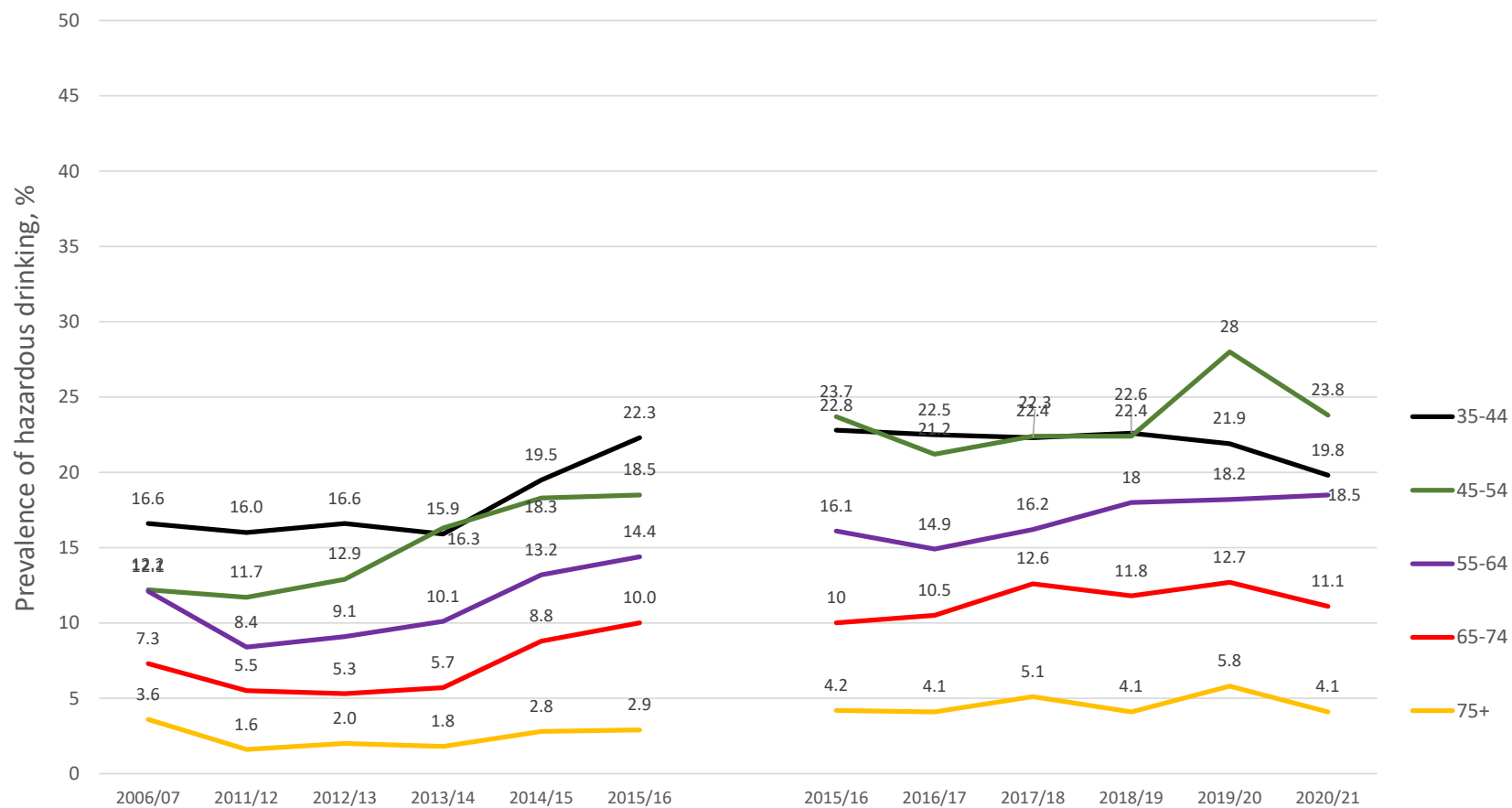
Ministry of Health 2021

Hazardous drinking, 15-34 yrs



Hazardous drinking, 35yrs +

Unadjusted prevalence (%) of hazardous drinking in the total population, by age group



Inequities by neighbourhood deprivation

In 2020/21, persons living in the most deprived neighbourhoods were:



Significantly **less likely to drink** (70% vs 85%)

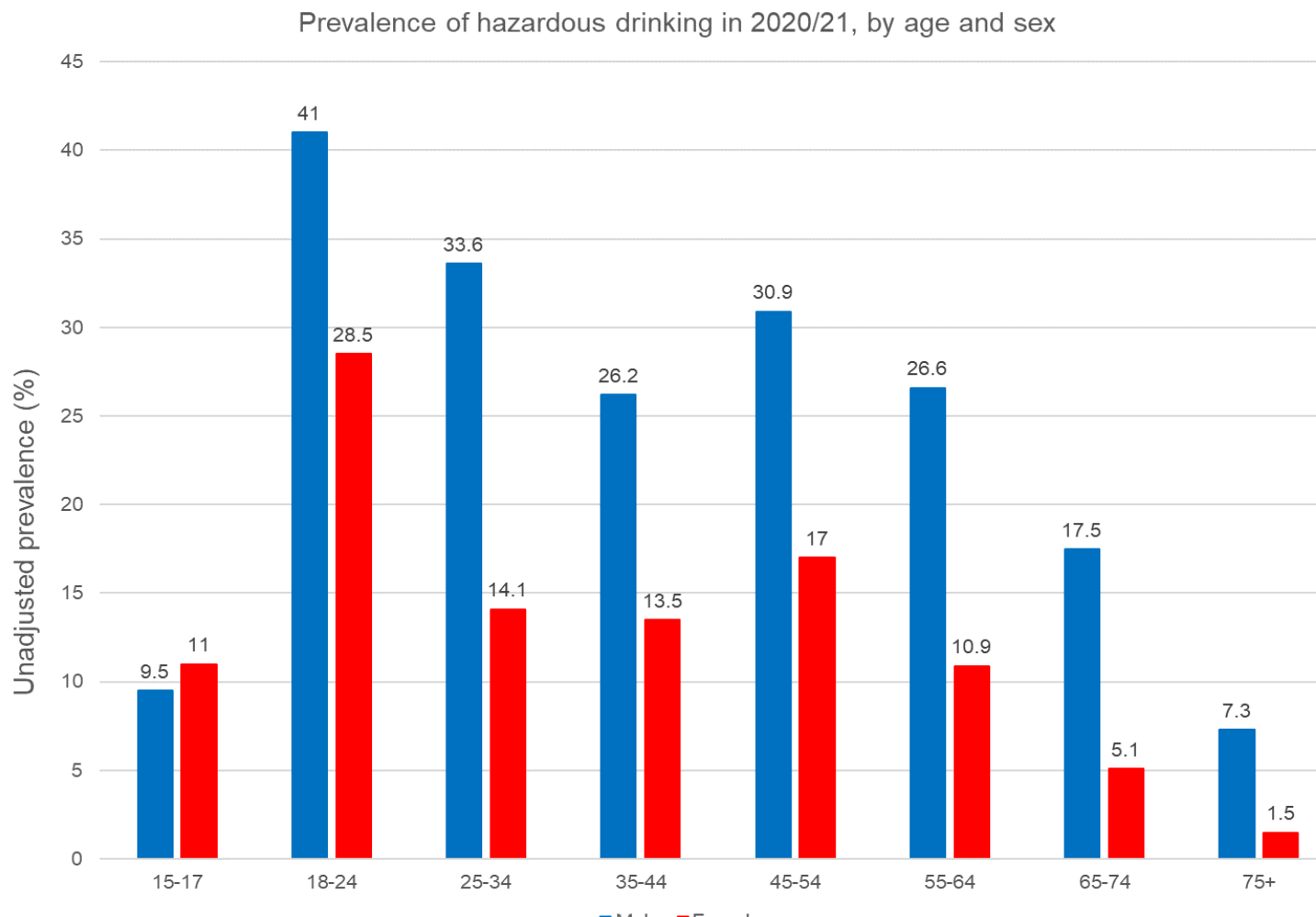


Significantly **more likely to drink hazardously** (25% vs 17%)

compared to those living in the least deprived areas



Hazardous drinking: A concern across all age groups



Binge drinking among secondary school students

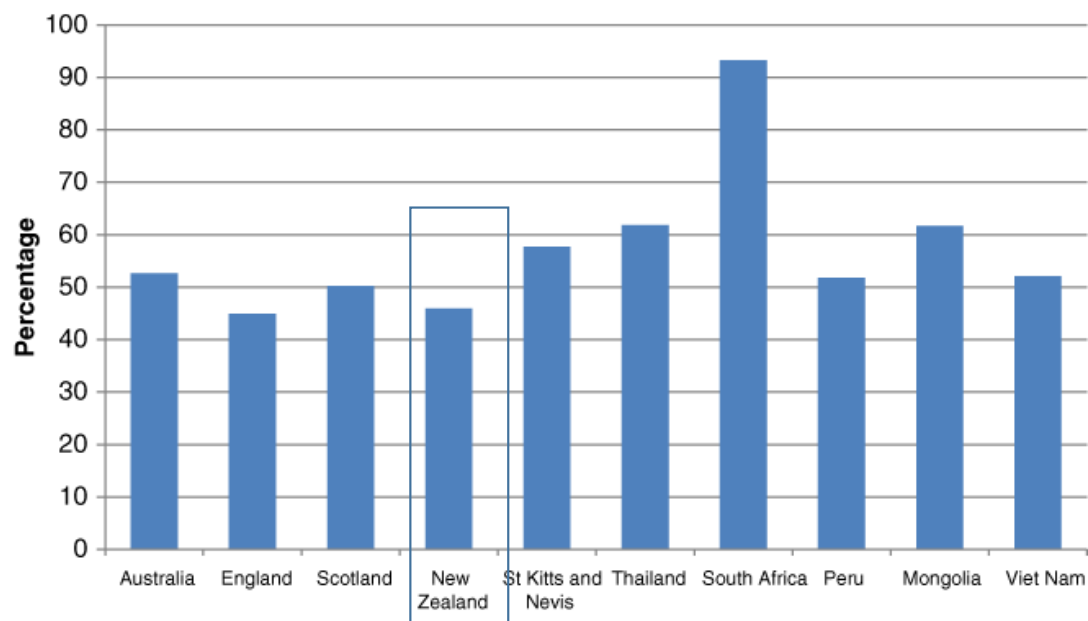
In 2019:

- **22%** of all secondary school students reported binge drinking (5+ drinks at least once per month)
 - Males 23%, females 21%
 - **16 yrs old 29%, 17yrs+ old 42%**
 - Higher in rural areas and small towns
 - 29% Māori students (similar males/females)
 - 13% Pasifika students (similar males/females)
 - 8% Asian students
 - 24% Pākehā & other European youth

Fleming, et al (2020). Youth19 Rangatahi Smart Survey, Initial Findings: Substance Use.

Our style/pattern of drinking

46% of **all** alcohol sold in NZ is consumed in heavy drinking occasions



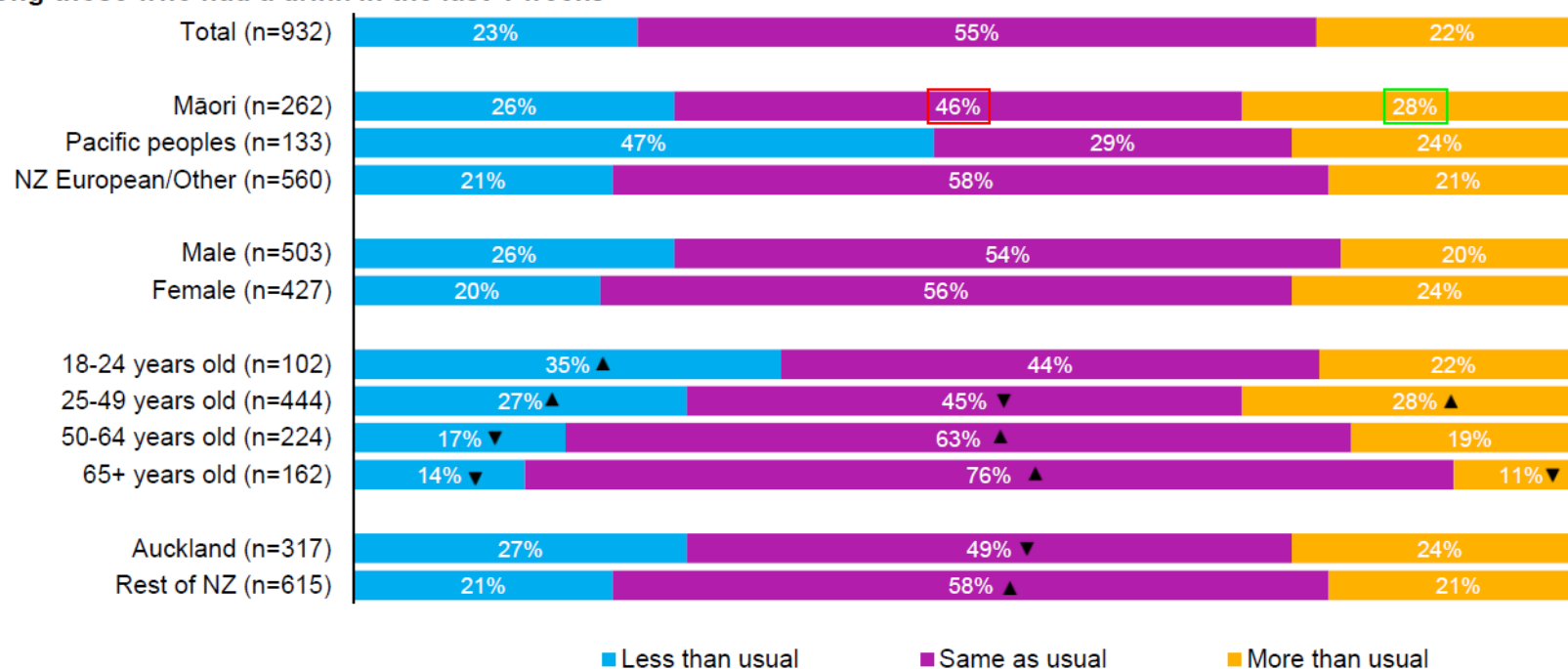
males = 8+ drinks, Females = 6+ drinks

ist Gussner, Casswell, Barker, et al. Drug and Alcohol Review

Impact of COVID-19

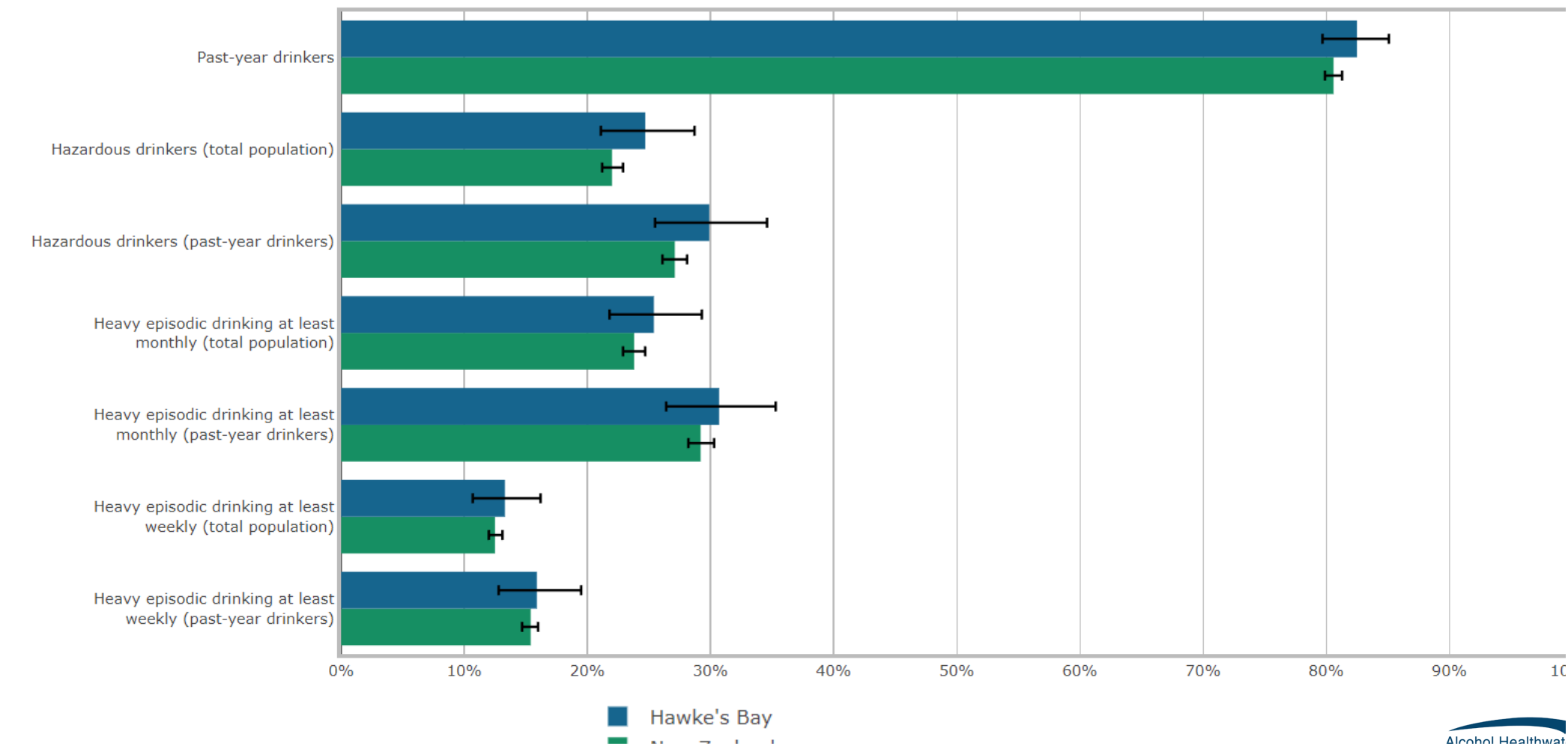
1 in 5 drank more than usual during August 2021 lockdown, with a similar proportion drinking less than usual

Among those who had a drink in the last 4 weeks



Current drinking patterns – Hawke's Bay

Hazardous drinking: Hawke’s Bay DHB



Hazardous drinking by age, Hawke's Bay DHB

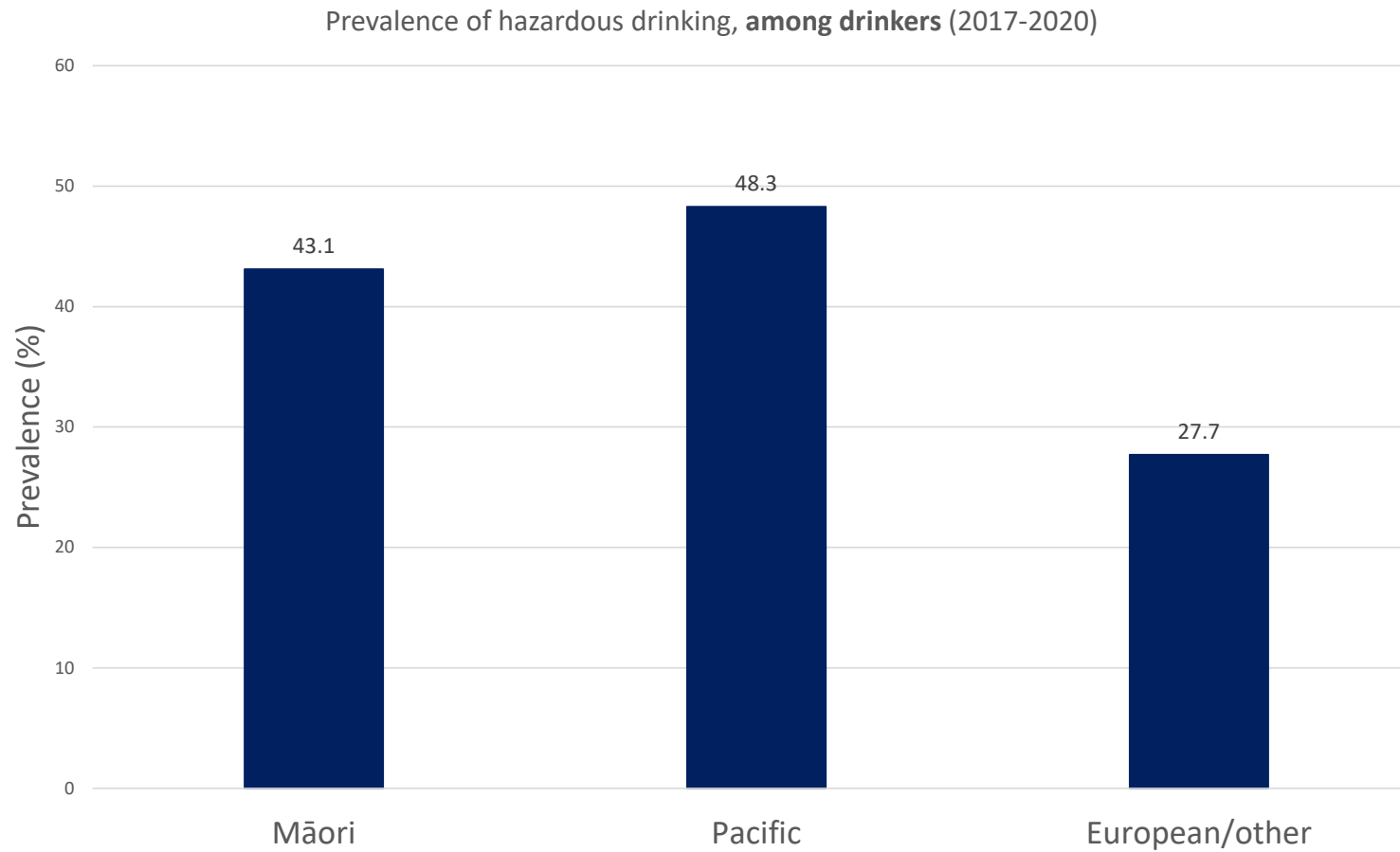
45 to 64 year age group

Indicator	Age-standardised data prevalence (%)				Test of significance (between Hawke's Bay and New Zealand)	
	Hawke's Bay		New Zealand		p-value	
	%	(95% CI)	%	(95% CI)		
Past-year drinkers	88.0	(84-91.3)	83.2	(82.2-84.2)	0.01	▲
Hazardous drinkers (total population)	29.7	(23.4-36.5)	21.5	(20.5-22.5)	0.01	▲
Hazardous drinkers (past-year drinkers)	33.7	(26.9-41)	25.8	(24.6-27)	0.02	▲
Heavy episodic drinking at least monthly (total population)	30.0	(23.9-36.6)	23.4	(22.4-24.5)	0.03	▲
Heavy episodic drinking at least monthly (past-year drinkers)	34.0	(27.5-41.1)	28.1	(26.9-29.3)	0.07	
Heavy episodic drinking at least weekly (total population)	16.5	(11.7-22.4)	14.5	(13.7-15.3)	0.42	
Heavy episodic drinking at least weekly (past-year drinkers)	18.8	(13.3-25.3)	17.4	(16.5-18.4)	0.62	

Source: New Zealand Health Survey

Data extracted from New Zealand Health Survey, Annual Update 2020/21

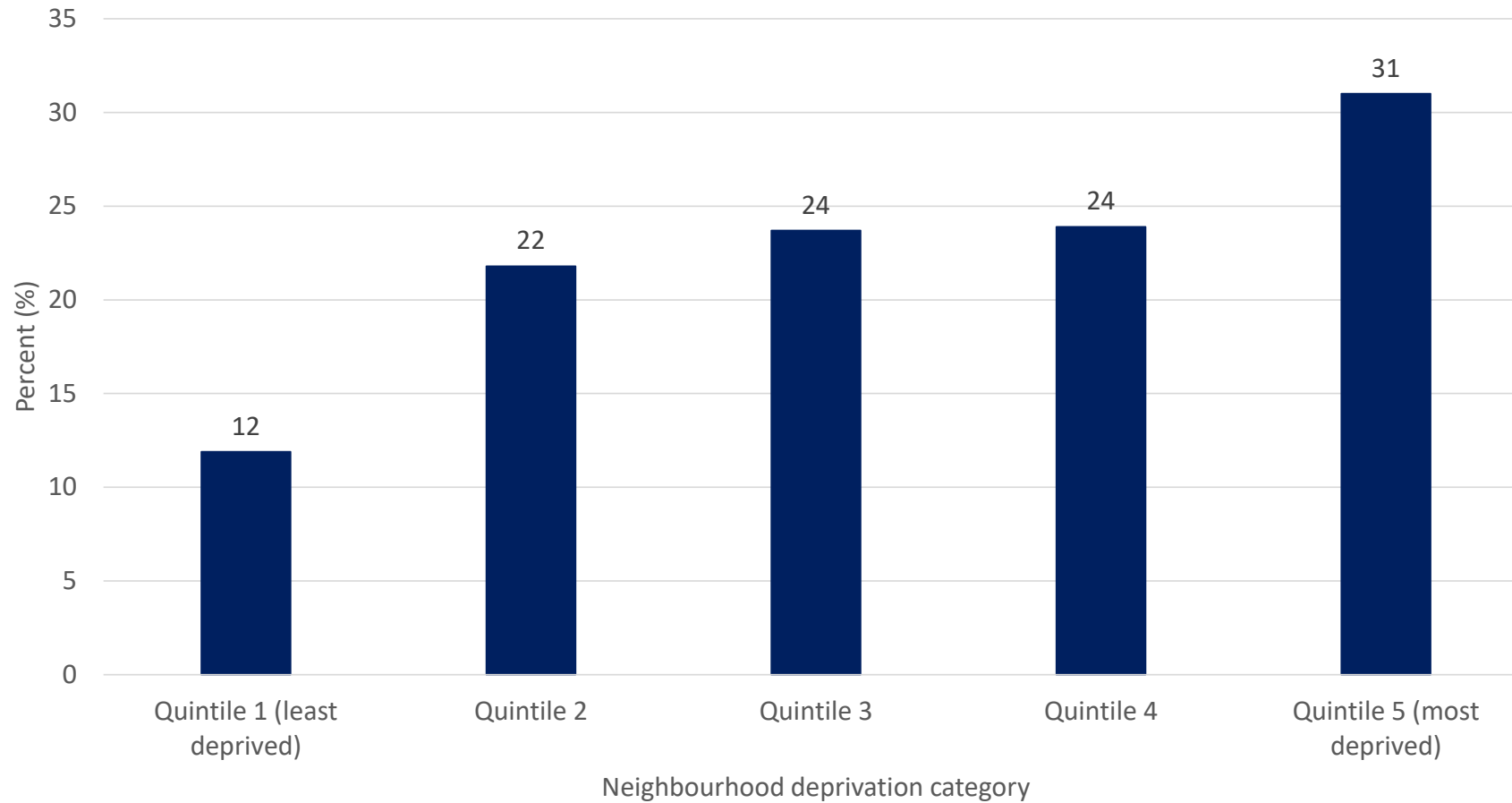
Inequities by ethnicity, Hawke's Bay DHB



Data extracted from New Zealand Health Survey Annual Update 2020/21



Social gradient: Hazardous drinking in Hawke's Bay



Among those living in the most deprived (Q5) areas

Men

Indicator	Age-standardised data prevalence (%)				Test of significance (between Hawke's Bay and New Zealand)	
	Hawke's Bay		New Zealand		p-value	
	%	(95% CI)	%	(95% CI)		
Past-year drinkers	77.6	(66.4-86.4)	75.9	(73.7-78)	0.72	
Hazardous drinkers (total population)	43.2	(33.3-53.5)	31.4	(29-33.9)	0.02	▲
Hazardous drinkers (past-year drinkers)	54.4	(42.5-66)	41.4	(38.6-44.3)	0.03	▲
Heavy episodic drinking at least monthly (total population)	35.0	(22.5-49.3)	30.3	(28.1-32.5)	0.46	
Heavy episodic drinking at least monthly (past-year drinkers)	44.4	(29.8-59.7)	39.7	(37.3-42.2)	0.52	
Heavy episodic drinking at least weekly (total population)	23.5	(12.4-38.1)	19.1	(17.5-20.9)	0.47	
Heavy episodic drinking at least weekly (past-year drinkers)	30.1	(17.6-45.3)	25.1	(23.1-27.2)	0.45	

Among those living in the most deprived (Q5) areas

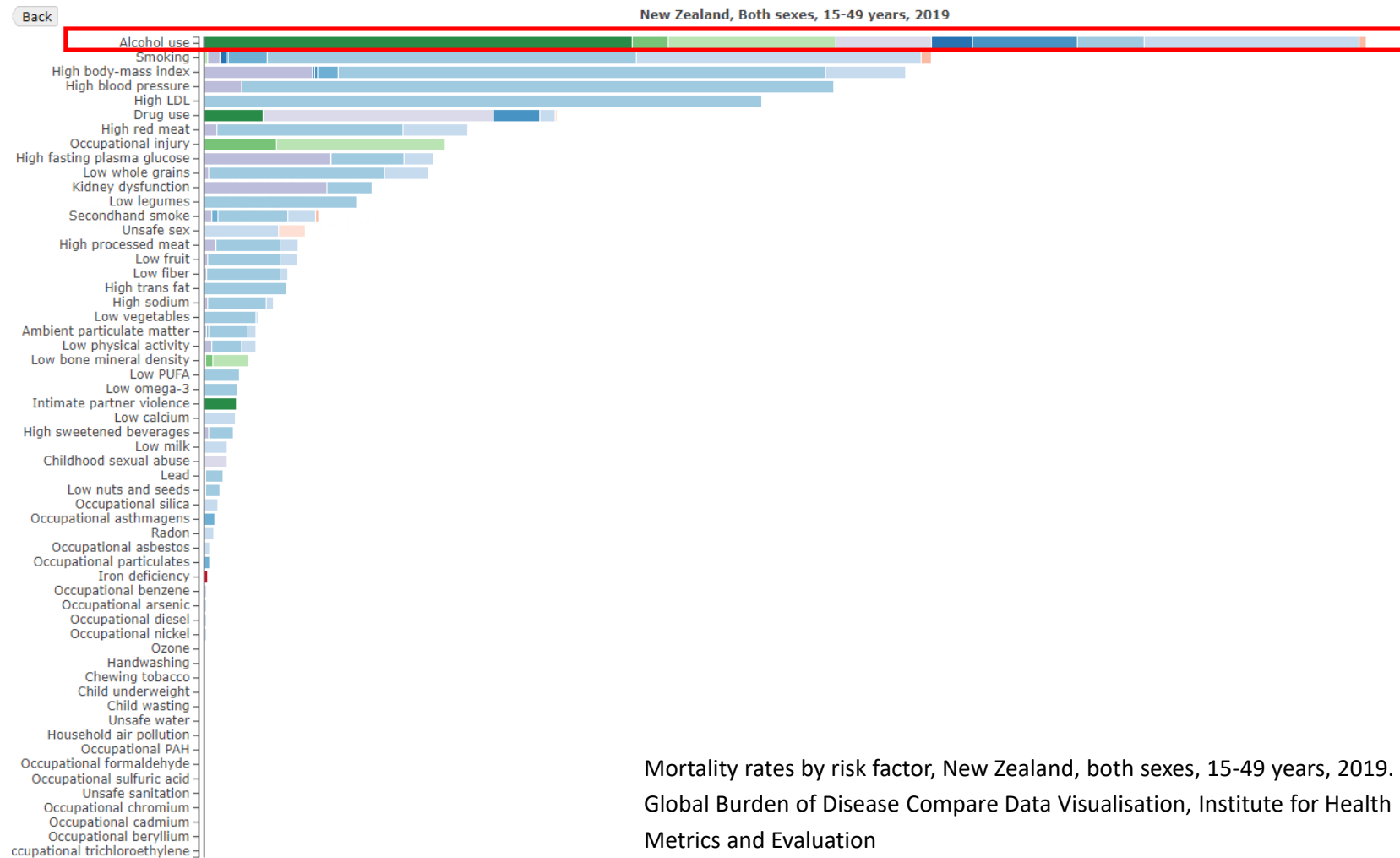
Women

Indicator	Age-standardised data prevalence (%)				Test of significance (between Hawke's Bay and New Zealand)	
	Hawke's Bay		New Zealand		p-value	
	%	(95% CI)	%	(95% CI)		
Past-year drinkers	73.2	(64.7-80.6)	67.1	(65-69.2)	0.12	
Hazardous drinkers (total population)	21.7	(16.1-28.2)	17.8	(16.1-19.7)	0.20	
Hazardous drinkers (past-year drinkers)	30.0	(23.3-37.4)	25.8	(23.4-28.2)	0.22	
Heavy episodic drinking at least monthly (total population)	21.5	(16-27.9)	18.1	(16.4-19.9)	0.26	
Heavy episodic drinking at least monthly (past-year drinkers)	29.6	(22.5-37.5)	26.1	(23.9-28.5)	0.35	
Heavy episodic drinking at least weekly (total population)	14.9	(10.3-20.6)	8.9	(7.8-10)	0.01	▲
Heavy episodic drinking at least weekly (past-year drinkers)	20.7	(15.1-27.3)	12.9	(11.4-14.5)	0.01	▲

Source: New Zealand Health Survey

Alcohol harm – New Zealand, Hawke's Bay DHB & Napier City Council

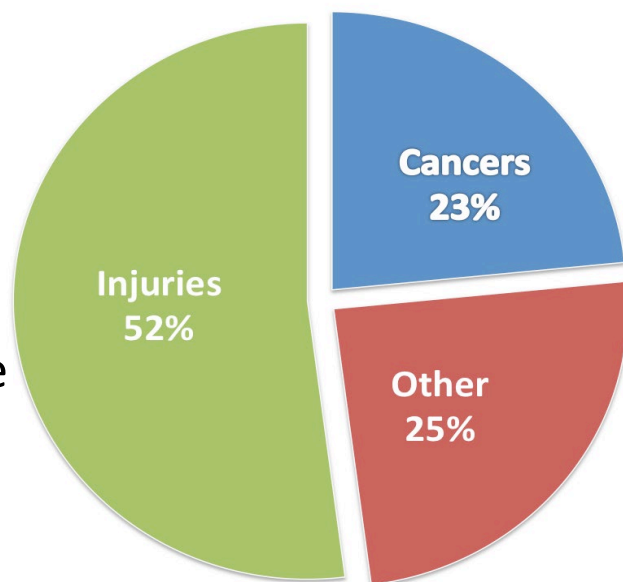
Leading cause of death: 15-49 yrs



Alcohol-attributable deaths in NZ

under 80 years of age, 2007 (n = 802)

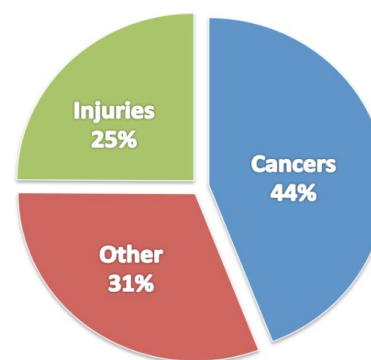
Men (n= 537)



TOTAL

43% injuries
30% cancer
27% other
chronic disease

Women (n= 265)



Other harms, to the drinker and others:

- 200+ health conditions
- Violence and crime
- Road deaths
- Family harm and child maltreatment
- Poor mental health, suicide, dement
- Financial harms from heavy drinking
 - Lost productivity
 - Unemployment and job loss
 - Lower economic growth

Cancer

No safe level of alcohol use for cancer

Among NZ women, breast cancer is the leading cause of death due to alcohol

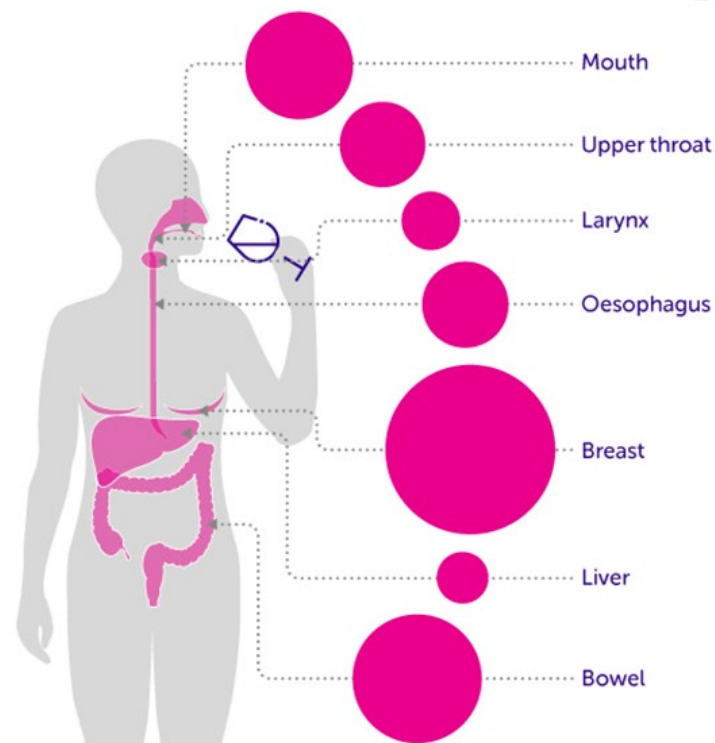
Cancer Society of NZ @NZCancerSo · 1h

Like tobacco, alcohol causes cancer. Even small amounts of alcohol increases cancer risk. Share this post to spread awareness of the link between cancer and alcohol.

Find out more at cancer.org.nz/alcohol-and-ca...



Drinking less alcohol
can prevent 7 types of cancer



●●● Larger circles indicate more UK cancer cases

Circle size here is not relative to other infographics based on Brown et al 2018.
Source: Brown et al, British Journal of Cancer, 2018

cruk.org/prevention
Together we will beat cancer



Poor mental health & suicide

- Heavy drinking/alcohol use disorders can cause depressive disorders
- 'Self-medication' leads to increased alcohol consumption, and then progression to alcohol-use disorders
- Alcohol use increases the likelihood of more severe methods of suicide in young and middle adulthood
- NZers with alcohol dependence are 1.5 times more likely to report suicidal ideation
- Heavy alcohol use impacts the mental health of others
- 10% of NZers who drank in the past 4 weeks in the August 2021 lockdown reported that a mental health problem developed or got worse due to their drinking

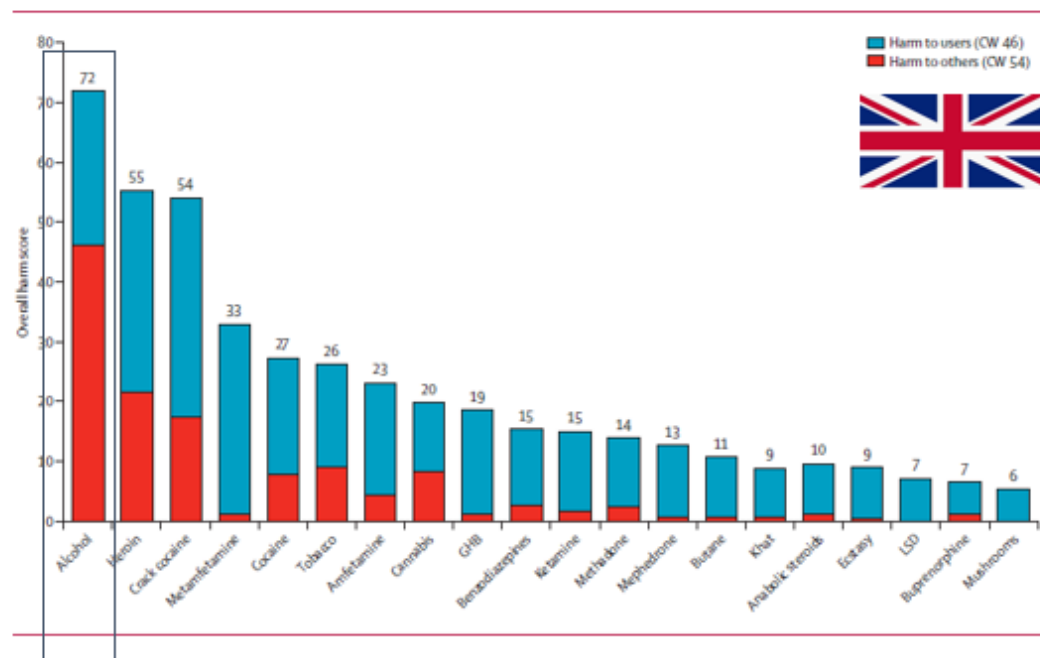
Alcohol and pregnancy

- Alcohol is the most harmful drug to the fetus
- ~50% of NZ pregnancies are alcohol exposed (30,000 babies)
- ~25% of NZ women report some alcohol use after pregnancy recognition & 10% report binge drinking.
- Fetal Alcohol Spectrum Disorder = 3-5% of our current birth rate (~1800+ cases per year)
- FASD is a **lifelong** hidden and significant neuro-disability – with enormous human and economic consequences.

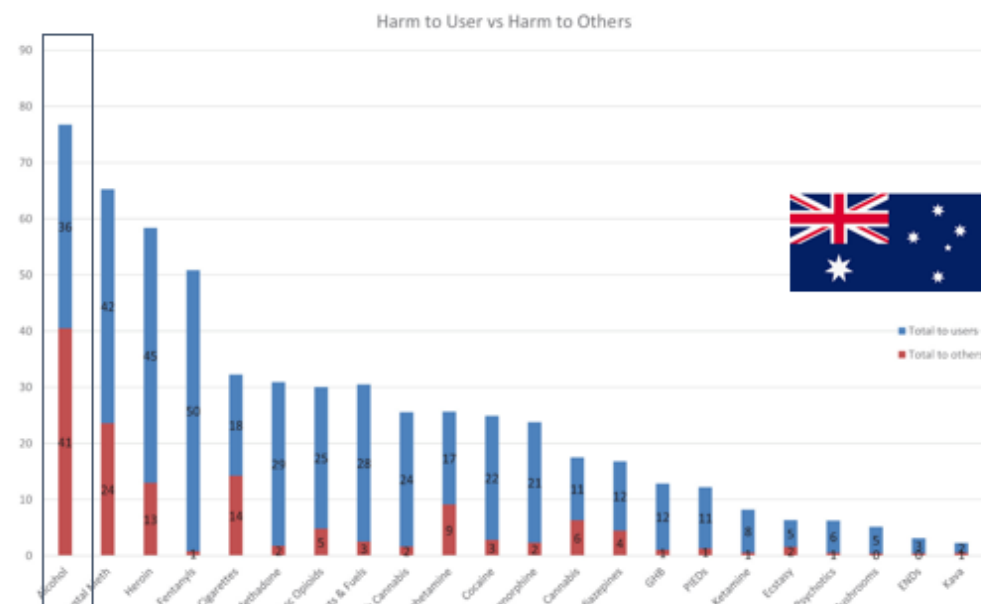
See Alcohol Healthwatch Factsheet <https://www.ahw.org.nz/Portals/5/Resources/Fact%20Sheet/2021/Factsheet%20->



Alcohol is the most harmful drug

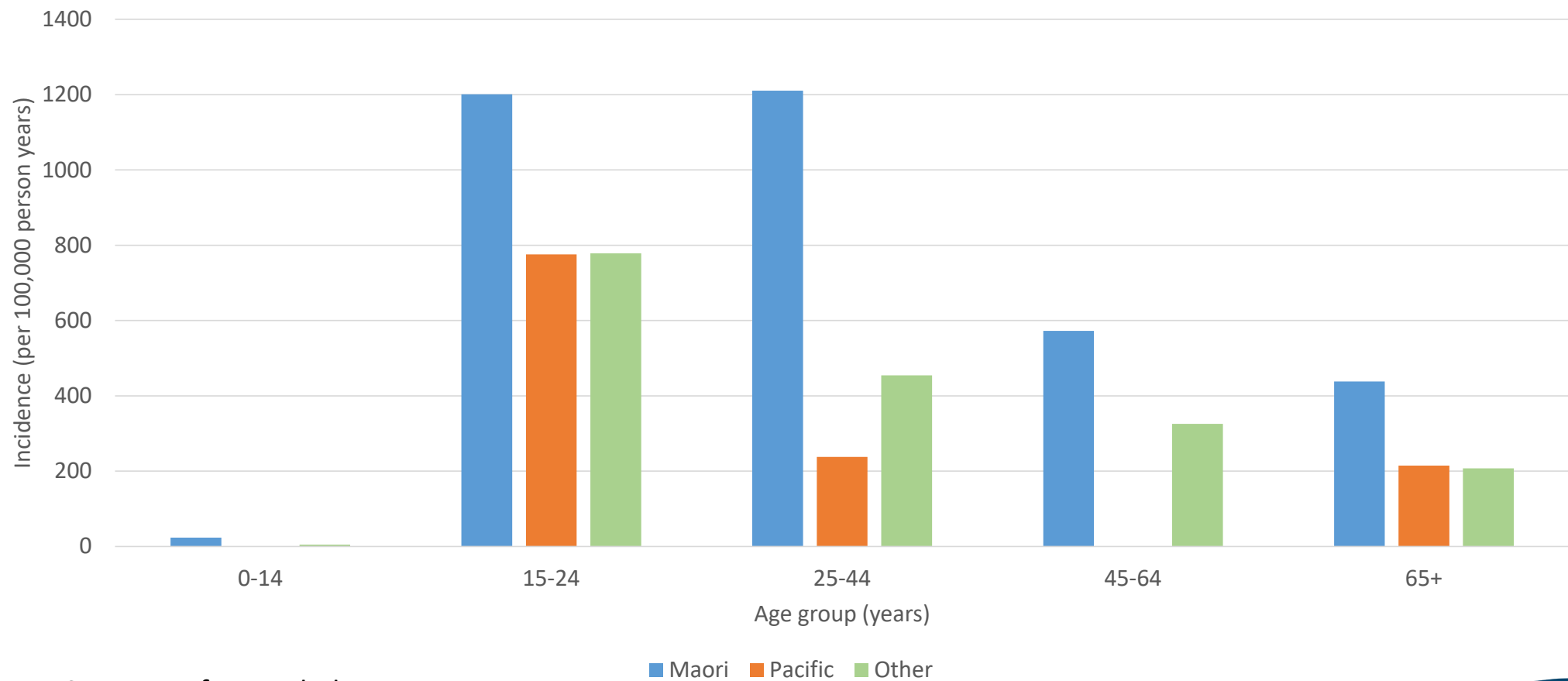


Jutt, King, Phillips. The Lancet 376, 1558–1565 (2010).⁵



Emergency Dept presentations, Hawke’s Bay

Incidence of alcohol-related ED presentations in Hawke's Bay, by age group and ethnicity, Sept 2020-Oct 2021.



Courtesy of Dr Rachel Eyre



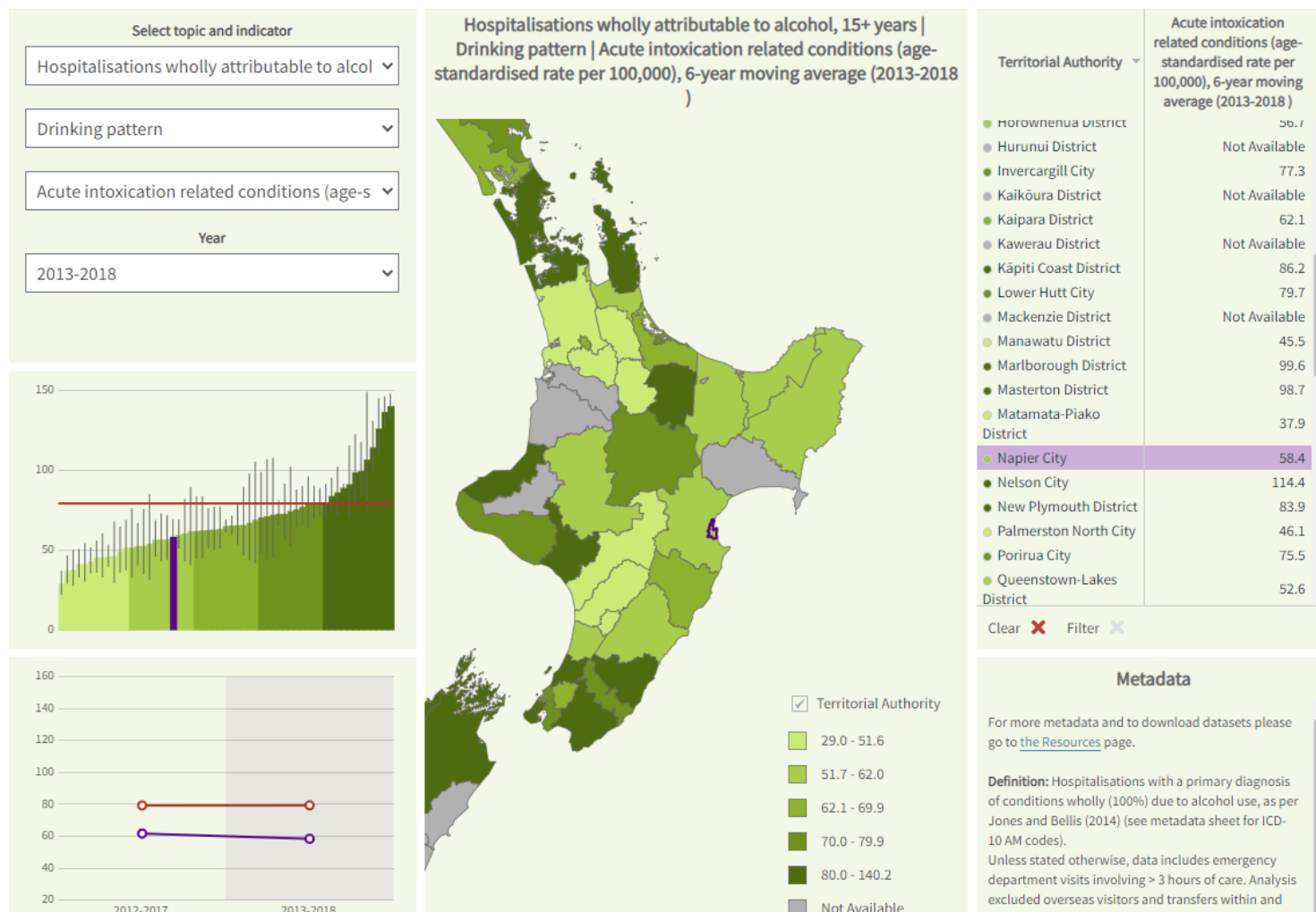
Top reasons for alcohol-related ED presentations

1. Head injury: 192
2. Medical other: 99
3. Arm injury: 86
4. Multiple injuries: 85
5. Overdose poisoning intoxication: 83
6. Collapse fall: 72
7. Leg injury: 56
8. Abdominal pain: 47

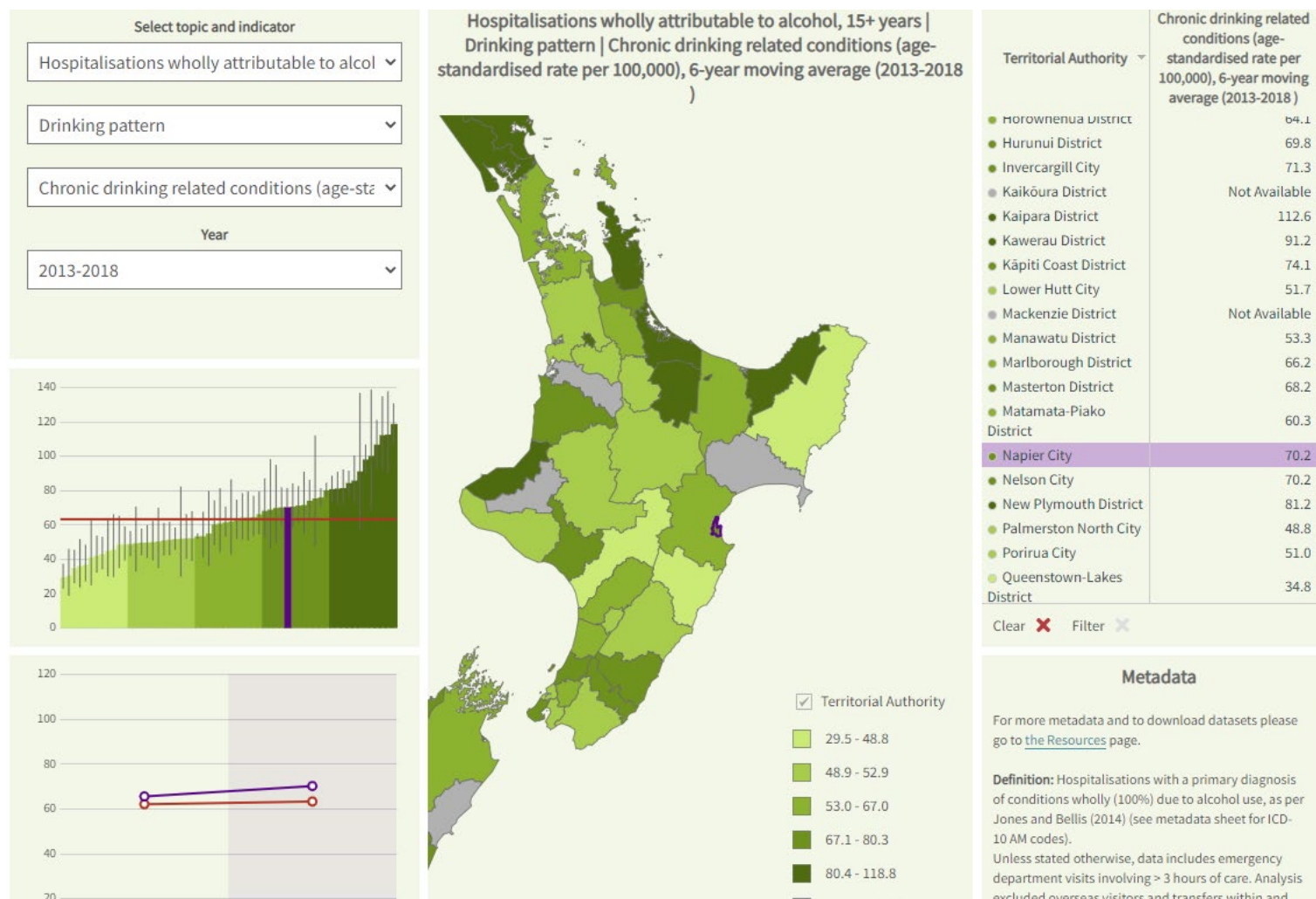
Courtesy of Dr Rachel Eyre



Hospital admissions due to alcohol: Napier City Council



Hospital admissions due to alcohol: Napier City Council



Impact of drinking on the community

Hawke's Bay DHB Survey 2015

- 62% of people felt that alcohol use had a very negative or negative impact in their community
 - Higher in Flaxmere (71%)
- Concerns related to family violence, road accidents, community safety, public disorder and noise/rubbish/broken glass
- Bottle stores (60%) and supermarkets selling alcohol (47%) were most commonly identified as having the greatest impact on alcohol harm in communities.

Key drivers of alcohol use & harm

1) Alcohol availability

Trends in physical availability

- From 6,295 licences in 1990 to 11,064 licences in 2022
 - 6468 on-licences
 - 1543 club licences
 - 2982 off-licences (1088 bottle stores, 416 grocery stores, 261 supermarkets, 271 taverns, mail order 286)
- **More than 80% of all alcohol now sold from off-licences**

Availability in NZ

In 2012/13:

- 85% of NZers in urban areas lived within 2-minutes' drive of any alcohol outlet
 - **66% live within 2-minutes' drive** of an on-licence (bars, clubs, restaurants and cafés)
 - **67% live within 2-minutes' drive** of an off-licence alcohol outlet

NZ adults living in the most deprived areas (cf. least deprived) are more likely to live closer to alcohol outlets and more likely to have a higher number of outlets in their communities



Inequities: Proximity to alcohol sales

In 2018, median distance to the nearest licensed premises was:

- 600m for Pacific people
 - 752m for Asian people
 - 1254m for Māori
 - 1276m for European/Other
-
- Young Māori and Pacific males (15-24yrs) who live closer to alcohol outlets are **more likely** to be hazardous drinkers.
 - The more outlets within 800m = the more likely young European females are hazardous drinkers.

Huge growth in online alcohol sales before and since COVID

Trading hours

- Introduction of Default national maximum trading hours in 2012
(Section 43 of SSAA)
 - On-licences: 8am to 4am
 - Off-licences: 7am to 11pm
 - Club licences: 8am to 4am
- Research shows reduction in hours in 2012 reduced harm, especially to young adults



Impact of density and/or proximity of licensed premises

New Zealand research: off-licences

Year of data	Location	Distance	Result
2005 ¹⁴	6 University campuses	1km 3km	↑ self-reported harm, second-hand harm ↑ self-reported harm, second-hand harm
2005 - 2007 ¹⁵	NZ	<1.1km to 4.8km	↑ serious violence (Police data) (bottle store > supermarket > hotel/tavern)
2007 ¹⁶	NZ	1km	↑ binge drinking, self-reported harm
2008 - 2009 ¹⁷	Manukau City	Census Area Unit	↑ violence, sexual offences, drug/alcohol offences, property abuse, antisocial behaviour, dishonesty, traffic offences, motor vehicle accidents ↓ family violence
2006-2011 ¹⁸	North Island	Census Area Unit (and surrounding areas)	↑ violence
2006-2011 ¹⁹	North Island	Census Area Unit (and surrounding areas)	Supermarket: ↑ antisocial behaviour, dishonesty, property abuses, property damage, sexual offences, violence ↓ MVA Other: ↑ dishonesty, MVA ↓ antisocial behaviour, property abuses, property damage Regional variation
2007-2014 ²⁰	NZ	Census Area Unit (and surrounding areas) OUTLET COUNTS	Supermarket = bottle store in terms of harm ↑ violence, antisocial behaviour, drug/alcohol offences, property damage, sexual offences, motor vehicle accidents
2015-18 (Hobbs)	NZ	Proximity	The further distance the less common assault, Non-aggravated sexual assault, Aggravated sexual assault, and Liquor and tobacco offences

New Zealand research: on-licences

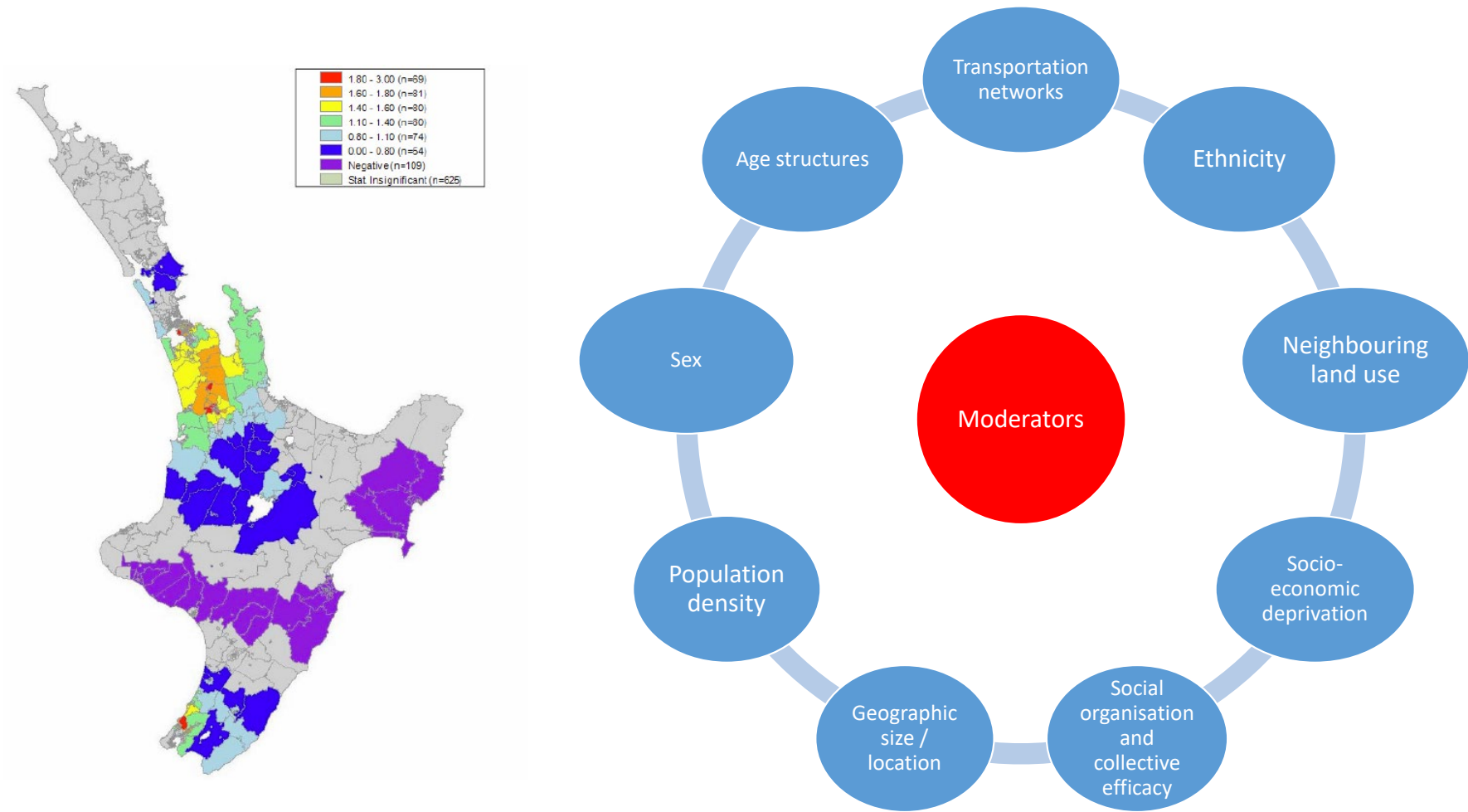
Year of data	Location	Distance	Result
2005 ¹⁴	6 University campuses	1km 3km	↑ self-reported harm, second-hand harm ↑ self-reported harm, second-hand harm
2005 - 2007 ¹⁵	NZ	<1.1km to 4.8km	<1.2km ↑ serious violence (Police data) (hotel/tavern = restaurant)
2007 ¹⁶	NZ	1km	↑ self-reported harm (hotel/tavern = restaurant)
2008 - 2009 ¹⁷	Manukau City	Census Area Unit	↑ violence, family violence, drug/alcohol offences, property damage, property abuse, antisocial behaviour Restaurant/cafe = no relationships
2006-2011 ¹⁸	North Island	Census Area Unit (and surrounding areas)	Bar/night club ↑ violence Restaurant/cafe ↑ violence
2006-2011 ¹⁹	North Island	Census Area Unit (and surrounding areas)	Bars: ↑ antisocial behaviour, dishonesty, drug & alcohol, property abuses, property damage, sexual offences, violence, MVA Other: ↑ antisocial behaviour, dishonesty, property abuses, property damage, violence, MVA
2007-2014 ²⁰	NZ	Census Area Unit (and surrounding areas) OUTLET COUNTS	Bars = no impact on violence ↑ antisocial behaviour, ↓ drug/alcohol offences, property abuse & damage, sexual offences Other: ↓ violence, dishonesty, property damage, MVA
2015-2018 (Hobbs)	NZ	Proximity	The further distance the less common assault, Non-aggravated sexual assault, Aggravated sexual assault, and Liquor and tobacco offences



New Zealand research: club licences

Year of data	Location	Distance	Result
2007 ¹⁶	NZ	1km	↑ self-reported harm
2006-2011 ¹⁸	North Island	Census Area Unit (and surrounding areas)	↑ violence
2006-2011 ¹⁹	North Island	Census Area Unit (and surrounding areas)	↑ antisocial behaviour, dishonesty, property abuses, property damage, violence
2007-2014 ²⁰	NZ	Census Area Unit (and surrounding areas) COUNTS OF OUTLETS	↑ violence, dishonesty, sexual offences Effects stronger in less populated areas and less deprived

Localism matters



The impact of trading hours

New Zealand research

- Consuming high quantities and frequency of drinking were associated with purchasing at later times¹³
- On-licence (2am vs <2am)
 - High quantities OR 2.9 (95% CI 1.9-4.4)
 - Drinking frequency OR 2.2 (95% CI 1.5-3.4)
- Off-licence (10pm vs. <10pm)
 - High quantities OR 2.1 (95% CI 1.1-3.3)
 - Drinking frequency OR 1.8 (95% CI 1.1-3.0)
- Clustering of outlets is associated with longer trading hours⁹



The impact of trading hours

On-licence hours

High quality research shows negative impact of long trading hours (particularly after midnight) at on-licences

Off-licence hours

Fewer studies – restricting off-licence hours reduce hospital admissions, particularly among young people



Priority objective of new 2012 liquor laws

“To improve community input into local alcohol licensing decisions”

Through

- District Licensing Committees
- Local Alcohol Policies

<https://www.legislation.govt.nz/bill/government/2010/0236/22.0/096be8ed8063ff35.pdf>

‘Harder to get, easier to lose’?

Auckland District Licensing Committee	2019/20	2020/21
New on-licences refused vs issued	2 / 836	0 / 410
New off-licences refused vs issued	0 / 317	2 / 153
Licence renewals refused vs issued	4 / 1169	1 / 1242

Christchurch District Licensing Committee	2018/19	2019/20	2020/21
New on-licences refused vs issued	0 / 146	0 / 105	0 / 97
New off-licences refused vs issued	0 / 33	0 / 32	2 / 43
Licence renewals refused vs issued	1 / 379	0 / 314	1 / 335

Hamilton District Licensing Committee	2018/19
New on-licences refused vs issued	0 / 19
New off-licences refused vs issued	0 / 15
Licence renewals refused vs issued	2 / 88

Hamilton District Licensing Committee	2019/20	2020/21
On-licences refused vs issued	0 / 89	0 / 103
Off-licences refused vs issued	0 / 46	0 / 32
Licence renewals refused vs issued	0 / 98	0 / 350

Napier City Council DLC	2019/20	2020/21
New on-licences refused vs issued	0/17	0/17
New off-licences refused vs issued	0/6	0/8
Licence renewals refused vs issued	0/74	0/62

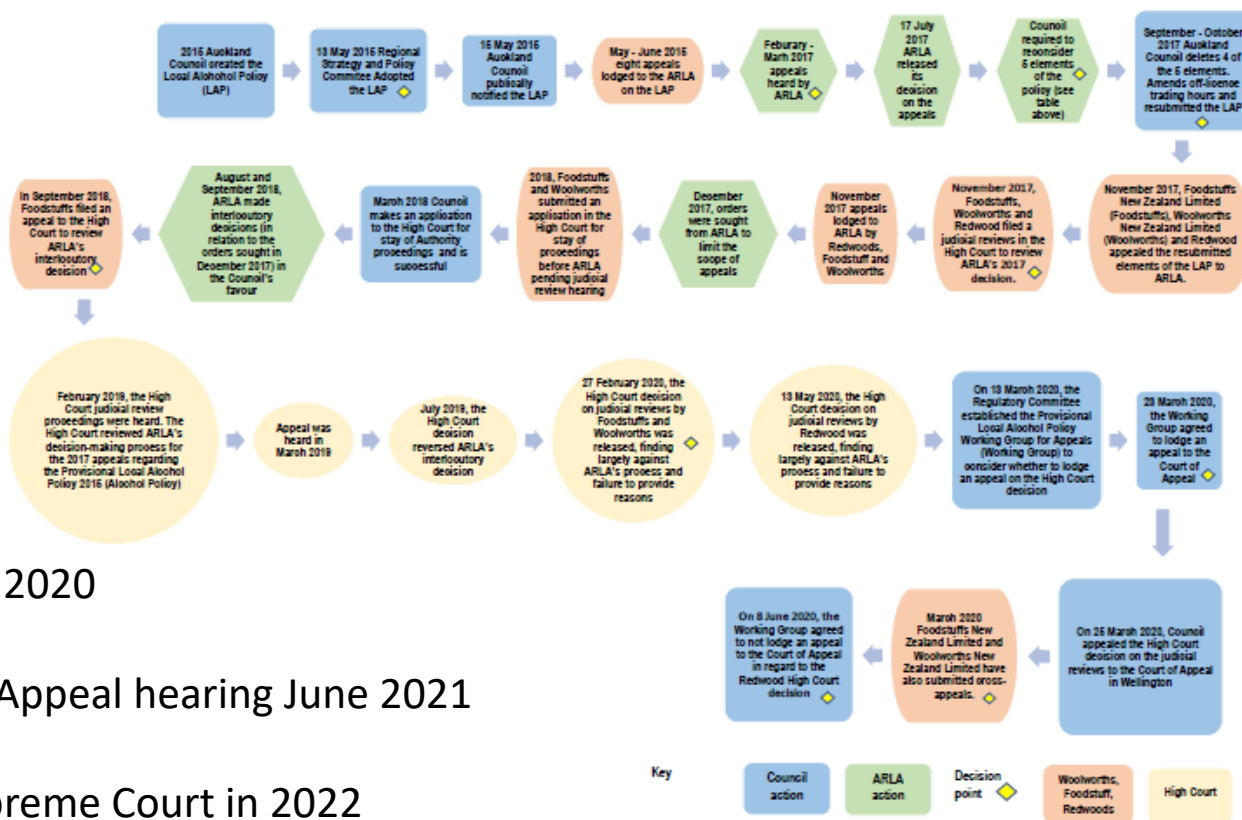
Local Alcohol Policies

- Sections 75-97 of SSAA
- Can control where **NEW LICENSED PREMISES** can be located (e.g. next to schools, Marae, other licensed premises, by zone)
- Control trading hours of **all** premises
- Regulations for LAPs commenced in Nov 2013

77 Contents of policies

- (1) A local alcohol policy may include policies on any or all of the following matters relating to licensing (and no others):
 - (a) location of licensed premises by reference to broad areas:
 - (b) location of licensed premises by reference to proximity to premises of a particular kind or kinds:
 - (c) location of licensed premises by reference to proximity to facilities of a particular kind or kinds:
 - (d) whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district:
 - (e) maximum trading hours:
 - (f) the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions:
 - (g) one-way door restrictions.
- (2) Paragraphs (a) to (d) of subsection (1) do not apply to special licences, or premises for which a special licence is held or has been applied for.
- (3) A local alcohol policy must not include policies on any matter not relating to licensing.

Auckland Council's Provisional LAP

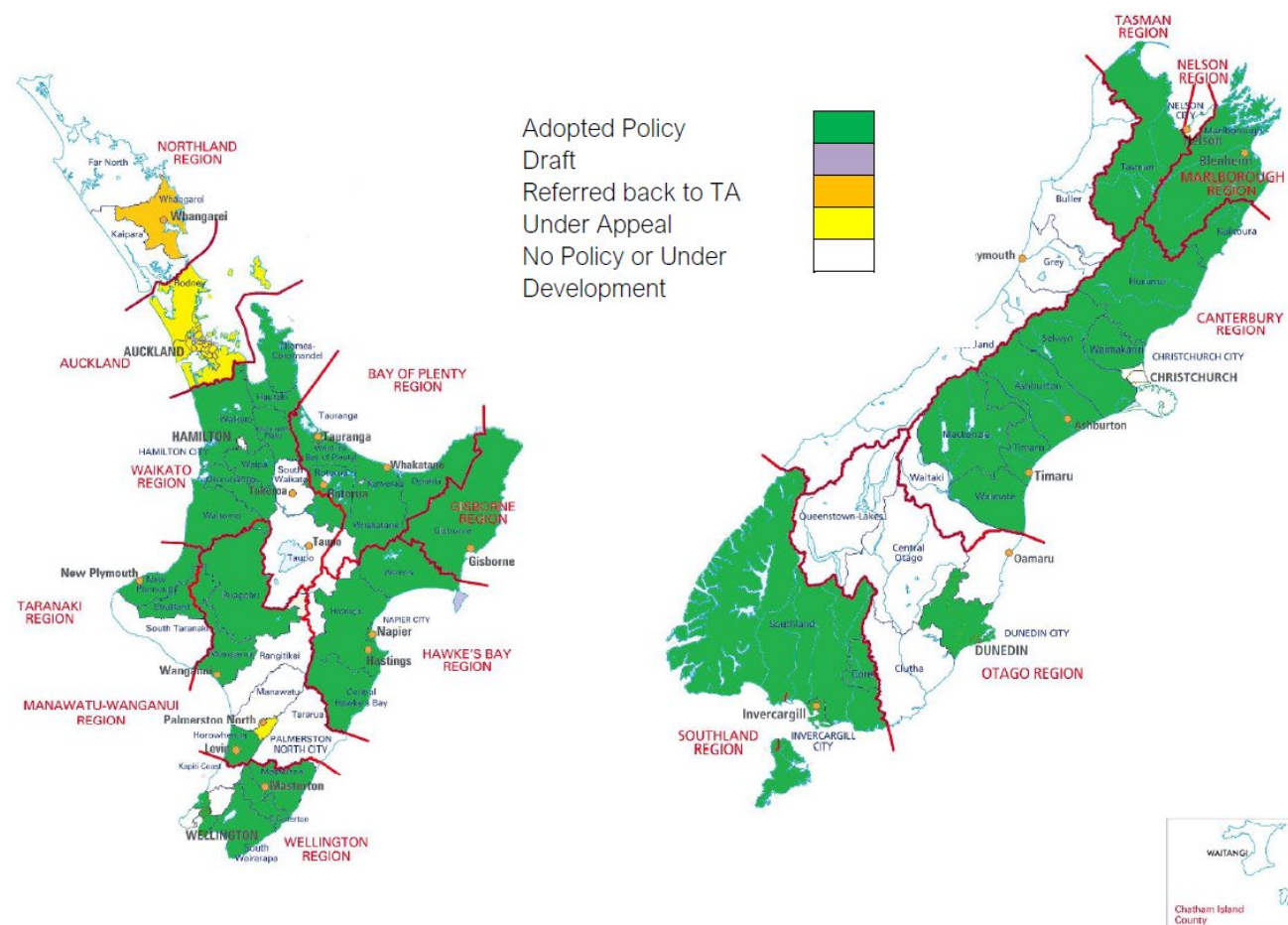


Process up to 8 June 2020

Since then, Court of Appeal hearing June 2021

Leave granted to Supreme Court in 2022

LAP status – 35% of NZ population



Alcohol Regulatory and Licensing Authority. 2021. Alcohol

No Local Alcohol Policies in:

- Auckland
- Hamilton
- Wellington
- Christchurch

86% of first LAPs appealed by supermarkets

72% of first LAPs appealed by bottle stores

Results in watered-down policies that are less effective in protecting communities from harm

Appeals most commonly to off-licence discretionary conditions, trading hours and density restrictions

Napier/Hastings LAP

- Draft LAP = Oct 2013
- Provisional LAP = April 2016
- Adopted LAP = March 2019

5.2 Off-Licence Hours

Off Licence Type	Maximum Trading Hours
Grocery stores, wineries, hotels, bars, taverns and bottle stores	9.00am to 9.00pm Monday to Sunday
Supermarkets	7.00am to 9.00pm Monday to Sunday

7. LOCATION OF LICENSED PREMISES

From the date this LAP comes into force, no further off-licences are to be issued for any premises being a bottle store on land located within:

- Flaxmere - the Commercial Service or Suburban Commercial zone in Flaxmere, or any Precinct within the Flaxmere Village Centre Zone or Scheduled sites 1 and 2 within Flaxmere shown as identified in Map 1.
- Camberley - the suburban commercial zone in Camberley identified in Map 2.
- Maraenui - the Reserve, Suburban Commercial and Residential Zone in Maraenui identified in Map 3.

5.2 OFF-LICENCE HOURS

OFF LICENSE TYPE	MAXIMUM TRADING HOURS
Grocery stores and supermarkets	7.00am to 10.00pm Monday to Sunday
All other off licenses	9.00am to 10.00pm Monday to Sunday

Local Government NZ Remit 2018: 95% support

Local alcohol policies which reflect community preferences

- Proposed by Christchurch City Council and Napier City Council
- Asked that LGNZ seeks the Government's agreement to **amend the Sale and Supply of Alcohol Act 2012 so that Local Alcohol Policies can more accurately reflect local community views and preferences.**
- It also asks that councils be given more policy levers to reduce alcohol-related harm to complement Local Alcohol Policies (LAPs).
- There is strong community concern about the effects of the increasing number of alcohol sale outlets in many communities. While the ability to establish a local alcohol licensing framework has been devolved to councils, it has not been accompanied by the required authority and resources. As a result, the majority of LAPs so far developed have been appealed by alcohol industry groups and, in most cases, have resulted in adopted LAPs which closely align with national legislation. The lack of provisions within many of the adopted LAPs creates a significant burden on communities to be involved in individual licensing decisions; and the current ability for appellants to endlessly challenge a community's preferences regarding the sale of alcohol is untenable.
- **The remit was passed overwhelmingly with 95% of the sector in favour.**



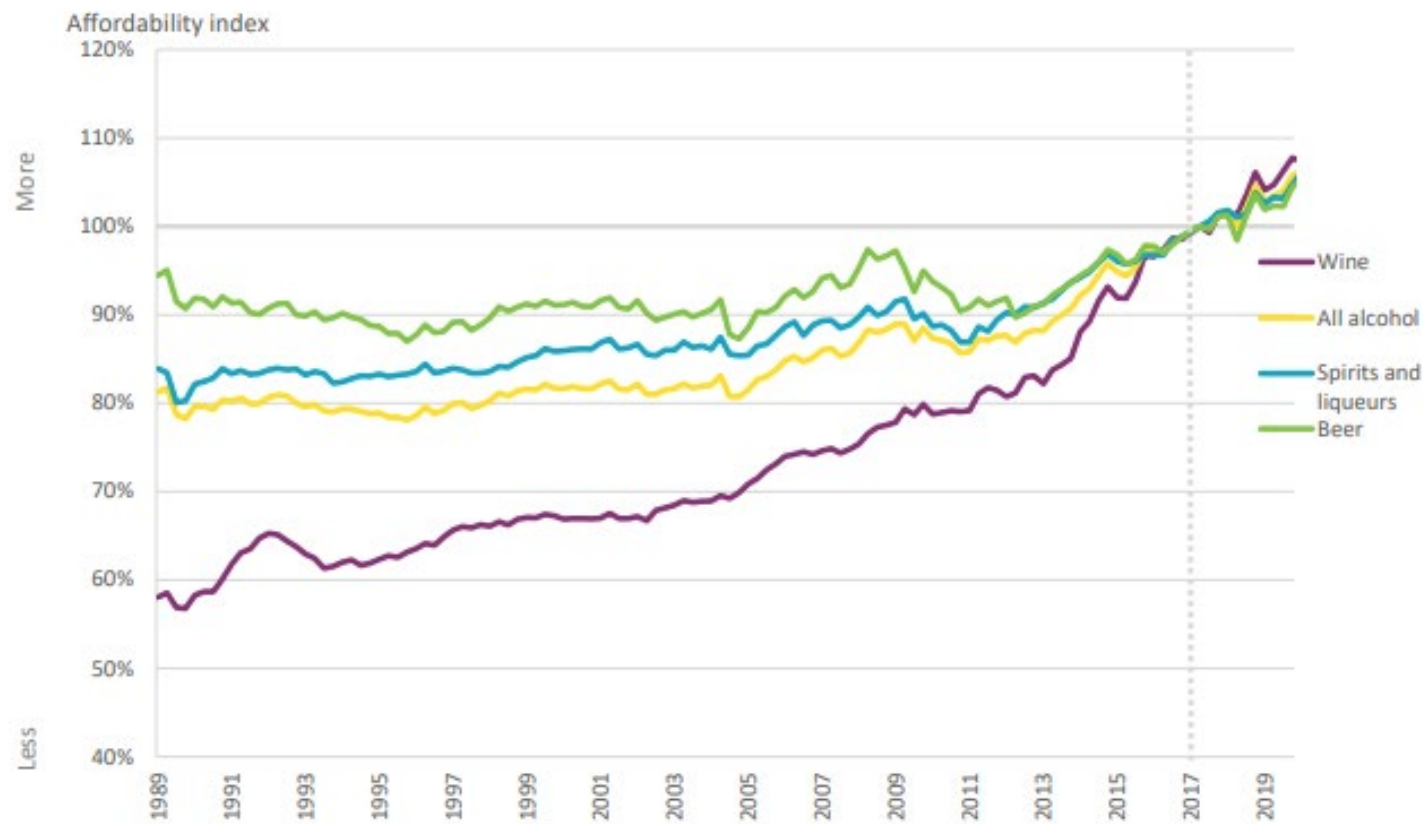
2) Price & affordability of alcohol

Price matters

- New Zealanders spend ~\$5-7 billion per year on alcohol
- Price and affordability are related to consumption
- In NZ, cheap alcohol more likely to be purchased by:
 - Heavier drinking young people
 - Heavy drinkers
 - Frequent drinkers
 - Pasifika drinkers, followed by Māori drinkers








Increasing affordability









Data sources: Alcohol CPI from CPI level 3 classes for NZ (Quarterly-Mar/Jun/Sep/Dec); average weekly income from Quarterly

Off-licence alcohol – the cheapest in 2021













Cask wine	Bottled red wine	Bottled white wine	Beer	Cider
				
77c	85c	88c	98c	\$1.08
2L (14%), \$17	750ml (13.5%), \$6.79	750ml (13%), \$6.79	18-pack (5%), \$22.99	1.25L (8%), \$8.49
Price range of five cheapest	Price range of five cheapest	Price range of five cheapest	Price range of five cheapest	Price range of five cheapest
77c - 91c	85c - \$1.04	88c - \$1.14	98c - \$1.17	\$1.08 - \$1.41

RTDs	Light spirits	Gin	Vodka	Dark rum	Bourbon
					
\$1.14	91c	\$1.08	\$1.11	\$1.18	\$1.20
12-pack (7%), \$24.99	1L (13.9%), \$9.99	1L (37.5%), \$34.00	1L (40%), \$34.99	750mL (42.8%), \$30.00	1L (37%), \$34.99
Price range of five cheapest	Price range of five cheapest	Price range of five cheapest	Price range of five cheapest	Price range of five cheapest	Price range of five cheapest
\$1.14 - \$1.45	91c - \$1.18	\$1.08 - \$1.36	\$1.11 - \$1.36	\$1.18 - \$1.44	\$1.20 - \$1.69

Multi-buys even cheaper

	<p>18-pk 440ml, 4% ABV</p> <p>25 standard drinks 99 cents per standard drink</p>		<p>18-pk 330ml, 5%ABV</p> <p>23.4 standard drinks 98 cents per standard drink</p>	
	<p>Barrel Bourbon & Dry Cola 12-pk 330ml, 7% ABV</p> <p>21.9 standard drinks \$1.14 per standard drink</p>		<p>Bily Maverick Bourbon & Cola 12-pk 250ml, 7%ABV</p> <p>16.6 standard drinks \$1.21 per standard drink</p>	
	<p>Yankee Brandy 1L, 40%ABV</p> <p>31.6 standard drinks 95 cents per standard drink</p>		<p>Yankee Light Vodka 1L, 13.9%ABV</p> <p>11 standard drinks 91 cents per standard drink</p>	
	<p>Longridge Merlot Cabernet Sauvignon 2L, 14%ABV</p> <p>22.1 standard drinks 77 cents per standard drink</p>		<p>Cleanskin Merlot 750ml, 13.5%ABV</p> <p>7.99 standard drinks 85 cents per standard drink</p>	

Off-licences alcohol – lowest price of most popular products

									
88c	\$1.07	\$1.22	\$1.27	\$1.08	\$1.17	\$1.25	\$1.28	\$1.36	\$1.29
Cask wine (red)	Bottle red wine	Bottled white wine	Beer	Cider	RTDs	Gin	Vodka	Dark rum	Bourbon

For the products where the top five brands could be identified, the lowest prices of the other four popular brands were as follows:

- Bottled red wine: \$1.40, \$1.60, \$1.92, \$2.05 per standard drink;
- Bottled white wine: \$1.40, \$1.66, \$1.66, \$2.00 per standard drink;
- Beer: \$1.27, \$1.28, \$1.32, \$1.42 per standard drink;
- Cider: \$1.55, \$1.56, \$1.66, \$3.16 per standard drink; and
- RTDs: \$1.21, \$1.51, \$1.60, \$2.06 per standard drink.

Tax on alcohol



Excise tax revenue : \$1.2 billion in 2021

- comprising ~1.5% of all tax paid to Govt

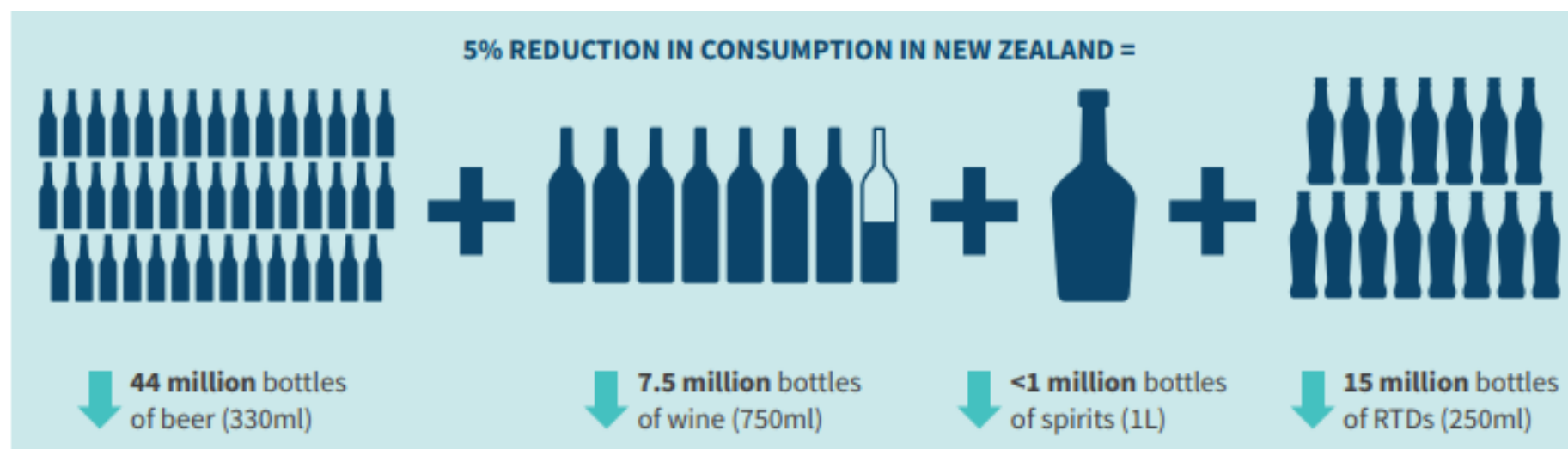
Law Commission (2010) recommendation

- Increase excise tax rates by 50% across all beverages
- Will raise overall alcohol prices by 10%
 - increasing spirits prices the most
- Reduce overall population consumption by 5%

How much is a 5% reduction?

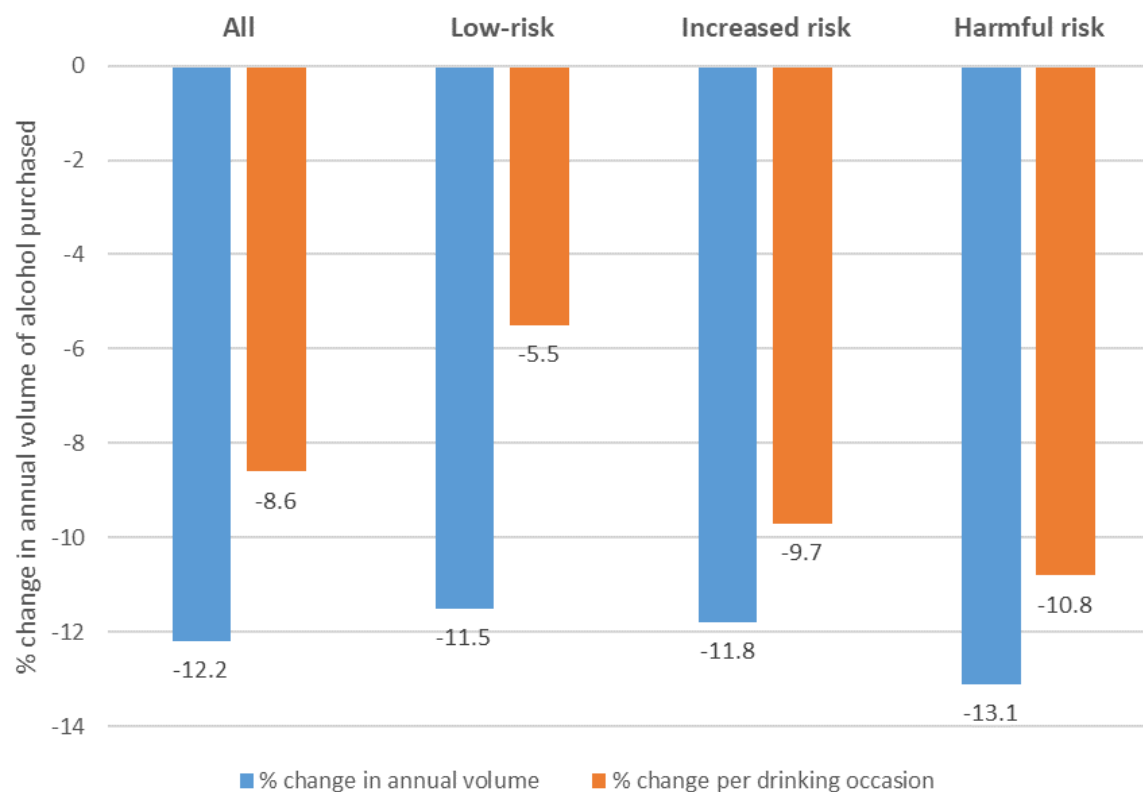
In 2021, there was 499 million litres of alcohol available for consumption

A 5% reduction on this would be 25 million litres less



Impact of price increases

- Estimated reductions in consumption from 82% tax increase in NZ:



Net savings to society

- \$339 million in first year
- \$2,452 million over 10 year

Costs to drinkers of 50% increase in tax



12-pack Speights
\$22.49 to \$24.95
\$2.46 extra (11% increase)



750ml wine
\$10.99 to \$12.16
\$1.17 extra (11% increase)



4 pack cider
\$10.99 to \$11.91
\$0.92 extra (8% increase)



1 L vodka
\$37.99 to \$48.61
\$10.62 extra (28% increase)



10 pack RTD
\$29.99 to \$32.38
\$2.39 extra (8% increase)

The impact on prices (of some alcoholic beverages) following 50% increase in excise tax.

Pro-equity

- Alcohol tax increases are considered mildly regressive, yet very progressive in terms of health and other gains
- In 2014, an 82% excise tax increase was estimated to result in an annual increased spend among low-risk drinkers of \$92, increased risk drinkers of \$305 and harmful drinkers of \$710
- 20% NZers do not drink, so won't pay a cent more
- Low income, heavy drinkers stand to benefit the most from reductions in harm
- May reduce the differential in price between off-licences and on-licences
- Research shows excise tax increases would reduce injuries from road crashes, especially among males and Māori



Minimum Unit Pricing

- Strong evidence for significant effects on reducing inequities in alcohol harm



50p per unit (8g)

NZ\$1.22 per std drink



50p per unit (8g)

NZ\$1.22 per std drink



10 cent/gram of alcohol

NZ\$1.65 per std drink



AUS\$1.30 per std drink

NZ\$1.44 per std drink

3) Advertising / marketing / sponsorship

Key evidence

Impact of Alcohol Advertising and Media Exposure on Adolescent Alcohol Use: A Systematic Review of Longitudinal Studies ^{FREE}

Peter Anderson ✉, Avalon de Bruijn, Kathryn Angus, Ross Gordon, Gerard Hastings

Alcohol and Alcoholism, Volume 44, Issue 3, 1 May 2009, Pages 229–243,

<https://doi.org/10.1093/alcalc/agn115>

Published: 14 January 2009 Article history ▼

with implications for the regulation of alcohol marketing

Thomas F. Babor, Katherine Robaina, Jonathan K. Noel & E. Bruce Ritson

Department of Community Medicine and Health Care, University of Connecticut School of Medicine, Farmington, CT 06030, USA

The Relationship Between Exposure to Alcohol Marketing and Underage Drinking Is Causal

JAMES D. SARGENT, M.D.,^{a,*} & THOMAS F. BABOR, PH.D., M.P.H.^b

impact on alcohol use, but found an impact on intentions to use. Conclusions: Longitudinal studies consistently suggest that exposure to media and commercial communications on alcohol is associated with the likelihood that adolescents will start to drink alcohol, and with increased drinking amongst baseline drinkers. Based on the strength of this association, the consistency of findings across numerous observational studies, temporality of exposure and drinking behaviours observed, dose-response relationships, as well as the theoretical plausibility regarding the impact of media exposure and commercial communications, we conclude that alcohol advertising and promotion increases the likelihood that adolescents will start to use alcohol, and to drink more if they are already using alcohol.

Conclusions

Young people who have greater exposure to alcohol marketing appear to be more likely subsequently to initiate alcohol use and engage in binge and hazardous drinking.

ADDICTION

SSA SOCIETY FOR THE STUDY OF ADDICTION

Review |  Free Access |

Alcohol marketing and youth alcohol consumption: a systematic review of longitudinal studies published since 2008

David Jernigan ✉, Jonathan Noel, Jane Landon, Nicole Thornton, Tim Lobstein

First published: 26 August 2016 | <https://doi.org/10.1111/add.13591> | Cited by: 26

Alcohol Marketing in the Era of Digital Media Platforms

NICHOLAS CARAH, PH.D.,^{a,*} & SVEN BRODMERKEL, PH.D.^b

^aSchool of Communication and Arts, University of Queensland, Brisbane, Queensland, Australia

^bFaculty of Society & Design, Bond University, Robina, Queensland, Australia

Alcohol Healthwa


New Zealand evidence

Research Article

Engagement with alcohol marketing and early brand allegiance in relation to early years of drinking

En-Yi Lin , Sally Caswell, Ru Quan You & Taisia Huckle

Pages 329-338 | Received 17 May 2011, Accepted 12 Oct 2011, Published online: 01 Dec 2011

 Download citation  <https://doi.org/10.3109/16066359.2011.632699>

The results showed that awareness of each alcohol marketing channel increased the odds of being a drinker by 8%. Engagement with web-based marketing increased the odds of being a drinker by 98% while engagement with traditional marketing increased the odds by 51%. Brand allegiance increased the odds of being a drinker by 356% and increased the likelihood of non-drinkers reporting future drinking intentions (by 73%). Brand allegiance was also associated with more frequent alcohol consumption (1.65 times more drinking occasions per year) and 86% more alcohol consumed on a typical occasion.



Health & Place

Volume 46, July 2017, Pages 274-280



Children's exposure to alcohol marketing within supermarkets: An objective analysis using GPS technology and wearable cameras

T. Chambers ^{a,*}, A.L. Pearson ^{a,*}, J. Stanley ^a, M. Smith ^a, M. Barr ^a, C. Ni Mhurchu ^c, L. Signal ^a

 Show more

<https://doi.org/10.1016/j.healthplace.2017.06.003>

[Get rights and c](#)

Results

In alcohol retailing supermarkets ($n = 30$), children encountered alcohol marketing on 85% of their visits ($n = 78$). Alcohol marketing was frequently near everyday goods (bread and milk) or entrance/exit.

Conclusion

Alcohol sales in supermarkets should be banned in order to protect children from alcohol marketing.

New Zealand evidence

Alcohol sponsorship of a summer of sport: a frequency analysis of alcohol marketing during major sports events on New Zealand television

Tim Chambers, Louise Signal, Mary-Ann Carter, Samuel McConville, Rebecca Wong, Wendy Zhu

ABSTRACT

AIMS: This research aims to assess the nature and extent of alcohol marketing through sport sponsorship over a summer of televised sport in New Zealand.
METHODS: Frequency analysis of New Zealand television broadcasts of five international sporting events during the summer of 2014–2015. Broadcasts were analysed to identify the percentage of time when alcohol brands were visible during game play. The number of independent alcohol brand exposures was recorded.
RESULTS: Alcohol brands were observed during every televised event. Audiences were exposed to between 1.8 and 3.8 alcohol brand exposures per minute. Alcohol brands were visible between 42 and 777 times

Quantifying the Nature and Extent of Children's Real-time Exposure to Alcohol Marketing in Their Everyday Lives Using Wearable Cameras: Children's Exposure via a Range of Media in a Range of Key Places

Tim Chambers, James Stanley, Louise Signal, Amber L Pearson, Moira Smith, Michelle Barr, Cliona Ni Mhurchu

Alcohol and Alcoholism, Volume 53, Issue 5, 1 September 2018, Pages 626–633,
<https://doi.org/10.1093/alcalc/agy053>

Published: 20 July 2018 Article history



Children's home and school neighbourhood exposure to alcohol marketing: Using wearable camera and GPS data to directly examine the link between retailer availability and visual exposure to marketing

T. Chambers^{a,*}, A.L. Pearson^{a,b}, I. Kawachi^c, J. Stanley^d, M. Smith^e, M. Barr^f, C. Ni Mhurchu^g, L. Signal^h

ABSTRACT

Background and aim: Neighbourhood alcohol availability has been associated with alcohol consumption by children, despite children rarely acquiring alcohol from retailers. This study explores one potential reason for this finding, by evaluating the relationships between neighbourhood alcohol availability and children's actual exposure to alcohol marketing.

Method: Wearable cameras and GPS devices were worn by 167 children (aged 11–13 y) over a four-day period. Image and GPS data were linked and compared to known alcohol availability data.

Results: Off-licence retailer availability and ethnicity were positively associated with children's exposure to marketing in both residential and school neighbourhoods.

Conclusion: Neighbourhood off-licence alcohol retailers are associated with increased childhood exposure to alcohol marketing.

Results

On average, children were exposed to alcohol marketing 4.5 (95% CI: 3.3, 6.0) times per day, excluding within off-licence retailers, on screens and product packaging. Children were exposed at home (47%), on-licence alcohol retailers (19%), off-licence shop fronts (16%) and sporting venues (12%), and via sports sponsorship (31%) and shop front signage (31%) and merchandise (25%). The highest exposure rates were found among Māori (5.4 times higher than New Zealand European) and Pacific (3.0 times higher than New Zealand European), and boys (2.0 times higher than girls).

Conclusions

These findings highlight the urgent need to implement strict legislative restrictions on all forms of alcohol marketing to fulfil the World Health Organization Global Alcohol Strategy.



Inequities: alcohol advertising exposure

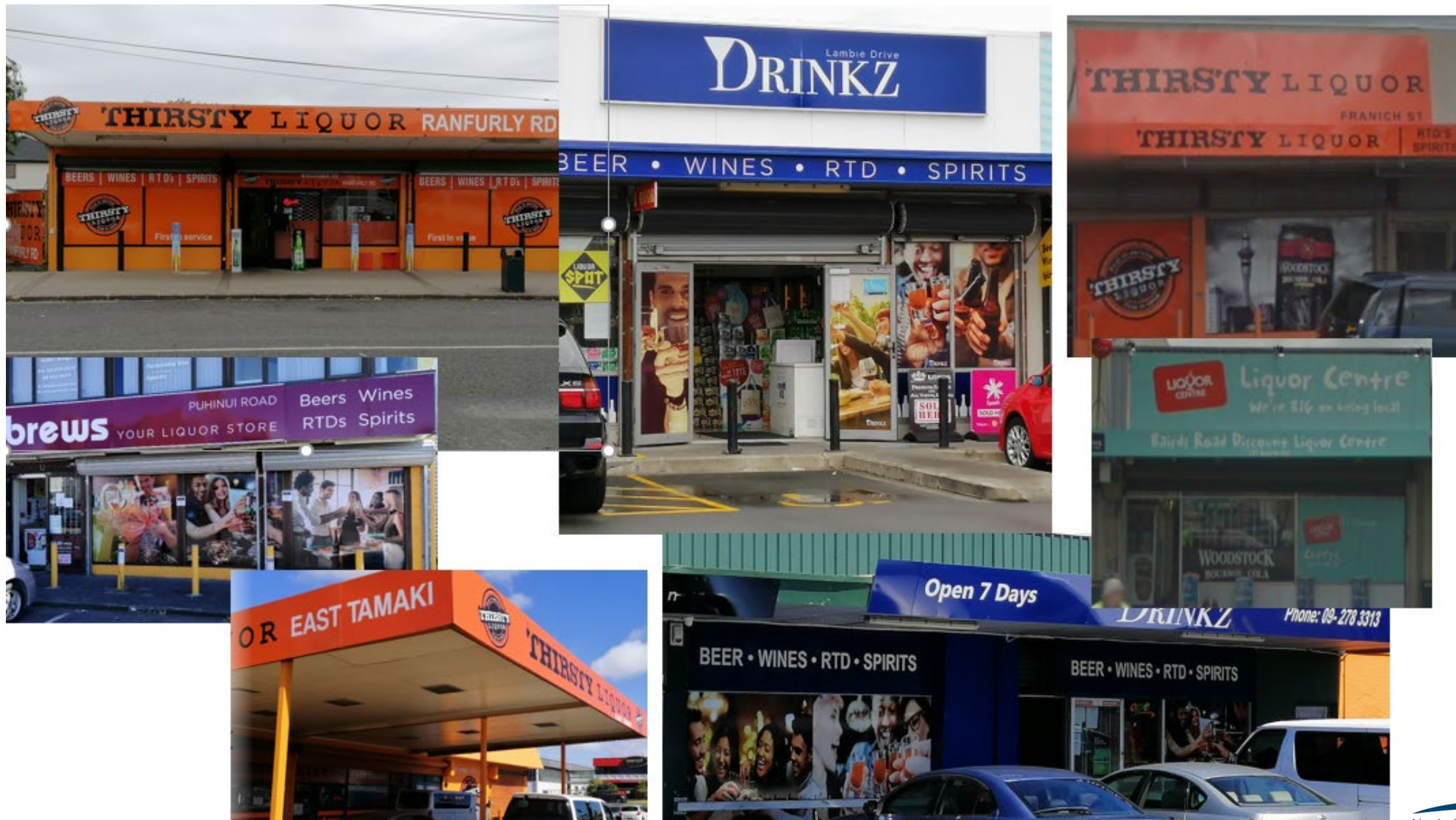
Tamariki Māori are 5x more likely
Pasifika children 3x more likely

to be exposed to alcohol marketing than European
children

(exposure excludes screen advertising)

Saturation





Sponsorship



Sponsorship spend

\$21.3 million on alcohol sport sponsorship (2014)

Level	\$ CASH (%)	\$ NON-CASH (%)	TOTAL \$	% of all sponsorship
National	3,190,000 (23%)	1,499,000 (20%)	\$4,689,000 (22%)	7% (5% of all cash, 15% of all non-cash)
Regional	5,204,000 (38%)	679,000 (9%)	\$5,883,000 (28%)	11% (13% of all cash, 5% of all non-cash)
Community	5,366,000 (39%)	5,405,000 (71%)	\$10,771,000 (50%)	25% (16% of all cash, 61% of all non-cash)
			\$21.3 million	

- 76% of regional funding by alcohol companies and 29% of community funding goes to Rugby Union

Alcohol industry self-regulatory Code of practice

- Advertising Standards Authority Alcohol Advertising and Promotion Code

Boycott of ASA Review of Alcohol Advertising—need for regulation

Sally Casswell, on behalf of the interim Board of Health Coalition
Aotearoa

Ineffective, meaningless, inequitable: analysis of complaints to a voluntary alcohol advertising code

Nicki Jackson, Nathan Cowie, Amy Robinson

Sports sponsorship: evidence

- Exposure to alcohol sports sponsorship is associated with heavier alcohol consumption by children and adult sporting participants
- Only takes seconds for a brand to be recognised and recalled – perception of advertising is not required, effect is subliminal
- Exposure not only increases positive attitudes towards the brand
 - increases positive attitudes to alcohol in general

Public support for policy change

Nationally representative research finds:

- **79%** support increased restrictions to alcohol advertising / promotion seen by young people <18 yrs
- **67.2%** support ending alcohol sponsorship of events that minors may attend

<https://kume.hnz.org.nz/>



Recommendations for law change

- 2010 Law Commission 3-stage process (only stage 1 implemented)
 - Stage 1 = s237 of SSAA
 - Stage 2: legislation to reduce exposure to young people – watershed 10pm, no advertising at public transport, movies, sport and music events, moderation time, restrictions to internet advertising
 - Stage 3: advertising only of objective product information – name, qualities, no drinking occasions, no advertising in media with readership <20 yrs, no alcohol sponsorship
- 2014 Ministerial Forum for alcohol advertising and sponsorship
- 2018 Mental Health & Addiction Inquiry
- 2021 20 collective DHB statement on SSAA review
- 2022 Cancer Control Agency
- 2022 Te Hiringa Hauora / Health Promotion Agency Position Statement
- World Health Organization SAFER Framework



An easy solution to replacing sponsorship

- 1995 tobacco sponsorship was replaced by the Health Sponsorship Council
- Alcohol: Health Promotion Agency Levy to be increased substantially
 - Currently ~\$11 million/yr
 - Add \$30 million to replace sports sponsorship
- To replace alcohol sports sponsorship we would need to add (via the levy):
 - 6c to a bottle of wine
 - 2c to a can of beer
 - 2c to an RTD
 - 9c to a litre of spirits

Other evidence-based policies

- Increasing the purchase age
- Increasing the number of Random Breath Tests
- Screening and brief intervention in health and community settings



Ineffective / less effective approaches

- School-based education or information sessions
- TV or mass media campaigns
- Alcohol accords

Policy windows to effect change

1) Upcoming review of the Act

- Minister of Justice has announced a review of the Sale and Supply of Alcohol Act to occur this Parliamentary term
- Awaiting decision on scope of the review
- Need a broad review to effectively reduce alcohol use & inequities (addressing price, availability and advertising)

Local Government NZ Remit 2019

Review the Act, and involve Local Govt

LGNZ, on behalf of its member councils ask for a review of the effectiveness of the Sale and Supply of Alcohol Act 2012 in reducing alcohol harm (eg price, advertising, purchase age and availability) and fully involve local government in that review.

The remit was passed with 88% of the sector in favour.

A separate remit was submitted in 2021, requesting “that amendment be made to the Sale and Supply of Alcohol Act 2012 to enhance opportunities for the community to participate in the alcohol licensing process.”

This remit was supported by Zone Three and then referred to the National Council for action.

2) Chlöe Swarbrick's Private Members' Bill

Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill

- Removes appeals process in LAP development
 - Still allows for Judicial Review
- Ends alcohol sponsorship of broadcast sport
- Includes additional criteria for DLCs to consider in licensing decisions
- Seeks to apply LAPs to renewals
- To be read: Selected at random from ballot OR 61 non-Executive MPs support the Bill

3) Waitangi Tribunal claim (#WAI2624)

- Claimant = Raawiri (David) Ratu (Ngaati te Ata Waiohū, Waikato-Tainui, Ngaati Maniapoto)
- Waitangi Tribunal Health Services and Outcomes Kaupapa Inquiry
- Treaty breaches in relation to Sale and Supply of Alcohol Act 2012
 - No regard for Te Tiriti in SSAA
 - LAP development processes
 - Licensing – committees, objections and standing, reporting

Council leadership on alcohol harm

Focused on review of the Act and advocacy for Chlöe Swarbrick's Bill

March 24: Unanimous support for Notice of Motion, Auckland Council

April 7: Support for Mayoral Recommendation, Christchurch City Council

May 11: Support for Council recommendation, Whanganui District Council

May 12: Unanimous support for Council recommendation, Hamilton City Council

- Numerous emails from other Councils wanting to know more

Council leadership on alcohol harm

That the Council:

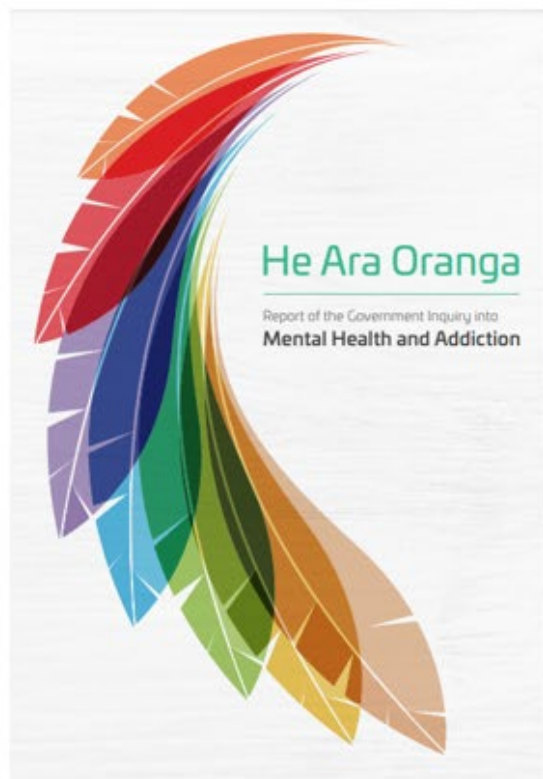
- a) endorses the proposed Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, which aims to:
 - i. remove the special appeal process through Local Alcohol Policies.
 - ii. wind down alcohol advertising and sponsorship of sport.
- b) requests the proposed Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, be supported by the Government and/or non-Executive Members of Parliament;
- c) requests the New Zealand Government review the Sale and Supply of Alcohol Act 2012; and
- d) delegates (an Elected Member) to advocate to central government and to the Non-Executive Members of Parliament in support of the proposed Bill.

After the vote

Options:

- Council media release
- Letter to Minister of Justice on the outcome of the vote
- Nominate an Elected Member to advocate to central government and to the non-Executive Members of Parliament to support the Bill
- Prepare a submission on the upcoming review of the Sale and Supply of Alcohol Act 2012 (likely 2022/2023)
- Continue to advocate for evidence-based measures to reduce alcohol harm

2018 Mental Health and Addiction Inquiry



<https://mentalhealth.inquiry.govt.nz/assets/Summary-reports/He-Ara-Oranga.pdf>

We heard extensively across New Zealand that alcohol and other drugs are viewed as serious public health concerns and a blight on our communities. Alcohol, in particular its promotion, socialisation and ease of access, was a specific concern, and we heard from submitters concerned about the number of liquor outlets in their communities and their lack of power to influence this. Alcohol is the most common substance of addiction, and in any given year nearly 10% of New Zealanders' drinking could be classified as hazardous.¹⁹¹

Despite alcohol's harm, New Zealand has a normalised heavy drinking culture. That, by and large, does not recognise current alcohol use as a crisis. Strong vested interests in the alcohol industry have incentives to resist change. We see parallels with tobacco control and smoking, and believe a similar approach will be needed to tackle the harmful use of alcohol.

In 2008, in an attempt to respond to the harms associated with alcohol, the Law Commission was tasked with examining and evaluating the laws and policies relating to the sale, supply and consumption of alcohol in New Zealand and forming recommendations on a policy framework covering the principles that should regulate the sale, supply and consumption of alcohol. While the Government adopted most of the Law Commission's recommendations, the most substantial and potentially reformative recommendations were not implemented. The recommendations were to:

- increase the price of alcohol through excise tax increases
- regulate promotions that lead to increased consumption or purchase of alcohol
- move, over time, to ban alcohol advertising and sponsorship
- increase the minimum age of alcohol to 20 years
- reduce the number of that licenced premises are open.

Further work on alcohol pricing that considered the potential impact and effectiveness of a minimum price regime²⁰² and on advertising and sponsorship has been undertaken. The Ministerial Forum on Alcohol Advertising and Sponsorship, for example, reported in 2014 and made several recommendations with a focus on reducing harm to young people arising from alcohol advertising and sponsorship.²⁰³ However, there has not yet been a comprehensive government response to recommendations about combating harmful alcohol consumption and to the work on pricing or on advertising and sponsorship.

Safe and Effective Justice review



Recommendation 10: Alcohol and other drugs

We recommend that the Government strengthen regulation of alcohol.

“Alcohol is regulated but is widely available and used in our society. It isn’t seen as a drug and our regulation approaches to it are inconsistent and fail to deal with the harm it produces.”

We recommend stronger regulation of alcohol. Over recent decades governments have ignored many recommendations aimed at reducing the harm and impact of alcohol misuse. He Ara Oranga, the 2010 Law Commission review *Alcohol in our Lives*,⁶⁹ the 2014 Ministerial Forum on Alcohol Advertising and Sponsorship,⁷⁰ and the 2014 Ministry of Justice report *The Effectiveness of Alcohol Pricing Policies* all recommended or provided evidence for a stricter regulatory approach to the sale and supply of alcohol. Much bolder political leadership is required here to take action now.

20 DHBs collective statement

All District Health Boards

27 September 2021

Media release
Embargoed 5am 27 September

Heads of District Health Boards join forces to call for action to reduce alcohol harm

The Sale and Supply of Alcohol Act 2012 has failed in its objective to minimise alcohol related harm and urgently needs to be reviewed, the heads of New Zealand's District Health Boards (DHB's) have agreed in new documents released today.

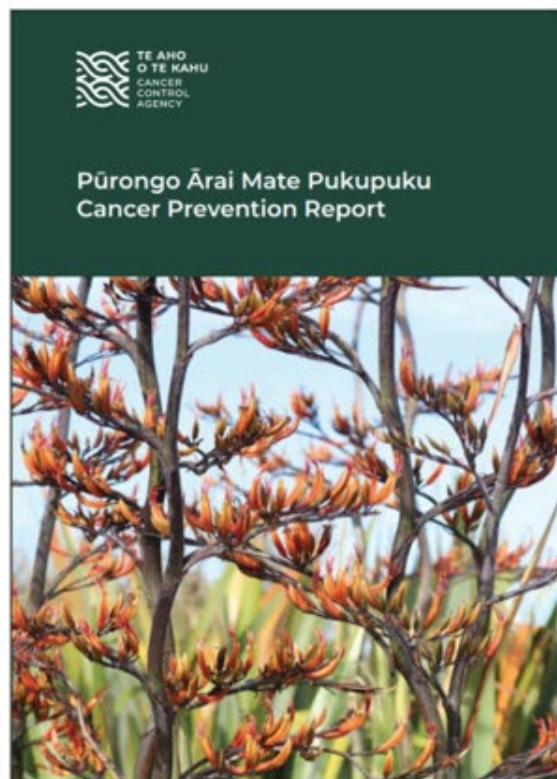
"The Sale and Supply of Alcohol Act has failed in its objective to minimise alcohol related harm - it urgently needs to be amended and strengthened to reduce the harm alcohol causes in our whānau, our community services and our health system," Northland DHB Chief Executive Dr Nick Chamberlain said.

This is the first time the collective heads of DHBs have joined forces to agree on a singular position statement calling for legislative change. They want to:

- give effect to Te Tiriti O Waitangi and reduce inequities in alcohol related harm,
- remove easy access to alcohol, and
- reduce the visibility of alcohol advertising and sponsorship.

"Alcohol is New Zealand's most harmful drug, and it causes untold strain on our families, our community services, and our health system," Nick Chamberlain said.

Te Aho o Te Kahu - the Cancer Control Agency



Summary of options to prevent cancers related to alcohol use

- ⇒ Reduce the affordability of alcohol.
 - Increase alcohol excise tax.
 - Introduce a minimum unit price (a mandatory lowest retail price per standard drink of alcohol).
- ⇒ Reduce the availability and accessibility of alcohol.
 - Decrease the number and density of licensed premises.
 - Decrease trading hours – particularly for off-licence outlets.
 - Increase the legal purchase age for alcohol from 18 years to 20 years.
- ⇒ Reduce alcohol advertising, marketing and sponsorship.
 - Enact and enforce comprehensive restrictions on volume and content of alcohol advertising and sponsorship across all environments.
- ⇒ Support health services to reduce harm from alcohol.
 - Strengthen screening and brief interventions to reduce alcohol consumption.

<https://teaho.govt.nz/reports/prevention-report>

Napier / Hastings Joint Alcohol Strategy

JOINT ALCOHOL STRATEGY

REDUCING ALCOHOL RELATED HARM

NAPIER CITY COUNCIL

HASTINGS DISTRICT COUNCIL

REVISED 2017



OBJECTIVES

Three key objectives are identified for the Strategy. These reflect areas in which the two Councils have either a leadership role or where they may have some influence.

The 2017-2022 Strategy objectives are:

1. Demonstrate leadership to reduce alcohol harm
2. Foster safe and responsible events and environments
3. Change attitudes towards alcohol to reduce tolerance for alcohol harms

The objectives also aim to support the following high-level priorities outlined in a range of national and local documents.⁵

- Reduce hazardous drinking of alcohol
- Delay uptake of alcohol by young people
- Reduce illness and injury from alcohol.

The Strategy supports a combination of regulatory approaches and preventative and educational interventions, acknowledging that all of these contribute to reducing alcohol harm. The Strategy also encourages collaboration between partner organisations – including councils, government agencies, community and business groups.

APPENDIX C: HAWKE'S BAY DISTRICT HEALTH BOARD'S POSITION STATEMENT ON REDUCING ALCOHOL-RELATED HARM, 2016

HAWKE'S BAY DISTRICT HEALTH BOARD POSITION

Napier / Hastings further achievements

Alcohol-free events brand

No alcohol advertising in public transport

DHB mahi on alcohol sports sponsorship

The sky won't fall in without alcohol company sponsorship



Te Hiringa Hauora / Health Promotion Agency

National Alcohol Harm Minimisation Framework



hpa te hiringa hauora
HEALTH PROMOTION AGENCY

Alcohol access and availability

Position statement

Stronger regulatory measures to restrict the availability of alcohol will effectively prevent alcohol-related harm in Aotearoa New Zealand. Te Hiringa Hauora supports legislative enhancements that:

- limit the location and density of licensed premises
- reduce the default maximum trading hours for licensed premises
- strengthen provisions for off-licenses selling remotely that prevent sale to underage or intoxicated people
- improve the involvement of local communities and mana whānua in influencing alcohol distribution and availability

the need for a licensed premises and community (DLC) more accessible and responsive

LAP process by narrowing or removing sections are not over-ridden by DLCs, to as well as new applications, and

hpa te hiringa hauora
HEALTH PROMOTION AGENCY

Alcohol advertising, promotion and sponsorship

Position statement

To minimise alcohol-related harm in Aotearoa New Zealand, Te Hiringa Hauora supports using a staged approach to phase out alcohol advertising and promotion; replacing alcohol sponsorship of events with a government programme funded by an increased alcohol levy or alternative funding sources; and replacing self-regulation by the alcohol industry with an independent or government-led process to monitor alcohol advertising, promotion and sponsorship.

hpa te hiringa hauora
HEALTH PROMOTION AGENCY

Price of alcohol

Position statement

Increasing the price of alcohol is one of the most effective strategies for reducing alcohol-related harm. Higher prices that make alcohol less affordable lead to lower demand, lower consumption, and lower harm. Te Hiringa Hauora supports increasing excise tax on alcohol by 50% and introducing a legislative requirement for a minimum price per standard drink of \$1.50 or more to reduce the harm caused by cheap alcohol.

<https://www.hpa.org.nz/national-alcohol-harm-minimisation-framework>

Conclusion

- Policies to change the alcohol environment are effective, pro-equity, cost-effective and positively impact future generations
- Communities have tried to have a say and take action, with little success
- The public want to see change, key organisations are demanding it
- Enabling political will for change will require many voices
- Local government has an important voice in this debate – the current laws are unworkable for councils

Questions



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2. HAWKE'S BAY MUSEUMS TRUST COLLECTION MANAGEMENT AGREEMENT

Type of Report:	Contractual
Legal Reference:	N/A
Document ID:	1455136
Reporting Officer/s & Unit:	Darran Gillies, Acting Director Community Services

2.1 Purpose of Report

To seek Council approval to enter into a new Management Agreement with the Hawke's Bay Museums Trust (HBMT) expiring 30 June 2023 while the Hawke's Bay Regional Collection Joint Working Group conducts its review of governance and operational arrangements of how the collection is to be maintained and governed.

Councillors Wright / Crown

The Napier People and Places Committee:

- a. Approve that Napier City Council enter into a Management Agreement with the Hawke's Bay Museums Trust expiring 30 June 2023.

Carried

2.2 Background Summary

The MTG, on behalf of Napier City Council, provides for care, protection, access, storage and development of the Hawke's Bay Museums Trust (HBMT) regional collection by way of a Management Agreement between the Council and the Trust. The term of the current agreement is for three years from 1 July 2016 to 30 June 2019.

A Joint Working Group comprised of Napier City Councillors and Council Officers, Hastings District Councillors and Council Officers, and HBMT Board Members, has been established with the purpose of facilitating a review of the governance and operational arrangements of how the collection is to be maintained and governed. Specific objectives of the working party are to make recommendations to the respective councils and the Trust on the most appropriate and fit for purpose ways of achieving;

1. Regional museum – explore the concept of a regional museum and the implications moving forward.
2. Funding transparency – review management and funding arrangements to ensure funding requirements are transparent.
3. Levels of service expectations – review and make recommendations to all stakeholders for increased transparency of levels of service expectations.
4. Appropriate storage – identify most cost effective and fit for purpose storage arrangements.
5. Access to collection – set KPIs that encourage access to, and display of, the regional collection.

6. Service performance standards – review and make recommendations to the Trust for increased transparency of service performance standards included in the Statement of Intent.
7. Governance options – explore and make recommendations on the most appropriate governance options for the care and protection of the regional collection and/or running of the regional museum.

2.3 Issues

The Hawke's Bay Museums Trust is not currently operating with a current Management Agreement. It is proposed that an agreement is signed for one year. This will allow time for the objectives of the review to be met and Council will have clear direction on how the regional collection will be governed and managed into the future.

2.4 Significance and Engagement

N/A

2.5 Implications

Financial

The Trust collection is currently funded by Napier City Council and Hastings District Council. There are no planned changes to the funding as a result of the extension to the contract, and budget has been provided in the Long Term Plan 2021-31.

Social & Policy

N/A

Risk

There is a risk that the recommendations relating to the Governance review are not completed within the year of the management agreement. At that point, a new agreement could be prepared and signed.

2.6 Options

The options available to Council are as follows:

- a. Approve that Napier City Council enters into a one-year Management Agreement with the Hawke's Bay Museums Trust while the Joint Working Group carry out its review of governance and operations including the new collections facility, or
- b. Not approve that Napier City Council enters into a one-year Management Agreement with the Hawke's Bay Museums Trust while the Joint Working Group carry out its review of governance and operations including the new collections facility.

2.7 Development of Preferred Option

If Council approves that Napier City Council enters into a one-year Management Agreement with the Hawke's Bay Museums Trust, the Joint Working Group will carry out its review of governance and operations from 1 July 2022.

At the meeting

The MTG Director spoke to the report. In response to questions from the Committee it was clarified:

- The governance and operational arrangement review has a broad scope and includes reviewing how the collection is maintained and governed, the funding model, and iwi representation in the governance model.
- The Joint Working Group carrying out the review has one HBMT board member sitting on it. The current governors are supportive of the review and getting the best governance model in place for the collection moving forward.
- The Joint Working Group will be making a recommendation to Council, prior to the election period, on the preferred governance model and operational arrangements for the collection.

2.8 Attachments

- 1 HBMT Management Ageeement 2019/20
- 2 HBMT Management Agreement 1 July 2022

**DATE:
29 APRIL 2019**

HAWKE'S BAY MUSEUMS TRUST

AND

NAPIER CITY COUNCIL

**MUSEUMS COLLECTIONS
MANAGEMENT AGREEMENT**



Addresses for notices:

**HB Museums Trust
PO Box 123
NAPIER**

**Napier City Council
Private Bag 6010
Hastings Street
NAPIER**

**Phone: 06-835-7579
Fax: 06-835-7574**

1. **Parties**

This agreement is made by:

- 1.1 Hawke's Bay Museums Trust ("HBMT") and
- 1.2 Napier City Council ("NCC")

2. **Background**

- 2.1 HBMT are the owners and guardians of the collection for the people of Hawke's Bay.
- 2.2 NCC owns and operates the facility known as MTG Hawke's Bay (MTG) which houses the collection owned by HBMT. This includes the Faraday Centre.
- 2.3 This Management Agreement relates to the provision of services by NCC to HBMT to ensure the proper care and management of the collection.
- 2.4 NCC and Hastings District Council have agreed to jointly fund the costs of holding maintaining and administering the collection, including HBMT governance costs. This Council funding is provided by way of grants to the HBMT who in turn pay NCC under this Management Agreement. This agreement is subject to the continuation of Hastings District Council and Napier City Council funding.

3. **Term**

- 3.1 The term of this agreement shall be for one year from 1 July 2019 to 30 June 2020.
- 3.2 Notwithstanding clause 3.1 this agreement may be terminated or amended with the mutual agreement of both parties provided that any such termination or agreement shall be recorded in writing.

4. **Obligations of the HBMT**

The HBMT shall be responsible for:

- 4.1 Retention of funds from the funding Councils' grants to provide for:
 - Legal Fees
 - Accounting Services
 - Management and Secretarial Services
 - Audit Fees
 - Meeting Expenses
 - Sundry Trust expenses
- 4.2 Creating policy with respect to access to the collection;
- 4.3 Providing income funds (where available) and applying its bequest capital for accessions to the collection in keeping with any accession conditions specified with the bequests

- 4.4 Providing income funds (where available) and applying its bequest capital to conservation of the collection in keeping with any conservation conditions specified with the bequests;
- 4.5 Arrange Trustee Liability Insurance for the Trustees of the HBMT;
- 4.6 Care and Collection Policies;
- 4.7 Policy for accessioning requests;
- 4.8 Policy for de-accessioning approvals;
- 4.9 Monitoring the Management Agreement;
- 4.10 The setting of key reporting targets with respect to the collection;
- 4.11 The setting of reporting requirements in agreement with NCC;
- 4.12 HBMT shall provide six-monthly and annual reports to Napier City Council and Hastings District Council in the prescribed format.

5. **Obligations of NCC**

NCC shall, within the funding levels provided by HBMT:

- 5.1 Cause a full valuation of the collection to be undertaken every three years with such valuation to be reviewed annually;
- 5.2 Arrange insurance of the collection to the value determined in accordance with clause 5.1 with such insurance providing cover for the collection at MTG Hawke's Bay, the Faraday Centre or any such other place as the collection or any part of the collection is located from time to time.
- 5.3 Provide necessary staff to meet agreed levels of service to ensure proper care and maintenance of the collection as detailed below:

Protection

This will be achieved through:

- a. Storage – appropriate storage to accepted Museum Industry Standards (MIS)
 - i. Pest Control
 - ii. Storage Media
 - iii. Shelving
 - iv. Air quality
- b. Security – appropriate security to accepted MIS
 - i. Alarm Systems (Burglary, fire)
 - ii. Alarm Monitoring
 - iii. Access Systems
 - iv. Insurance (loan items, owed items)
- c. Records Management – appropriate records management to accepted MIS

- i. Vernon database
- ii. Other records

Quality

- a. Conservation – appropriate conservation to accepted MIS and consistent with HBMT collection policies
- b. Accessioning - appropriate accessioning to accepted MIS consistent with HBMT collection policies
- c. De-accessioning - appropriate de-accessioning to accepted MIS consistent with HBMT collection policies

Access

- a. Exhibitions – collection available to Hastings City Art Gallery and MTG Hawke's Bay and other institutions as appropriate within accepted MIS
- b. Research – Collection made available through MTG Hawke's Bay as appropriate within accepted MIS.
- c. Archives – Archives made available through MTG Hawke's Bay as appropriate within accepted MIS

Development

- a. Bequests – To actively foster bequests
 - b. Fundraising - To work with the MTG Foundation to provide funding.
 - c. Reserves – To appropriately manage accession reserves.
 - d. Relationships - To appropriately manage relationships to allow the collection to develop appropriately, in particular but not restricted to
 - i. Funding Councils
 - ii. Ngati Kahungunu Iwi Incorporated
 - iii. Te Roopu Kaiawhina Taonga, and
 - iv. Friends of MTG Hawkes Bay
- 5.4 Provide the information and reports necessary to enable HBMT to fulfil its reporting obligations under Clause 8.1

6. Financial

- 6.1 The financial management of the trust is to be kept completely separate from all other aspects of Napier City Council. Napier City Council will provide financial and administration services, including monthly management reports, and HBMT will be charged for all direct costs and a share of related overhead costs. Napier City Council will invoice HBMT monthly for reimbursement.

7. Joint obligations of HBMT and NCC

- 7.1 HBMT and NCC shall comply with all statutes, regulations and by-laws applicable to the facilities under its control (MTG Hawke's Bay and Faraday Centre)
- 7.2 In all cases, issues arising will be resolved in the spirit of mutual co-operation.

8. No Assignment Without Consent

- 8.1 Neither party may assign, or otherwise dispose of the whole or any part of its interest under this contract without the prior written consent of the other party.

9. Disputes

- 9.1 Amicable Resolution: The parties hereby acknowledge their desire that all questions or differences whatsoever which may arise between the parties concerning this Contract or its subject matter or arising out of or in relation thereto and whether as to interpretation or otherwise be resolved amicably by bona fide discussion between them.
- 9.2 Mediation: However, if any question or difference referred to in Clause 9.1 (the dispute) is not resolved either party may at any time invoke a mediation process, as follows:
 - 9.2.1 Mediation Notice: either party may by written notice (the "Mediation Notice") to the other party, require that the dispute between the parties be referred to mediation. A Mediation Notice shall set out the nature of the dispute, but need not detail the background or the party's position in relation to the same; and
 - 9.2.2 Obligation to Resolve Remains: a Mediation Notice shall not derogate from the obligation of the parties to seek resolution of the dispute by consultation and negotiation; and
 - 9.2.3 Appointment of Mediator: the parties shall in good faith endeavour to agree upon and appoint a person as mediator to consult with the parties and assist the parties to reach agreement in respect of the dispute by no later than seven days from the date upon which the Mediation Notice was given; and
 - 9.2.4 Mediator to Settle Procedures: if a mediator is appointed, he or she shall, in consultation with the parties, settle a timetable and the procedures to be adopted during the mediation. The decision of the mediator on any such timetabling and procedural matters shall be binding on the parties and, in particular, the mediator shall be entitled to call any meeting between the parties at such times and places as the mediator considers appropriate; and

9.2.5 Parties to Endeavour to Reach Solution in Good Faith: the parties shall attend all meetings called by the mediator and at such meetings shall conduct their negotiations in good faith, and shall use their best endeavours to reach an agreed solution which is acceptable to both parties. While the parties may, if they wish, have the assistance of legal counsel in such negotiations, all proceedings of the mediation shall be conducted on a "without prejudice" basis – in that nothing that transpires during the course of the negotiations (other than any settlement or supplementary written agreement between the parties) is intended to or shall in any way affect the rights or prejudice the position of the parties to the dispute or in any subsequent adjudication, arbitration or litigation or other legal proceedings of any kind. Without derogating from the generality of the foregoing and merely by way of example:

- (a) any opinion given, report produced and terms of settlement proposed or recommended by the mediator or either party shall not be disclosed to the adjudicator, arbitrator or court; and
- (b) the fact that information of whatsoever nature was made available to the mediator does not mean that privilege or confidentiality is waived for any subsequent adjudication, arbitration or litigation or other legal proceedings of any kind; and
- (c) the fact that the accuracy of information or the validity or meaning of documents was not challenged during the mediation does not preclude challenge in subsequent adjudication, arbitration or litigation or other legal proceedings of any kind; and

9.2.6 Mediator Has No Power of Decision: the mediator shall have no power of decision on any matters other than timetabling and procedural matters; and

9.3 Resolution of Unresolved Disputes: Subject to the provisions of this Clause 10.3 if any question or difference between the parties:

9.3.1 As to Interpretation of Application: as to the interpretation of the provisions of this Contract or as to their application in any particular circumstances (including any liability thereunder or any damages thereby arising); and

9.3.2 Arising from Failure to Agree: arising from the parties' failure to agree;

is not resolved by written agreement between the parties upon the expiration of 20 Business Days from the date upon which the Mediation Notice was given (irrespective of whether or not the parties agreed upon the appointed mediator pursuant to Clause 10.2.3, the question of difference shall be resolved by the arbitration of a single arbitrator to be agreed upon by the parties or, failing agreement, of an arbitrator appointed by the President for the time being of the New Zealand Law Society and every arbitration shall be conducted under and in accordance with the provisions of the Arbitration Act 1996. However, it is acknowledged and agreed that the award of the arbitrator shall contain reasons for the same and that the costs of and incidental to the reference and the award respectively shall be at the discretion of the arbitrator, who may determine the amount thereof or the basis upon which the same shall be ascertained.

10. **Miscellaneous**

- 10.1 Non-waiver: Failure by either party to enforce any right or obligation with respect to any matter arising in connection with this Contract shall not constitute a waiver as to that matter or any other matter either then or in the future. Any waiver of any such right or obligation under this Contract shall only be of any force and effect if such waiver is in writing and is expressly stated to be a waiver of a specified right or obligation under this Contract.
- 10.2 Governing Law: This Contract shall be construed and take effect in accordance with the domestic laws of New Zealand.
- 10.3 Regulation: During the term of this Contract, each party shall comply with and observe all applicable regulations and statutory requirements for the time being in force.
- 10.4 Amendment: There shall be no amendment or modification of the provisions of this Contract except by a supplementary written agreement between the parties.
- 10.5 Notices:
- 10.5.1 In Writing and by Facsimile, Mail or Other Delivery: any notice, request, offer, advice, consent, approval, invoice or other communication required by this Contract to be given by any one party to the other, shall be given in writing and shall be deemed to have been sufficiently given if sent by facsimile delivery to that party at the number set out in the Address for Communications section at the front of this Contract (or such other number or for the attention of such alternative person as may subsequently be notified by that party for such purpose) or by letter delivered by mail or otherwise to that party at the address set out in the Address for Communications section at the front of this Contract (or such other address or for the attention of such alternative person as may subsequently be notified by that party for such purpose); and
- 10.5.2 Receipt of Facsimile: any such communication sent by facsimile shall be deemed to have been received by the addressee at the time of completion of the delivery of the facsimile and generation of a confirmation of receipt of the facsimile, provided that if the facsimile delivery occurs at a time other than between the hours of 8.30am and 5.30pm (inclusive) on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on the next succeeding Business Day and provided further, if the facsimile delivery occurs prior to 8.30am on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on that Business Day; and
- 10.5.3 Receipt of Mail and Other Delivery: any such communication sent by letter delivered by mail or otherwise shall be deemed to have been received by the addressee:
- (a) if sent by mail (including by any document exchange system or which the addressee is a member), 48 hours after the envelope containing the communication was posted; or

- (b) if personally delivered (whether by courier or otherwise), at the time of delivery;

provided that if such time of receipt is not between the hours of 8.30am and 5.30pm (inclusive) on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on the next succeeding Business Day and provided further, if the time of receipt occurs prior to 8.30am on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on that Business Day.

- 10.6 No Precedent: Nothing in this Contract shall operate or be taken by either party to be a precedent as to the form or substance of any new (or supplementary) terms and conditions or other contract which may be entered into between the parties.
- 10.7 No Third Party Rights: Except as specifically mentioned in this Contract the parties do not intend to create rights in or grant remedies to any third party as a beneficiary of this Contract and all covenants, stipulations, promises and agreements herein contained shall be for the sole and exclusive benefit of the parties hereto and their respective successors and permitted assigns.
- 10.8 Further Acts: Each party agrees that it will from time to time sign, execute, procure, pass and do all such further documents, acts, matters, resolutions and things within its power as may reasonably be necessary to effect the provisions of this Contract.
- 10.9 Commencement Date to be Effective: This Contract shall have effect from and including the Commencement Date.

DATED this day of 2019

SIGNED for and on behalf of)
HAWKE'S BAY MUSEUMS TRUST)

SIGNED for and on behalf of)
NAPIER CITY COUNCIL)

DATE:
27 May 2022

HAWKE'S BAY MUSEUMS TRUST

AND

NAPIER CITY COUNCIL

**MUSEUMS COLLECTIONS
MANAGEMENT AGREEMENT**



Addresses for notices:

**HB Museums Trust
PO Box 123
NAPIER**

**Napier City Council
Private Bag 6010
Hastings Street
NAPIER**

Phone: 06-835-7579

1. **Parties**

This agreement is made by:

- 1.1 Hawke's Bay Museums Trust ("HBMT") and
- 1.2 Napier City Council ("NCC")

2. **Background**

- 2.1 HBMT are the owners and guardians of the collection for the people of Hawke's Bay.
- 2.2 NCC owns and operates the facility known as MTG Hawke's Bay (MTG) which houses the collection owned by HBMT. This includes the Faraday Centre.
- 2.3 This Management Agreement relates to the provision of services by NCC to HBMT to ensure the proper care and management of the collection.
- 2.4 NCC and Hastings District Council have agreed to jointly fund the costs of holding maintaining and administering the collection, including HBMT governance costs. This Council funding is provided by way of grants to the HBMT who in turn pay NCC under this Management Agreement. This agreement is subject to the continuation of Hastings District Council and Napier City Council funding.

3. **Term**

- 3.1 The term of this agreement shall be for one year from **1 July 2022 to 30 June 2023**.
- 3.2 Notwithstanding clause 3.1 this agreement may be terminated or amended with the mutual agreement of both parties provided that any such termination or agreement shall be recorded in writing.

4. **Obligations of the HBMT**

The HBMT shall be responsible for:

- 4.1 Retention of funds from the funding Councils' grants to provide for:
 - Legal Fees
 - Accounting Services
 - Management and Secretarial Services
 - Audit Fees
 - Meeting Expenses
 - Sundry Trust expenses
- 4.2 Creating policy with respect to access to the collection;
- 4.3 Providing income funds (where available) and applying its bequest capital for accessions to the collection in keeping with any accession conditions specified with the bequests

- 4.4 Providing income funds (where available) and applying its bequest capital to conservation of the collection in keeping with any conservation conditions specified with the bequests;
- 4.5 Arrange Trustee Liability Insurance for the Trustees of the HBMT;
- 4.6 Care and Collection Policies;
- 4.7 Policy for accessioning requests;
- 4.8 Policy for de-accessioning approvals;
- 4.9 Monitoring the Management Agreement;
- 4.10 The setting of key reporting targets with respect to the collection;
- 4.11 The setting of reporting requirements in agreement with NCC;
- 4.12 HBMT shall provide six-monthly and annual reports to Napier City Council and Hastings District Council in the prescribed format.

5. **Obligations of NCC**

NCC shall, within the funding levels provided by HBMT:

- 5.1 Cause a full valuation of the collection to be undertaken every three years with such valuation to be reviewed annually;
- 5.2 Arrange insurance of the collection to the value determined in accordance with clause 5.1 with such insurance providing cover for the collection at MTG Hawke's Bay, the Faraday Centre or any such other place as the collection or any part of the collection is located from time to time.
- 5.3 Provide necessary staff to meet agreed levels of service to ensure proper care and maintenance of the collection as detailed below:

Protection

This will be achieved through:

- a. Storage – appropriate storage to accepted Museum Industry Standards (MIS)
 - i. Pest Control
 - ii. Storage Media
 - iii. Shelving
 - iv. Air quality
- b. Security – appropriate security to accepted MIS
 - i. Alarm Systems (Burglary, fire)
 - ii. Alarm Monitoring
 - iii. Access Systems
 - iv. Insurance (loan items, owed items)
- c. Records Management – appropriate records management to accepted MIS

- i. Vernon database
- ii. Other records

Quality

- a. Conservation – appropriate conservation to accepted MIS and consistent with HBMT collection policies
- b. Accessioning - appropriate accessioning to accepted MIS consistent with HBMT collection policies
- c. De-accessioning - appropriate de-accessioning to accepted MIS consistent with HBMT collection policies

Access

- a. Exhibitions – collection available to Hastings City Art Gallery and MTG Hawke's Bay and other institutions as appropriate within accepted MIS
- b. Research – Collection made available through MTG Hawke's Bay as appropriate within accepted MIS.
- c. Archives – Archives made available through MTG Hawke's Bay as appropriate within accepted MIS

Development

- a. Bequests – To actively foster bequests
 - b. Fundraising - To work with the MTG Foundation to provide funding.
 - c. Reserves – To appropriately manage accession reserves.
 - d. Relationships - To appropriately manage relationships to allow the collection to develop appropriately, in particular but not restricted to
 - i. Funding Councils
 - ii. Ngati Kahungunu Iwi Incorporated
 - iii. Te Roopu Kaiawhina Taonga, and
 - iv. Friends of MTG Hawkes Bay
- 5.4 Provide the information and reports necessary to enable HBMT to fulfil its reporting obligations under Clause 8.1

6. Financial

- 6.1 The financial management of the trust is to be kept completely separate from all other aspects of Napier City Council. Napier City Council will provide financial and administration services, including monthly management reports, and HBMT will be charged for all direct costs and a share of related overhead costs. Napier City Council will invoice HBMT monthly for reimbursement.

7. Joint obligations of HBM and NCC

- 7.1 HBM and NCC shall comply with all statutes, regulations and by-laws applicable to the facilities under its control (MTG Hawke's Bay and Faraday Centre)
- 7.2 In all cases, issues arising will be resolved in the spirit of mutual co-operation.

8. No Assignment Without Consent

- 8.1 Neither party may assign, or otherwise dispose of the whole or any part of its interest under this contract without the prior written consent of the other party.

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- 9.1 Amicable Resolution: The parties hereby acknowledge their desire that all questions or differences whatsoever which may arise between the parties concerning this Contract or its subject matter or arising out of or in relation thereto and whether as to interpretation or otherwise be resolved amicably by bona fide discussion between them.
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is not resolved by written agreement between the parties upon the expiration of 20 Business Days from the date upon which the Mediation Notice was given (irrespective of whether or not the parties agreed upon the appointed mediator pursuant to Clause 10.2.3, the question of difference shall be resolved by the arbitration of a single arbitrator to be agreed upon by the parties or, failing agreement, of an arbitrator appointed by the President for the time being of the New Zealand Law Society and every arbitration shall be conducted under and in accordance with the provisions of the Arbitration Act 1996. However, it is acknowledged and agreed that the award of the arbitrator shall contain reasons for the same and that the costs of and incidental to the reference and the award respectively shall be at the discretion of the arbitrator, who may determine the amount thereof or the basis upon which the same shall be ascertained.

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- provided that if such time of receipt is not between the hours of 8.30am and 5.30pm (inclusive) on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on the next succeeding Business Day and provided further, if the time of receipt occurs prior to 8.30am on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on that Business Day.

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- 10.8 Further Acts: Each party agrees that it will from time to time sign, execute, procure, pass and do all such further documents, acts, matters, resolutions and things within its power as may reasonably be necessary to effect the provisions of this Contract.
- 10.9 Commencement Date to be Effective: This Contract shall have effect from and including the Commencement Date.

DATED this day of 2022

SIGNED for and on behalf of)
HAWKE'S BAY MUSEUMS TRUST)

SIGNED for and on behalf of)
NAPIER CITY COUNCIL)

REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 9 JUNE 2022

1. HEALTH AND SAFETY REPORT - Q3

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1465765
<i>Reporting Officer/s & Unit:</i>	Michelle Warren, Health and Safety Lead Adele Henderson, Director Corporate Services

1.1 Purpose of Report

The purpose of this paper is to provide the Audit & Risk Committee with an overview of Health & Safety activity for the period Quarter 3 FY22.

Councillors Browne / Chrystal

The Prosperous Napier Committee:

- a. **Receive** the Quarter 3 Health and Safety report.

Carried

1.2 Background Summary

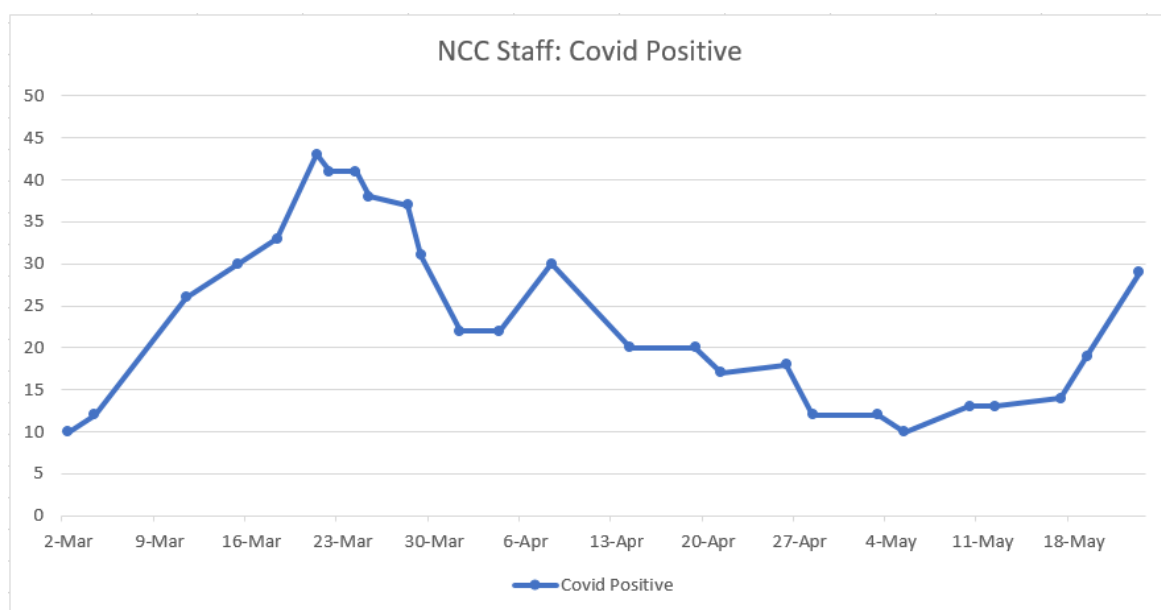
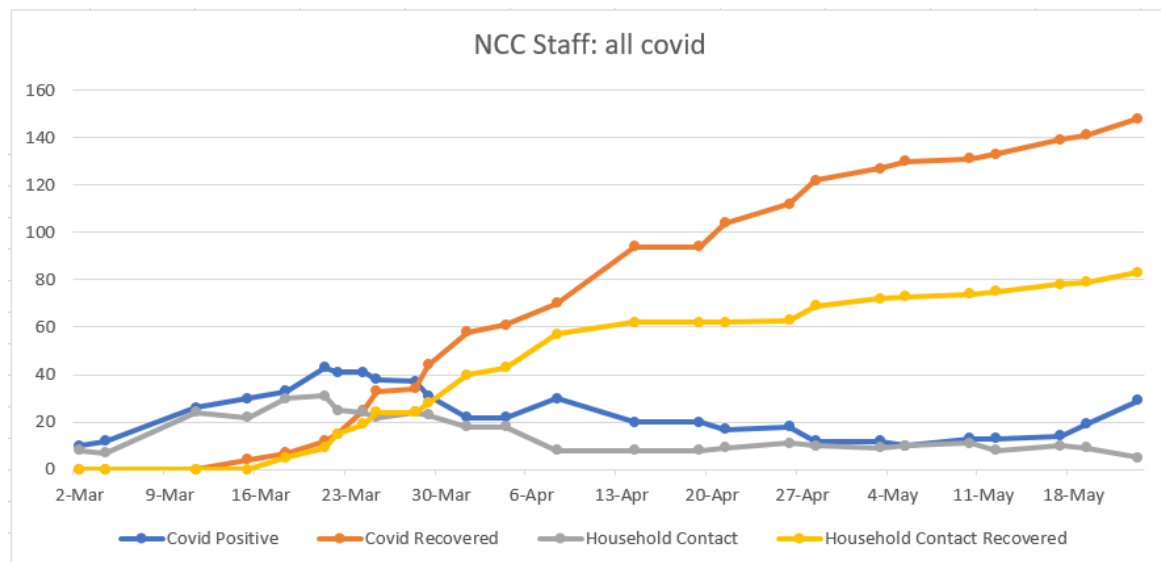
Health and Safety have developed a new report which now contains trend data and detailed analysis on a number of leading and lagging Health and Safety indicators. This report is attached.

Key points to note for the January – March quarter are:

- ACC costs are significantly down for the ACC financial year (April – March)
- One lost time injury
- Trend charts for injury management have been added to the report for 12 month periods and each Directorate
- Exposure and health monitoring in relation to the general risk and workplace management regulations
- 281 employees took up the free mole map offer from NCC. One skin cancer was found.

COVID-19

The following graphs show the current Covid-19 cases and situations for Council. There has been a noticeable upward trend in positive Covid-19 cases in the past week. All staff are receiving a second pack of RATs kits to enable early detection of the virus.



Status	Reporting (all NCC)
(active) Covid Positive	29
(closed) Covid Recovered	148
(active) Household Contact	5
(closed) Household Contact Recovered	83

At the meeting

The Health and Safety Lead spoke to the report and provided a brief update in relation to Covid with 24 positive cases and 3 persons isolating.

In response to questions the following was noted:

- City Services was the Depot and Infrastructure Services were employees situated in the Cape View building.

- In regard to the Leader Indicator Types there was a significant number from July to September and normally the increase in cases would be seen between December to February.
- Positive comments on competencies and recognising the skills of the trainer were received for the Aggressive Customer Training, however t in-house training would be undertaken for Hazardous Substances.
- Employees injury have halved since 2020 and this could be attributed to training and employee safety awareness with near miss reporting promoted over the last couple of years.
- That employee injuries in the attachment was reflected over a two year period split and no home injuries were recorded. Injury count by type would be included for future reports.
- Congratulations noted on the increase in near miss reporting positive safety observations.

1.3 Attachments

- 1 Health and Safety Report - Quarter 3 (Doc Id 1468099)

Health and Safety Quarterly Report

Jan, Feb, Mar 2022



1 Lost Time Injury	66 Events in Total, with 22 related actions
16 Audits conducted by the HS Team	52 Safety Observations over NCC Business Units
10 Accidents, which includes the 1 LTI	25 Minor events
21 Near Misses	10 Pain and Discomfort
30 Events in progress, awaiting an action, timeframe or close off	153 Investigations were managed and completed in the Quarter
79% of Actions completed within the timeframe	14 Actions are in place and planned for the future
3 Actions overdue, and are being discussed with the Team Leader	16 Actions completed

Employees - Lagging Indicators

	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
Lost Time Injuries	0	0	0	1	0	0	0	0	1	0	2
Medically Treated	4	0	4	2	3	2	4	3	2	0	24
First Aid	0	0	0	1	0	1	0	0	0	0	2
Near Miss	11	7	6	4	6	8	6	6	7	4	65
Property Damage	0	0	0	3	0	0	0	1	1	0	5

There was 1 lost time injury for March.

City Strategy: Aggressive member of the public causing stress to employee. Employee had 3 days off work as per medical certificate.

Public / Customers - Lagging Indicators

	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
Medically Treated	2	0	0	0	0	0	0	0	1	0	3
First Aid	0	0	0	0	0	0	0	0	0	0	0
Significant Incidents	0	0	0	0	0	0	0	0	0	0	0
Insignificant	0	0	0	0	0	0	0	0	0	0	0
Near Miss	0	0	0	0	0	0	0	1	0	0	1
Property Damage	0	0	0	0	0	0	0	0	0	0	0

There was 1 medically treated injury to the public. A person fell through the platform at the transfer Station. The platform has now been removed / eliminated.

Contractors - Lagging Indicators

	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
Significant Incidents	0	0	0	0	0	0	0	0	0	0	0
Property Damage	0	0	0	0	0	0	0	0	0	0	0

There were no recorded injuries contractors.

There has been no significant incidents or property damage from our contractors.

Employees - Leading Indicator Tables

	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
Pain and Discomfort	5	2	4	4	7	6	3	4	5	2	42
New Hazards	1	0	0	2	7	1	3	3	9	1	27
Hazards Reviewed	0	0	0	0	2	0	0	0	1	0	3
Workstation Assess.	10	4	1	15	3	3	6	9	6	1	58
Inductions	13	6	6	13	9	11	6	16	7	1	88
Rehabilitation Req.	4	0	4	3	3	3	2	1	2	0	22
Competencies - Other	67	199	223	9	29	29	122	0	40	8	726

Audits

	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
Audits - Contractor	5	3	4	2	6	1	3	1	1	0	26
Audits - Internal	15	4	12	3	7	0	6	1	0	0	48

Safety Observations

Observation_Type	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
Safe Practice	0	0	0	3	2	0	0	1	5	0	11
Suggestion	2	0	2	0	2	0	0	5	7	0	18
Unsafe Conditions	11	6	3	7	13	5	5	9	11	0	70
Unsafe Practice	10	5	5	8	9	4	4	5	0	0	50

Fot2 Pain and Discomfort
Q321 Workstation
Assesmnt

- 29 HS Inductions
- 5 Return to Works
- 162 Compliance Trainings

- 5 Contractor Audits
- 7 Internal Audits (NCC)
- Actions from the audits are followed up

- 6 Safe Work Practices
- 12 Suggestions
- 25 Unsafe Conditions
- 9 Unsafe Work Practices

- All are followed up.

Lost Time Injuries											
	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
	0	0	0	1	0	0	0	0	1	0	2

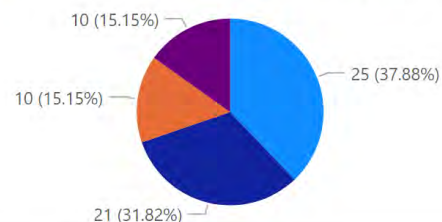
DisplayID	Event Type	Date	State	Severity of Injury	Days Medically Unfit	Brief_Description
14656	Accident	4/03/2022	Complete	Moderate	1	Injuries sustained to both palms and left knee
13174	Accident	6/10/2021	Complete	Major	7	Very deep cut in to the shin area and in to the muscle

There was 1 lost time injury for Q3, in March.

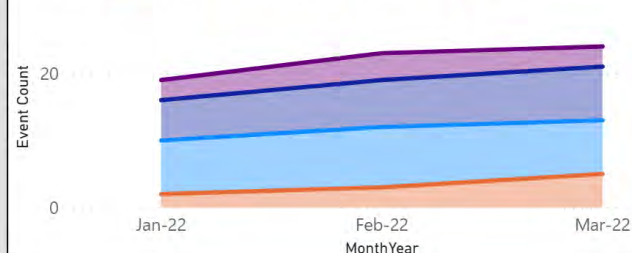
City Strategy: Aggressive member of the public causing stress to employee. Employee retreated and fell over.

Complete

Event Type ● Minor Accident ● Near Miss ● Accident ● Pain & Discomfort



Event Type ● Accident ● Minor Accident ● Near Miss ● Pain & Discomfort



Event ID	State	Date	Event Type	Brief_Description	Link
14227	Investigation	18/01/2022	Minor Accident	A girl injured her finger outside female toilet	🔗
14382	Complete	13/01/2022	Near Miss	Abuse and threats towards staff	🔗
14536	Complete	10/02/2022	Near Miss	Abuse of staff over telephone	🔗
14453	Complete	23/01/2022	Near Miss	Air BP tanker hit the pipe crossing the entry road	🔗
14455	Complete	27/01/2022	Minor Accident	Bang chest	🔗
14954	Complete	24/03/2022	Minor Accident	Banged head	🔗
14100	Complete	8/01/2022	Minor Accident	Bent wrist too far	🔗
14606	Complete	23/02/2022	Minor Accident	Bumped head on metal beam	🔗
14483	Investigation	3/02/2022	Minor Accident	Burn from Deep Fryer	🔗
14945	Complete	15/03/2022	Near Miss	Car driven into pound fence	🔗
14936	Investigation	7/03/2022	Near Miss	Child climbing on unsafe object	🔗
14635	Complete	1/03/2022	Accident	Customer fainted	🔗

Action ID	State	Planned Date	Completed On	Description
14631	Complete	7/03/2022	7/03/2022	I would request greater access to RAT testing for Animal Control due to risk of working in the community
14515	Complete	8/02/2022	8/02/2022	JD's and Jackson from NCC to carry our risk assessment of the area.
14493	Complete	8/02/2022	8/02/2022	Member of the Public - Injury
14473	Complete	1/02/2022	1/02/2022	Refer previous

NCC

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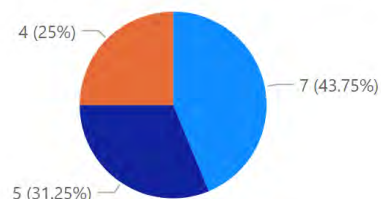
People & C...

Programme...

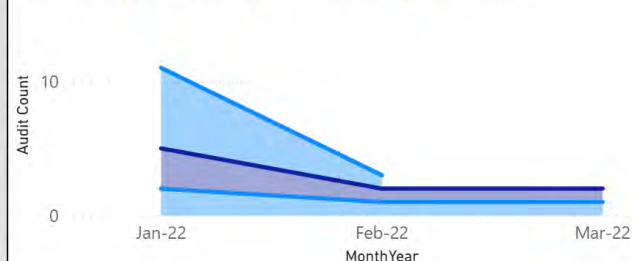
Public Places

Closed

Audit Type ● Audit - Internal ● Audit - Contractor ● Area Review



Audit Type ● Area Review ● Audit - Contractor ● Audit - Internal



Audit ID	State	Date	Audit Type	Outcome_Summary	Link
14825	Closed	14/03/2022	Audit - Contractor		Link
14654	Closed	4/03/2022	Area Review	Team Leaders reviewed staff in their area and confirmed correct staff members requiring them. Email list to Jarrod Lance and Justine to arrange with Teams Leaders fit testing of staff with Jarrod	Link
14599	Closed	23/02/2022	Audit - Internal	Botanical Gardens - Tree removal risk assessment Area cleared, public toilets open, some areas cordoned off from public Great work by Shelley and her Team ensuring the area is safe after this event.	Link
14580	Closed	22/02/2022	Area Review	Multi lane equipment / people - gardening Must have 1m safety zone	Link

Action ID	State	Planned By	Completed On	Description
14432	Complete	4/02/2022	31/01/2022	Ian and Sue to discuss best way to hold toolbox meetings
14579	Complete	21/02/2022	21/02/2022	Arrange a meeting with Charles Weir (Higgins), Pasty and Sue to understand the best practice of managing safety zones while gardening on state highways

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JanFebMarAprMayJunJulAugSepOctNovDec

Investigate

Resolved

52

10

Safety Observations by Observation Type

Observation Type

Unsafe Co...

Suggestion

Unsafe Pra...

Safe Practi...

6 (11.54%)

9 (17.31%)

12 (23.08%)

25 (48.08%)

Safety Observations by MonthYear and Observation Type

Observation Type

Safe Practice

Suggestion

Unsafe Condi...

Unsafe Practice

Safety Observations

020

Jan-22Feb-22Mar-22

MonthYear

S-Obs ID	State	Date	Observation Type	Brief_Description	Link
14112	Resolved	11/01/2022	Unsafe Practice	Listening to music while operating plant	Link
14118	Resolved	11/01/2022	Unsafe Conditions	Two large holes in the ground	Link
14189	Resolved	14/01/2022	Unsafe Conditions	Member of Public	Link
14190	Resolved	14/01/2022	Unsafe Conditions	Possible sighting of Member of Public	Link
14191	Resolved	14/01/2022	Unsafe Conditions	Member of Public	Link
14194	Resolved	15/01/2022	Unsafe Practice	Customers said they were putting staff names on social media	Link
14216	Resolved	18/01/2022	Unsafe Conditions	Vagrant lying at entrance obstructing the doorway.	Link
14329	Resolved	19/01/2022	Unsafe Practice	Handling used cups	Link
14401	Resolved	24/01/2022	Unsafe Practice	Non-compliance issues with this Downer Truck working on Kennedy Road reseals	Link
14469	Resolved	1/02/2022	Unsafe Conditions	Customer yelling at staff member	Link

Action ID	State	Planned By	Completed On	Description
14113	Complete	11/01/2022	11/01/2022	Discuss with Staff / he is listening to music while operating a tractor (bad practice)
14124	Complete	11/01/2022	11/01/2022	Ian and Sue to visit site to see were the hole is and what could be done about it.
14520	Complete	10/02/2022	10/02/2022	Sercure area from public / staff walking under the tree
14535	Complete	21/02/2022	4/03/2022	IT ordered replacement cameras model 3
14562	Complete	16/02/2022	16/02/2022	Discuss options with Andrew around getting a suitable chair

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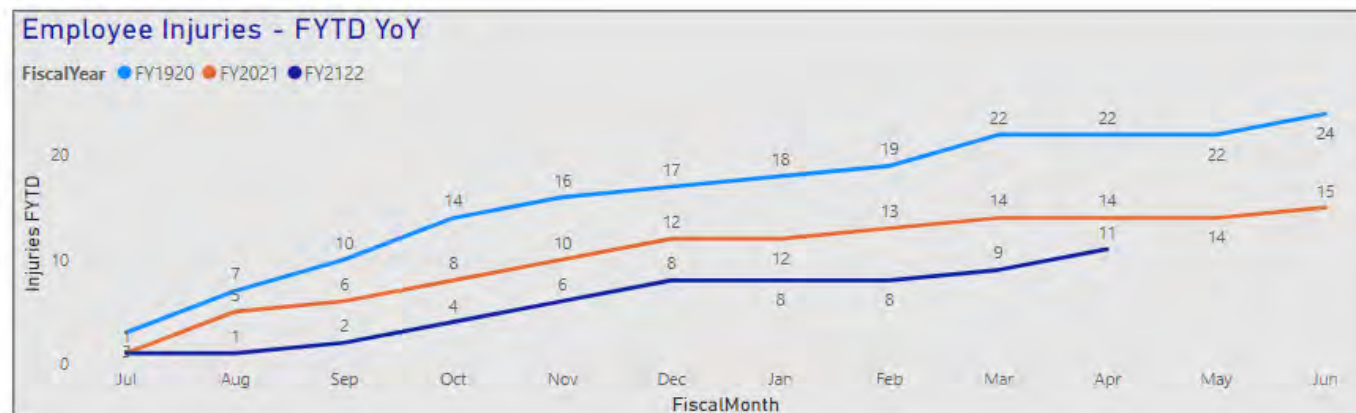
Public Places

212

Assura Charts Trends

12 Months

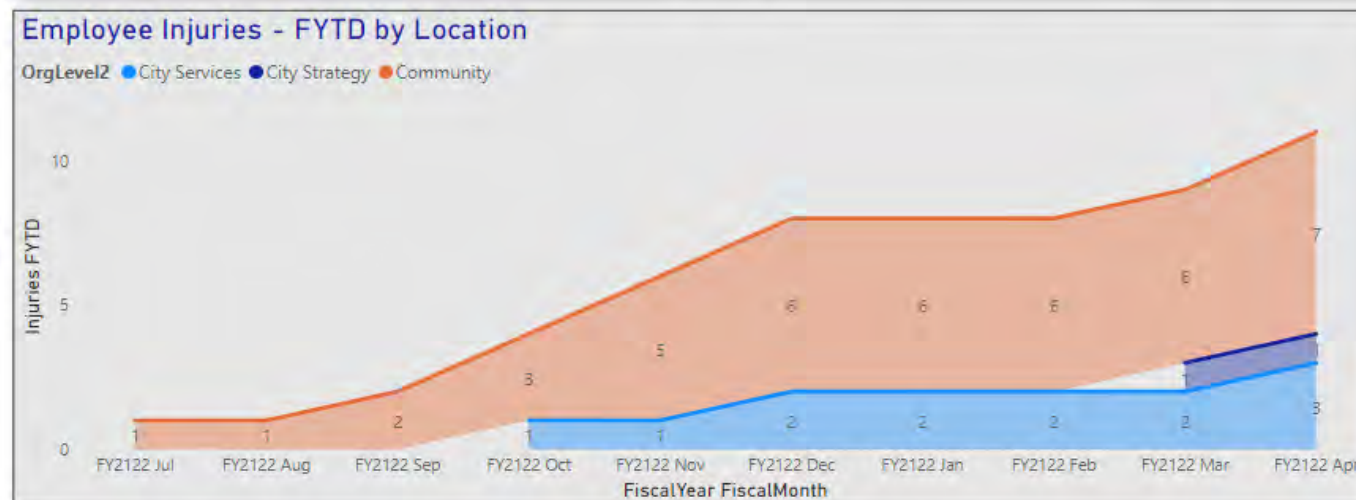
The MySafety system (HS System) is monitored daily. If an injury or incident is of urgent or significance, the 'gatekeeper' will inform the HS Lead immediately. The event will be investigated and progressed to the appropriate person(s).



Fiscal Year Injury graph.

You can see that the injuries to employee's is decreasing.

Light blue line is 2020
Orange line is 2021
Dark blue line is 2022



Location Trend

11 Injuries
7 for Community Services
3 for City Services
1 for City Strategy

BodyPart	Foreign Body	Head Injury	Internal	Laceration/Cut	Open Wound	Other	Respiratory	Scratch/Abrasion	Strain/Sprain
Ankle									1
Arms								1	1
Elbows								1	
Face				1				1	
Finger				1				1	1
Hand				1	1				
Head		1				1			
Internal Organs			1				1		1
Knee				2	1			2	
Legs	1			1	1			1	
Shoulders									1
Total	1	1	1	3	2	1	1	3	4

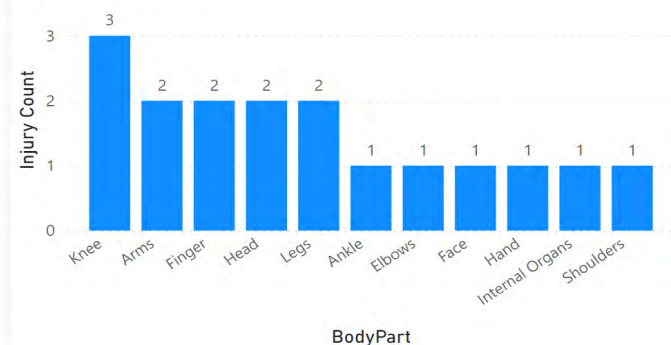
Body Part and Injury Type

The knees is slightly higher than other body parts

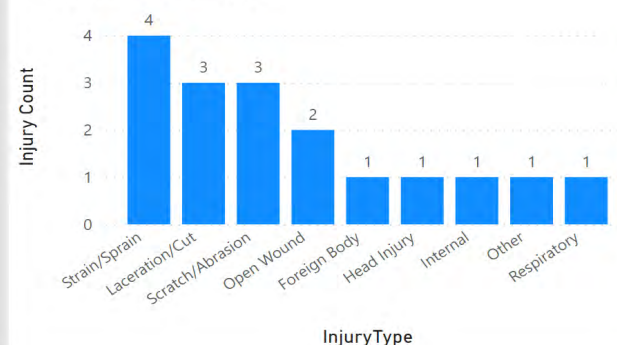
Sprains or Strains is slightly higher than Cuts, wounds.

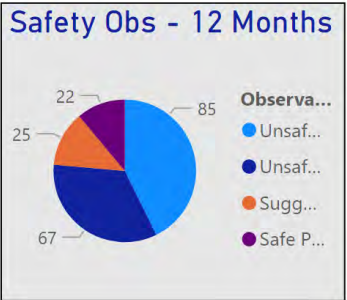
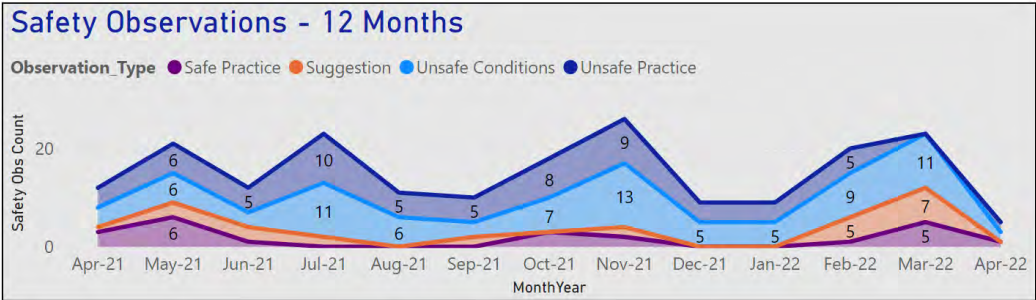
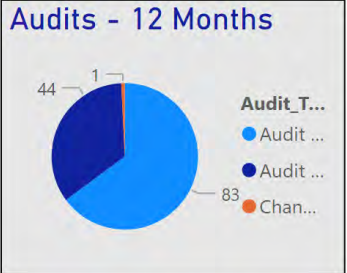
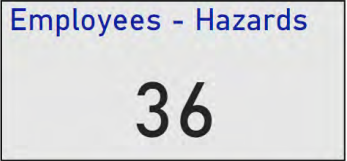
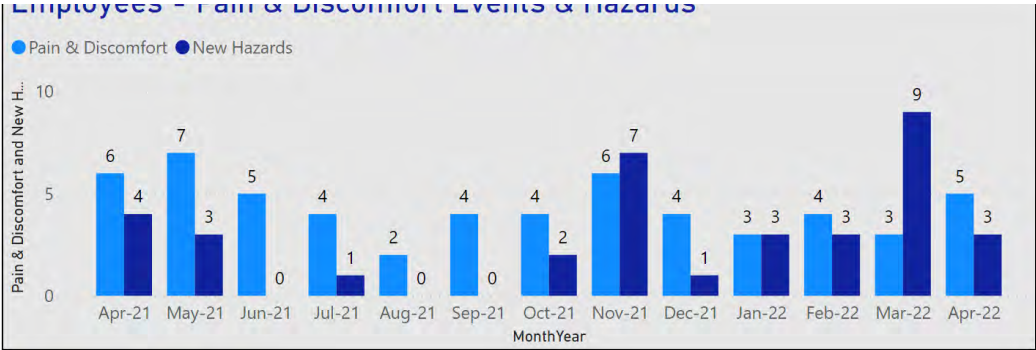
Then trends for the past 3 years is we are not injuring our staff as much. Covid may have played a small part in the scenario.

Injury Count by BodyPart

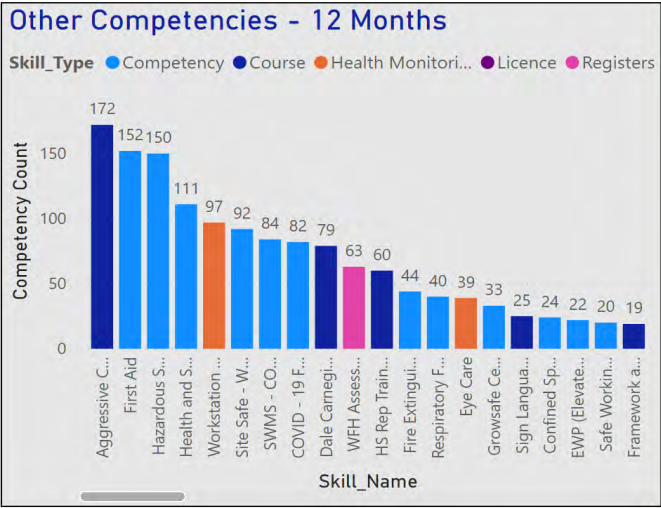
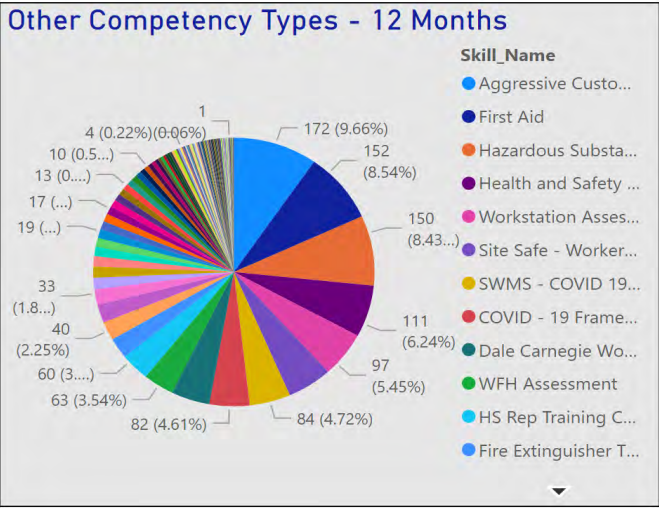
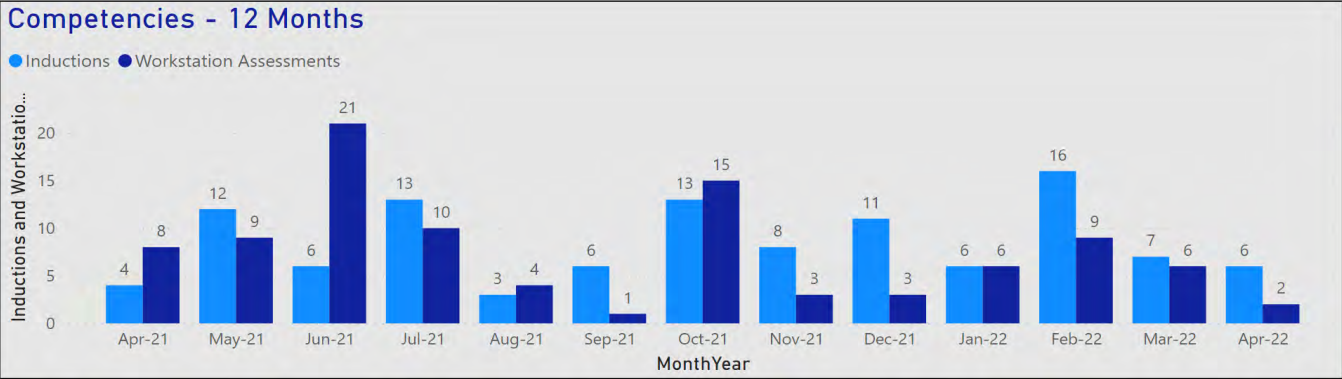


Injury Count by InjuryType

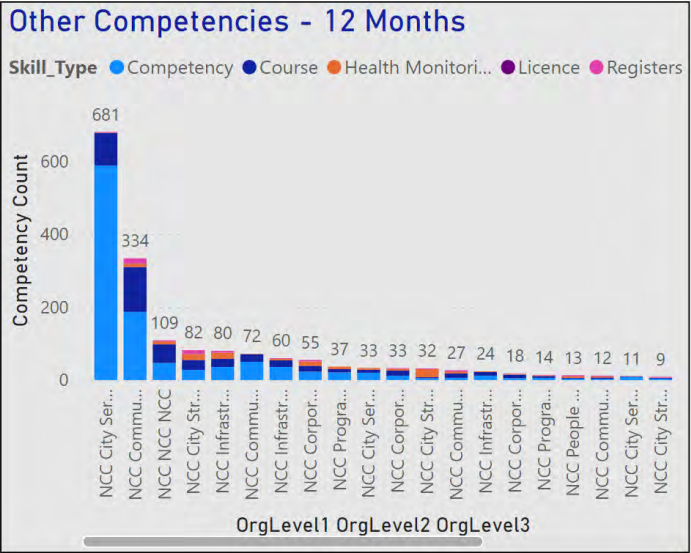
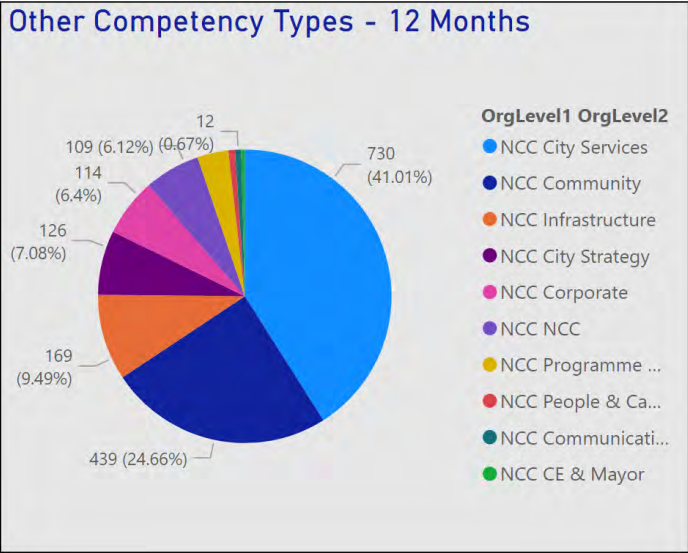
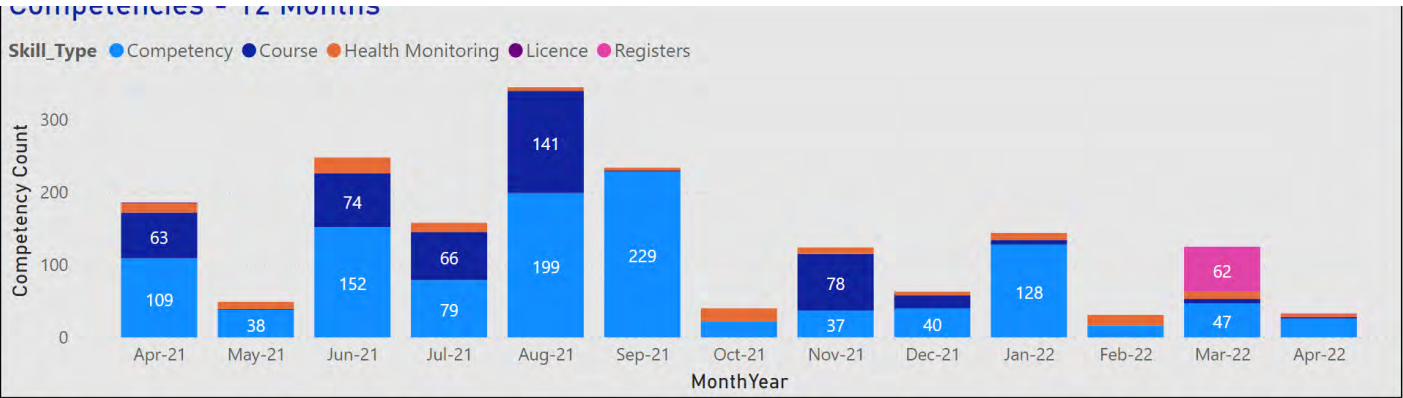




- #### Location
- Home
 - Home
 - NCC
 - CE & Mayor
 - City Services
 - City Strategy
 - Communications
 - Community
 - Com Strategies
 - Community
 - Halls
 - Sports & Rec
 - Visitor
 - Corporate
 - Infrastructure
 - NCC
 - People & Capability
 - Programme Deliv...
 - Public Places



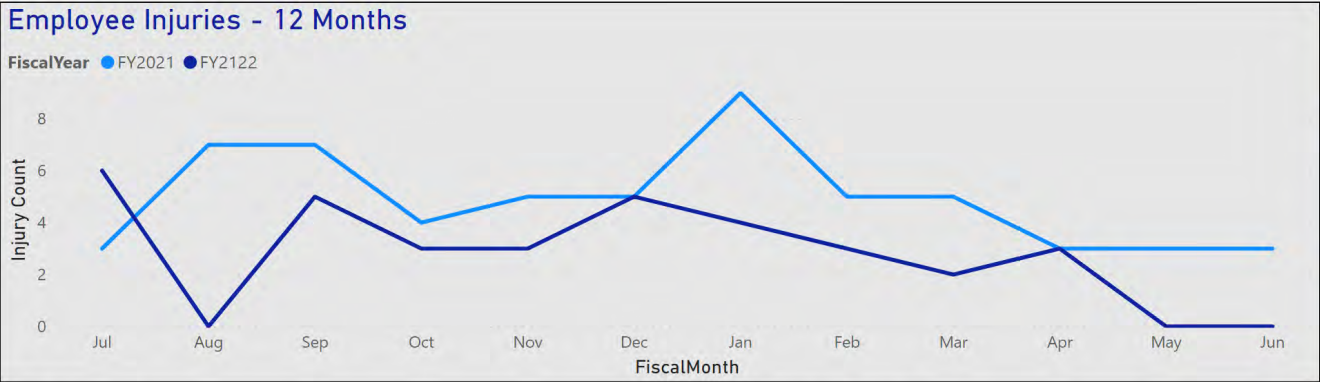
- Compliance HS Trainings
- Aggressive Customer training features highest on our list for trainings.
- Feedback from the course is always of a high standard for delivery from our supplier.
 - First aid and Hazardous Substances trainings is high on our list.
 - We must ensure hazardous substances training for staff if we use haz subs. This is completed by Loop Health and Safety professional. We are looking in the near future to complete the training in-house by the HS Team.



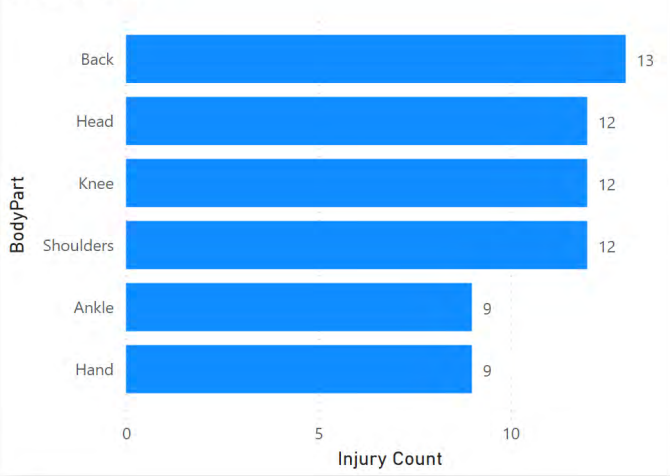
Assura Charts Trends

By Business Unit

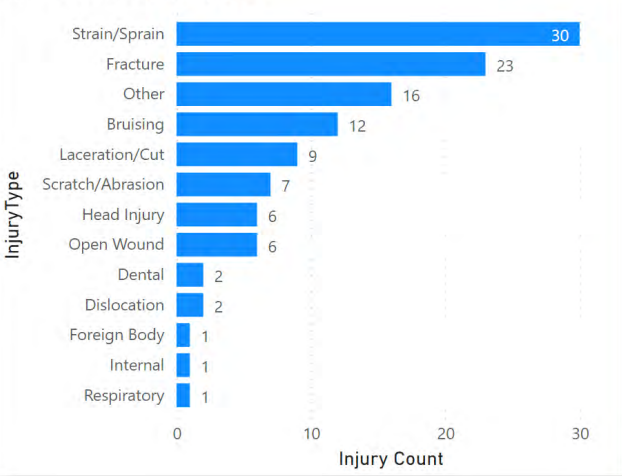
If there are is not a report for a particular Business Unit, that means there are no injuries reported in that BU



Top 6 Injuries



Injury Count by InjuryType

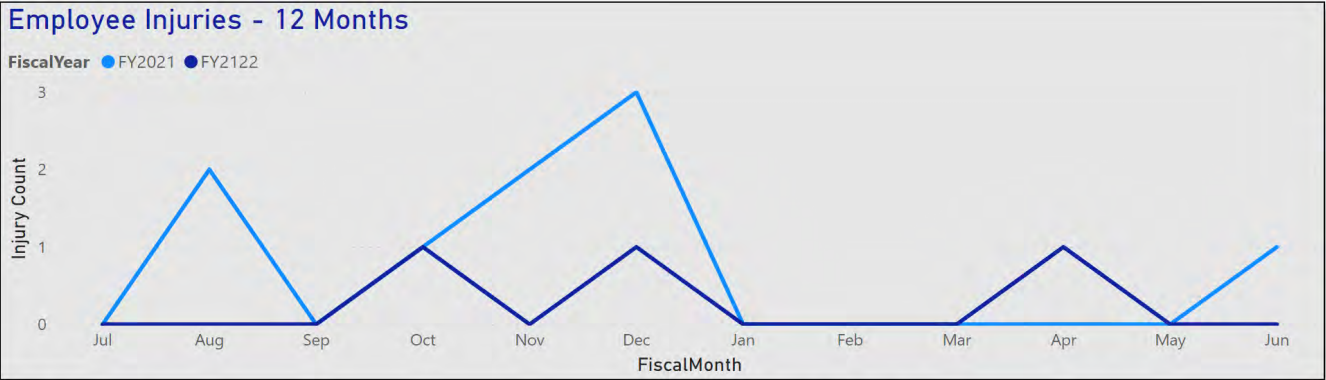


Injuries to Employees are tracking lower than the previous fiscal year.

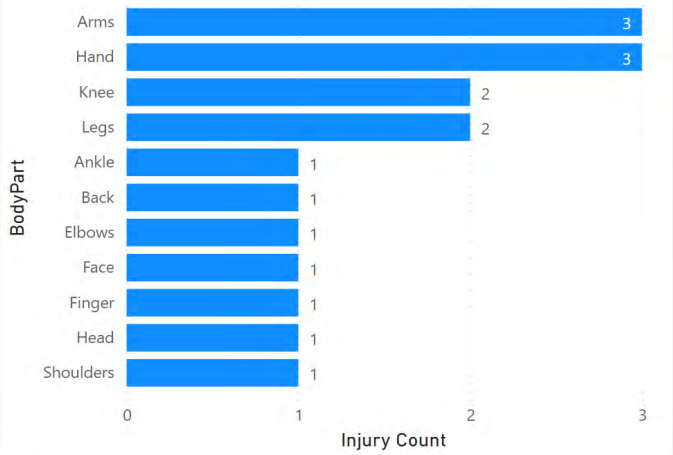
Top 6 Injuries and Mechanism of Injury

Programs to Improve on Injuries in past have been:

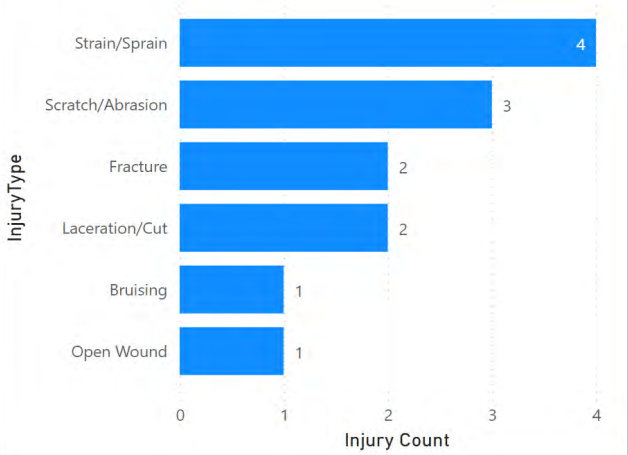
- Lifting for sprains and strains, back injuries – Precious McKenzie 3 times
- Lifting techniques for Library and MTG – ACC professional - specific to their needs
- Pain and Discomfort – ACC professional
- Sport HB – for exercises pre starting work, during work (found people where a little ‘shy’ but those who engaged really did enjoy it) giving the right tools for them to keep exercising before, during work
- Our HSW weeks always have an aspect of injury prevention, coaching and information based data
- Return to Work Processes



Top 6 Injuries



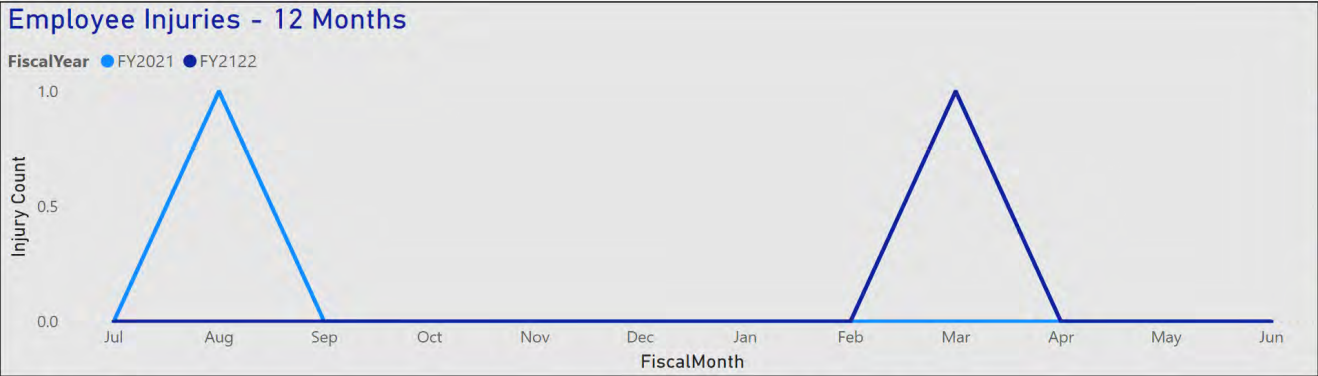
Injury Count by InjuryType



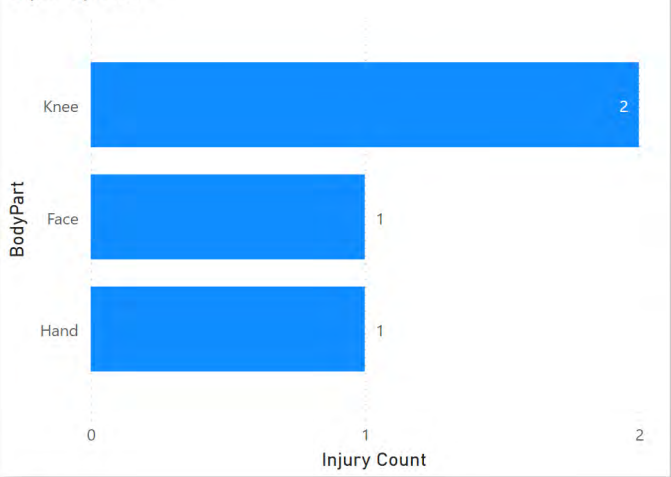
CITY SERVICES

Injuries to Employees are tracking lower than the previous fiscal year.

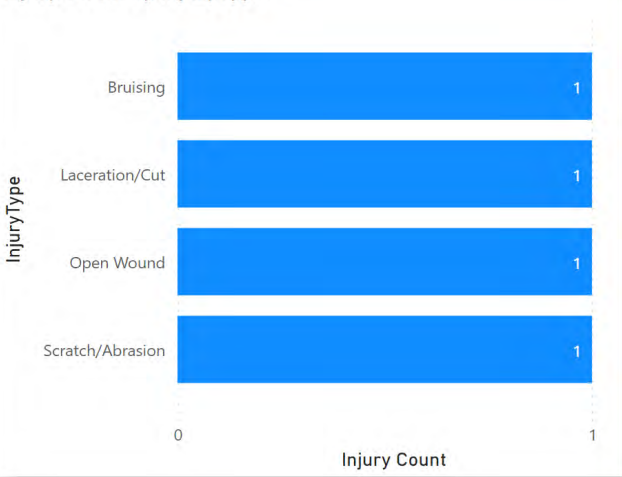
Top 6 Injuries by Body part and Mechanism



Top 6 Injuries



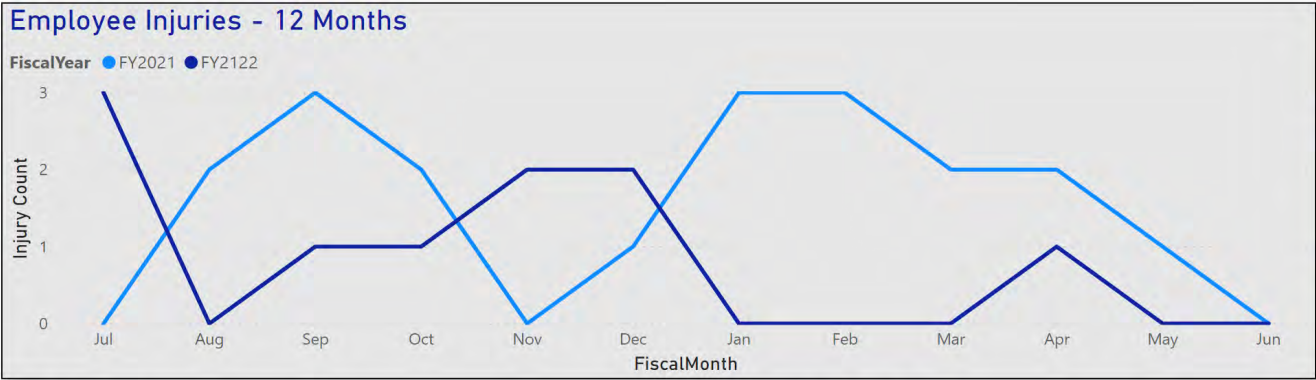
Injury Count by InjuryType



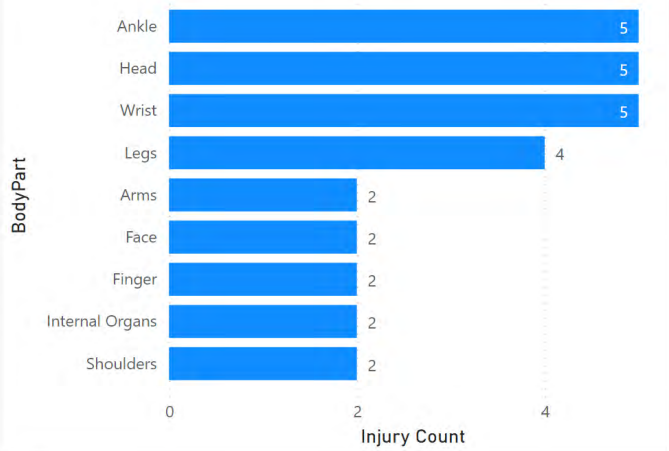
CITY STRATEGY

Very low level of injuries to this Business Unit.

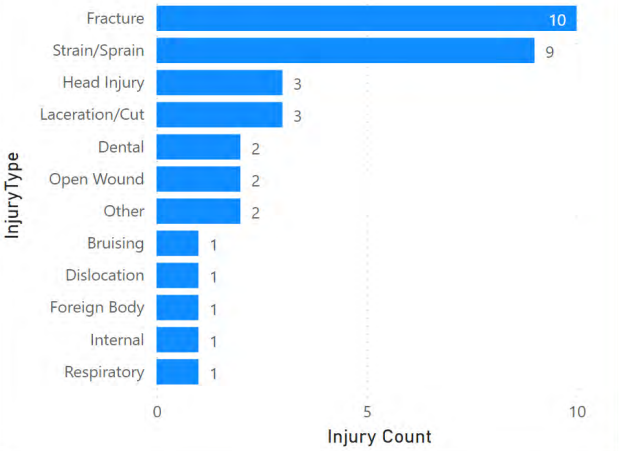
Top Injuries by Body part and Mechanism



Top 6 Injuries

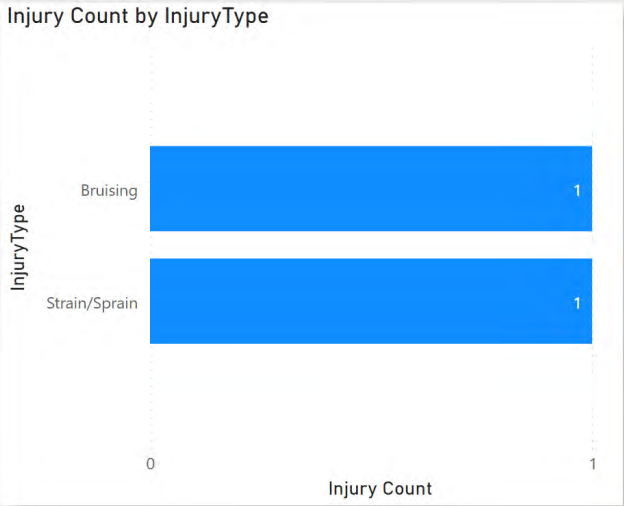
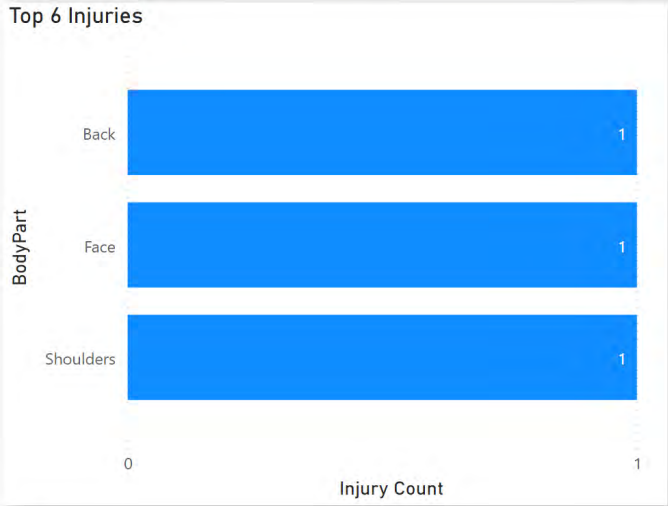
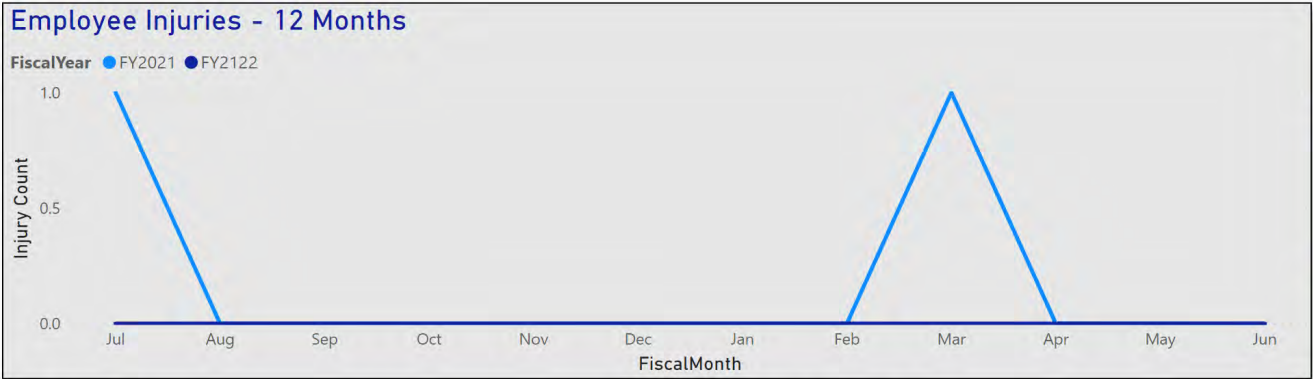


Injury Count by InjuryType



COMMUNITY SERVICES
Injuries to Employees are tracking lower than the previous fiscal year.

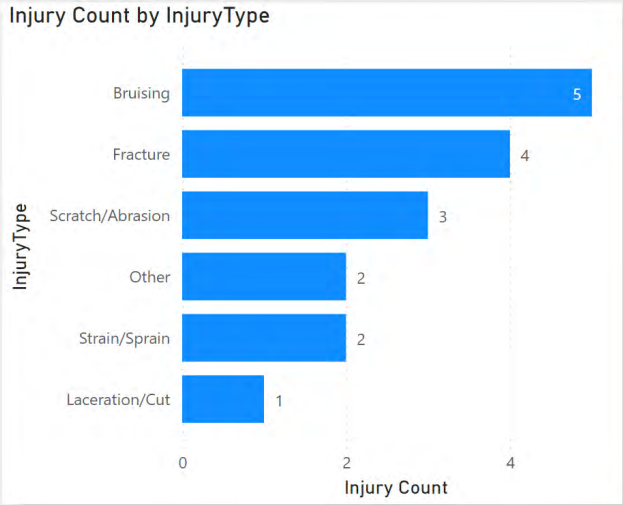
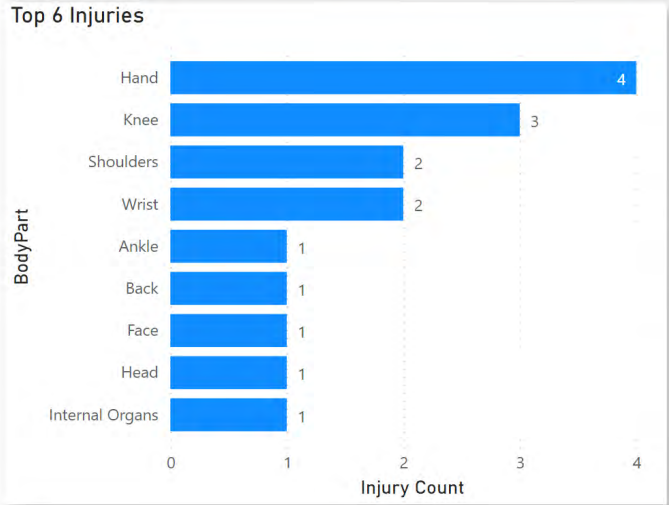
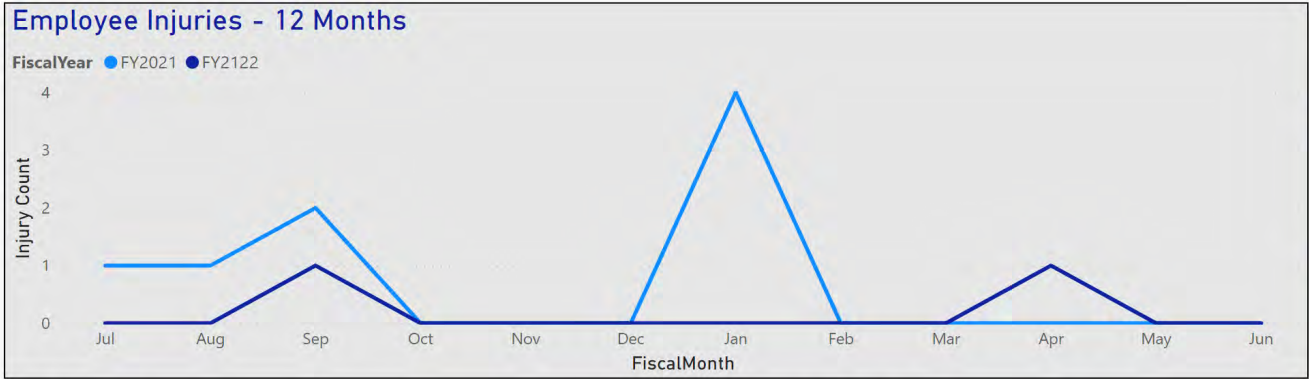
Top 6 Injuries by Body part and Mechanism



CORPORATE SERVICES

There are not many injuries for this Business Unit.

Injuries by Body part and Mechanism

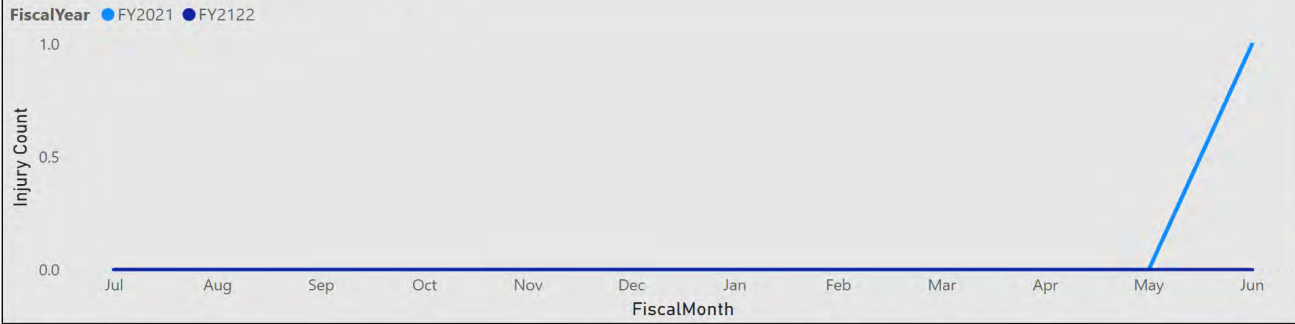


INFRASTRUCTURE SERVICES

Injuries to Employees are tracking similar to the previous fiscal year.

Top 6 Injuries by Body part and Mechanism

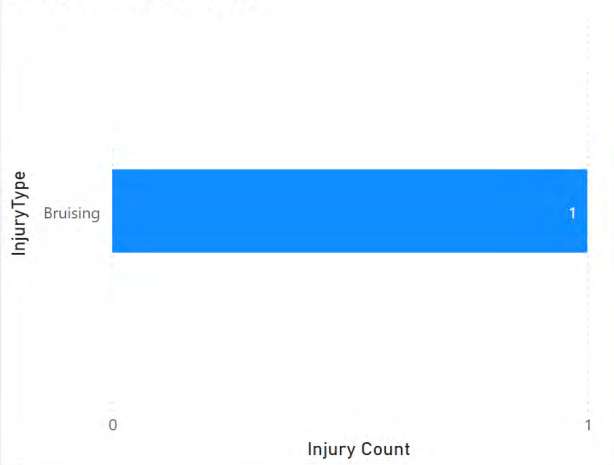
Employee Injuries - 12 Months



Top 6 Injuries



Injury Count by InjuryType



PROGRAM DELIVERY

There are not many injuries to this Business Unit.

Injury by Body part and Mechanism

Health, Safety and Wellbeing Initiatives

Jan	<p>Mental Health Awareness Week</p> <ul style="list-style-type: none"> - Quizzes - Facts - Surveys - Challenges - Statistics - General Information <p>Men's Health Week</p> <ul style="list-style-type: none"> - Activities - Statistics - Challenges - Quizzes - General Information
Feb	<p>Heart Health Awareness Month</p> <ul style="list-style-type: none"> - Mindful Monday - Tasty Tuesday - Wellness Wednesday - Self-care Thursday - Selfie Friday - Statistics around Men's Health <p>World Cancer Day</p> <p>Bike Challenge</p> <p>Molemap Checks February and March</p>

Mar	<p>Molemap Checks – Month 2</p> <p>International Women's Day</p> <ul style="list-style-type: none"> - Posted information on Yammer, statistics about woman who inspirational - Flu Vaccinations – Over 220 staff had the jab and more have vouchers to arrange their own day/time 30 staff - Mates4Life course – Suicide prevention program
-----	--

<p>Wellbeing</p> <p>Molemap</p> <p>This was our key focus for February and March.</p> <p>The Aim</p> <ul style="list-style-type: none"> ➤ Identify and review the incidence of skin cancer for NCC staff ➤ Highlight the benefits of running an early detection program ➤ Identify strategies to improve employees skin cancer knowledge and encourage sun safe behaviours in and out of the workplace ➤ Identify potential organisational risk.

<p>Each employee attended a consultation with a Molemap Melanographer, which consisted of the following:</p> <ul style="list-style-type: none"> ➤ Full Body Skin Check ➤ Digital Imaging of any concerning lesions ➤ Individual Risk Assessment ➤ Educational handouts on skin cancer/self checking ➤ One on one education ➤ Dermatologist diagnosis of all imaged lesions <p>Post consultation, every employee that had lesions imaged has received a personalized report outlining their skin cancer risk factors and giving the Dermatologist diagnosis for any lesions of concern. Molemap actively follows up with all employees who have a potential melanoma requiring treatment.</p> <p>Results</p> <ul style="list-style-type: none"> ➤ 281 employees examined ➤ 236 lesions were imaged for Dermatologist review. These lesions showed features of skin cancers or had the potential to change over time <p>Findings</p> <ul style="list-style-type: none"> ➤ 1x Melanoma (Skin Cancer) ➤ 10x Basal Cell Carcinoma (Skin Cancer) ➤ 1x Squamous Cell Carcinoma (Skin Cancer) ➤ 183x Melanocytic Lesion ➤ 41x Keratosis
--

	<ul style="list-style-type: none"> 1 worker referred to the Audiologist, screening indicated hearing loss. 1 worker screened as mild hearing loss in 1 frequency, to be rescreened in 2022.
Respiratory screening questionnaire	<ul style="list-style-type: none"> 3 workers completed the questionnaire there were no referrals to GP
Hepatitis A & B vaccinations	<ul style="list-style-type: none"> 19 workers have hepatitis vaccinations due to the tasks they do. 15 of the above workers next vaccination is their last dose. The Occupational Health Nurse will arrange a blood test one month after this dose to confirm the worker has immunity. <p>There are an additional 14 workers waiting on a blood test to check they have immunity to Hepatitis A & B.</p>
Annual Whole blood lead level	<ul style="list-style-type: none"> The painters have had their blood lead studies completed for 2021. Reference range (less than 0.24 umol/L) 1 x worker was 0.24 umol/L (blood taken in October 2021). <p>Repeat bloods have been taken in November 2021, results were within acceptable level.</p>
Toxoplasma	<p>Annual blood screening for Animal Control Workers: screening for Animal to Human (zoonotic) transmission illness/diseases.</p> <ul style="list-style-type: none"> 4 workers lab result for Toxoplasma Antibodies have been above the reference range for Toxoplasma IgG. Workers have been to their GP. The Pathologist at Southern Community Laboratory has provided the following communication. <p>— Workers could be exposed periodically due to the job they do</p> <p>— Toxoplasma antibodies go up and down.</p> <p>— If the antibodies stay the same or decrease it appears that's fine.</p> <p>— If it increases, then it is considered an active infection.</p> <p>The 4 workers had bloods repeated in November 2021.</p> <ul style="list-style-type: none"> 2 x workers the Toxoplasma IgG has decreased 1 x worker the Toxoplasma IgG was the same 1 x worker the Toxoplasma IgG increased; this worker

The Health and Safety (General Risk and Workplace Management – GRWM) Regulations 2016 require NCC to monitor worker health.

In the Health and Safety Framework, Tier 2, is the Standard on Health Monitoring.

NCC has a primary duty to monitor worker exposure as far as is reasonably practicable if exposure to a particular health risk warrants it.

Exposure monitoring is:

- (a) Means the measurement and evaluation of exposure to a health hazard experienced by a person; and
- (b) Includes – (i) monitoring of the conditions at the workplace; and (ii) biological monitoring of people at the workplace (GRWM Regulations)

Examples

- Monitoring the level of noise a worker is exposed to
- Monitoring the air a worker breathes
- Testing workers' blood or urine for the presence of harmful substance or the by-products of a substance.

Responsible Persons

- Recruitment – ensuring baseline
- testing levels before person starts working at NCC
- Health and Safety Lead – engaging a professional to complete the monitoring (Loop H&S)
- The Occupational Professional – keeping records and ensuring results are monitored
- Manager / Team Leader – ensuring staff are made available for the testing

POST-CRITICAL EVENT

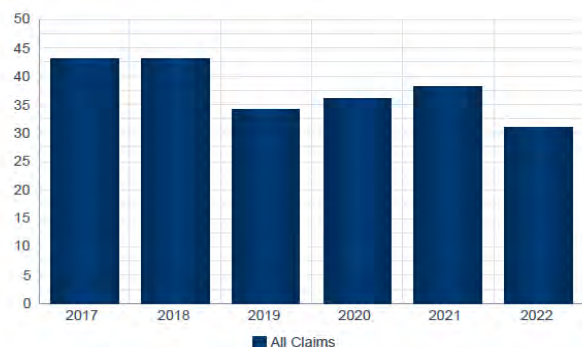
This process will be used when one of the existing reporting systems is inadequate to meet the needs of the NCC or an event. It will ensure the appropriate management after any critical event, gradual process or incident involving exposure to an actual or potential health risk, for example an adverse chemical exposure.

Process

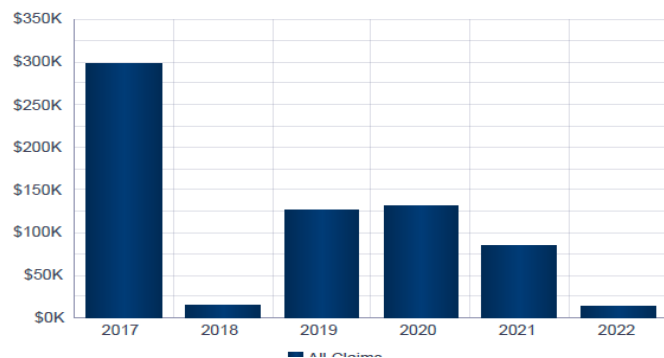
- Refer exposed employee for medical / rehabilitation assessment
- Conduct an investigation, seek specialist advice as appropriate
- Review the hazards and any risk associated with the incident e.g. hazard register, controls, health and environmental monitoring
- Review any sub-optimal results relating to the medical assessment. Give consideration to the medical and vocational needs of the injured employee and identify actions arising. Establish a plan for rehabilitation if relevant
- Update the hazard register and/or relevant documentation or processes
- Feedback findings to the Manager People and Capability, and ELT.

Claim Profile

	Claim Count	Levy Year					
		2017	2018	2019	2020	2021	2022
Total							
All Claims	225	43	43	34	36	38	31
Grand Total	225	43	43	34	36	38	31



	Claim Count	Levy Year					
		2017	2018	2019	2020	2021	2022
Total							
All Claims	\$665,327	\$296,682	\$14,902	\$125,592	\$131,712	\$83,079	\$13,360
Grand Total	\$665,327	\$296,682	\$14,902	\$125,592	\$131,712	\$83,079	\$13,360



ACC

ACC financial year is 1st April to 31st March.

The claim count is slightly down from previous years.

Claim Levy

The injuries sustained have been less severe e.g. not required an operation.

These claims are all workplace injuries.

The main cost was an injury to an employee who had a seizure (non work event) and fell and hid the ground. Because his head hit the ground he was off work for a long period of time. This happened in the previous year, but his costs had been ongoing. (He is fine now)

A Return to Work program has been in place for 14 years and works well with the employees.

A recent update through the ACC process, is that Occupational Therapists are now able to work with the Health and Safety Team directly when there is a RTW.

Primary Diagnosis	Claim Count	Levy Year					
		2017	2018	2019	2020	2021	2022
Dental Injury	\$554		\$207	\$207		\$146	
Foreign Body Orifice/eye	\$314	\$71					\$244
Fracture/dislocation	\$1,08,681	\$60,003	\$4,235	\$43,467	\$436	\$331	\$208
Gradual Process- Local Inflamm.	\$102	\$102					\$0
1/non-1 Laceration, puncture, sting	\$60,155	\$3,826	\$788	\$477	\$1,730	\$52,784	\$550
Industrial Deafness	\$7,148			\$3,167	\$3,981		
None	\$210,204	\$188,937	\$325		\$0	\$20,838	\$1,03
Other	\$63		\$163				
Pain syndromes	\$1,017		\$892			\$1.26	
Soft Tissue Injury (contusion, sprain, laceration)	\$277,089	\$43,743	\$8,392	\$78,274	\$125,564	\$88,61	\$12,254
Grand Total	\$665,327	\$296,682	\$14,1902	\$125,592	\$131,712	\$83,079	\$13,360

Primary Injury Site Group	Claim Count	Levy Year					
		2017	2018	2019	2020	2021	2022
Ankle	\$9,368	\$468		\$4,796	\$3,493	\$52	\$559
Arm	\$133,283	\$3,324	\$241	\$43,467	\$84,628	\$1,367	\$256
Back/spine	\$33,858	\$735	\$2,364	\$7,434	\$21,000	\$990	\$1,334
Hip/leg	\$66,770	\$59,909	\$102	\$0	\$158	\$524	\$6,078
Knee	\$23,046	\$8,880	\$2,391	\$9,718	\$841	\$934	\$2,82
Neck	\$2,470	\$981	\$176	\$84	\$1,110	\$111	
Other	\$81,779	\$4,671	\$4,315	\$6,488	\$8,220	\$54,284	\$3,802
Shoulder	\$102,992	\$28,666	\$4,917	\$53,555	\$12,261	\$2,596	\$947
Unknown	\$211,761	\$189,039	\$396		\$0	\$22,223	\$103
Grand Total	\$665,327	\$296,682	\$14,1902	\$125,592	\$131,712	\$83,079	\$13,360

Injury Cause	Claim Count	Levy Year					
		2017	2018	2019	2020	2021	2022
Common/Knocked over By Obj	\$1,061	\$90		\$239	\$453	\$71	\$208
Electrical Shock/Short Circuit	\$212	\$184				\$27	
Folding/Collapse	\$85,247				\$84,613	\$195	\$439
Uffingll"Call"lling1/Strain	\$5,1,668	\$28,935	\$8,897	\$8,518	\$1,478	\$1,633	\$2,207
Loss Balance/Personal Cont1	\$37,804	\$3,366	\$34	\$5,340	\$19,099	\$1,916	\$8,050
Loss of Consciousness/Sleep	\$5,1,234					\$51,234	
Medical Treatment	\$18						\$118
None	\$410		\$270			\$140	
Object Coming Loose/Shifting	\$194,698	\$192,849	\$200			\$1,373	\$277
Puncture	\$4,396			\$223	\$4,126	\$46	
Pushed or Pulled	\$20,233	\$356	\$816	\$3,994	\$12,145	\$2,660	\$292
Slipping, Skidding on Foot	\$4,223	\$468	\$231	\$1,301	\$2,223		
Something Giving Way Underfoot	\$342						\$342
Struck by Held Tool/Implement	\$21.2		\$94	\$32	\$0	\$53	\$33
Struck by Person/Animal	\$497	\$0	\$270	\$131		\$95	
Tripping or Stumbling	\$109,338	\$56,924	\$32	\$49,569	\$1,903	\$524	\$387
Twisting Movement	\$27,340	\$11,868	\$2,391	\$9,530	\$1,564	\$967	\$11,021
Wk Property or Characteristics	\$76,395	\$1,642	\$1,666	\$46,715	\$4,139	\$22,146	\$87
Grand Total	\$665,327	\$296,682	\$14,902	\$125,592	\$131,712	\$83,079	\$13,360

2. LOAN GUARANTEE

<i>Type of Report:</i>	Enter Significance of Report
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1457973
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services Caroline Thomson, Chief Financial Officer Garry Hrustinsky, Investment and Funding Manager Talía Foster, Accounting Manager

2.1 Purpose of Report

To seek Council approval to provide a loan guarantee to the Regional Indoor Sports and Events Centre Trust (RISEC Trust), who own and operate Pettigrew Green Arena (PGA).

Councillors Price / McGrath

The Prosperous Napier Committee:

- a. **Receive** the report titled 'Loan Guarantee'
- b. **Approve** providing a loan guarantee up to \$2,000,000 to the Regional Indoor Sports and Events Centre Trust (RISEC Trust) for a period of up to 10 years

Carried

2.2 Background Summary

The Pettigrew Green Arena (PGA) is the premier all weather sports and events centre in Hawkes Bay. Multiple studies and reports have shown that the lack of indoor court space in Napier was fast approaching a crisis point.

The Regional Indoor Sports and Events Centre Trust (RISEC Trust) have undertaken thorough feasibility studies and raised significant funds towards their project which will see a new fit-for-purpose sporting complex at the rear of the current arena. The development will see 4 premier futsal courts, 9 basketball/netball courts, 12 volleyball courts and 24 badminton courts added to the Hawke's Bay court network.

Now nearing completion, the facility is expected to open in September 2022, with the \$2m loan required to complete the project.

The RISEC Trust have provided their feasibility study, prior financial statements, current management financials, and forecasts up to 2028.

2.3 Issues

During 2021 the RISEC Trust secured a \$2m shovel ready loan with the Bank of New Zealand (BNZ). BNZ have now advised RISEC that the funds can only be drawn down once BNZ has registered a security over the lease of the reserve land that the PGA is situated on. Given the land is reserve land RISEC are unable to provide the security BNZ

requires. BNZ has further advised that a loan guarantee from Council would be sufficient security for them to release the funds to RISEC.

2.4 Significance and Engagement

The issues for discussion are not significant in terms of Council's Significance and Engagement Policy and no consultation is required.

2.5 Implications

Financial

The financial statements submitted by RISEC show a net deficit for 2019/20 of \$79,935 and a net surplus of \$8,189,689 for 2020/21. In 2020/21, the surplus includes \$8.2m of grants and donations received for funding the expansion project. In summary the income and expenditure is as follows:

	Actual 2019/20	Actual 2020/21	8 months to 28/02/22	
			Actual YTD	Budget YTD
Operating Income	\$1,061,365	\$1,109,487	\$710,750	\$652,650
Operating Expenditure before depreciation	\$821,230	\$824,999	\$586,853	\$657,104
Operating surplus/(deficit) before depreciation	\$240,135	\$284,488	\$123,897	(\$4,454)
Depreciation expense	\$361,261	\$354,285	\$225,232	\$224,173
Capital funding and gains/(losses) through income	\$41,191	\$8,259,486	0	0
Net surplus	(\$79,935)	\$8,189,689	(\$101,335)	(\$228,627)

The forecast provided for 2022-2028 indicates that RISEC can meet the cost of servicing the proposed borrowing.

	Forecast 2022/23	Forecast 2023/24	Forecast 2024/25	Forecast 2025/26	Forecast 2026/27	Forecast 2027/28
Operating Income	\$1,748,408	\$1,772,234	\$1,796,418	\$1,820,964	\$1,845,878	\$1,711,167
Operating Expenditure before depreciation	\$1,179,154	\$1,196,840	\$1,214,792	\$1,233,014	\$1,251,509	\$1,270,282
Operating surplus before depreciation (deficit)	\$569,254	\$575,394	\$581,626	\$587,950	\$594,369	\$440,885

We have approached RISEC for confirmation on the forecast, and there is some uncertainty around:

- the impacts of Covid-19, in particular with the events revenue that may be slower to return than anticipated,
- increasing cost pressures for salaries and insurance,
- additional unexpected landscaping costs of up to \$150k, plus the ongoing cost of gardening.

However, on the upside:

- the venue has been fully booked prior to opening by regular users, who have agreed in principle to a five-year term,
- all leases and property contributions agreements are inflation-adjusted each year, relieving some uncertainty from high inflation,

- enquiries have already started for multi day sporting events, however the biggest issue facing Napier for such events is an accommodation shortage. Staff are managing this by building up a list of alternative accommodation such as boarding schools,
- the recently appointed manager has introduced some new revenue streams such as court memberships and Les Mills THE TRIP classes.

As at 30 June 2021 total financial guarantees provided by Council represented 2.4% of non-targeted rates. With the proposed additional guarantee provided to RISEC in June 2022 total guarantees would rise to 7.0%. This level of financial guarantee provision is within Council's policy limit of 7.5% of non-targeted rates.

Social & Policy

Under NZ Generally Accepted Accounting Practice (NZ GAAP) and NZ Public Benefit Entity (PBE) Accounting Standards Council is required to recognise financial guarantees as provisions and contingent liabilities within its financial statements. On initial recognition, this would mean an expense is recognised in our Statement of Comprehensive Revenue and Expenses and would negatively impact our balanced budget prudence benchmark, and a liability would be recognised under provisions in our Statement of Financial Position.

The impact on our balanced budget prudence benchmark is expected to be insignificant given we did not budget to meet this benchmark for the 2022/23 year in our Long Term Plan.

As RISEC repay the loan in future years, the provision would be reduced with a benefit to our surplus/(deficit).

Council's Liability Management Policy allows for the provision of guarantees to community organisations provided that the organisation can demonstrate that it is capable of servicing the loan.

Risk

If RISEC fails to meet its obligations on loan servicing costs Council will be liable for repayment of the \$2m. If the guarantee was called, Council would fund the repayment through loan funding, which would impact on ratepayers in future years.

At the time of writing, BNZ had not provided a loan guarantee document to Council. However, in discussions with BNZ, Council has been assured that the guarantee document will not contain any requirements outside of the Master Agreement or Facility Document. There is still a small risk that verbal assurances provided is not accurate with regards to the content of the guarantee document.

Council's loan guarantee would be unsecured in nature. An unsecured guarantee will not jeopardise lending arrangements in place with the Local Government Funding Agency (LGFA).

2.6 Options

The options available to Council are as follows:

- a. Approve providing a loan guarantee up to \$2,000,000 to the RISEC Trust for a period of up to 10 years
- b. Do not approve providing a loan guarantee up to \$2,000,000 to the RISEC Trust for a period of up to 10 years

2.7 Development of Preferred Option

The financial statements of the RISEC Trust show that it can meet the servicing costs on the proposed term loan. RISEC has established a good record of financial management.

Loan guarantee structure has been confirmed directly with BNZ. The proposed guarantee has been reviewed by legal counsel and tested against Council's Liability Management Policy and LGFA membership.

The preferred option is for Council to approve providing a loan guarantee up to \$2m for a term of up to 10 years.

At the meeting

The Acting Executive Director Corporate Services, Ms Thomson spoke to the report which was seeking approval for a loan guarantee up to \$2m to the Regional Indoor Sports and Events Centre Trust (RISEC Trust), who own and operate Pettigrew Green Arena (PGA). The PGA had raised significant funding for the court expansion project, plus they are now requiring to draw down a \$2m loan to complete the project.

The \$2m loan can only be drawn down once the PGA bank has security in the form of a loan guarantee. The PGA had provided financial statements for the last two years, together with financial forecasts for the years 2022 through to 2028, which shows they can comfortably meet the cost of any debt servicing.

Council currently provides financial guarantees for two other community organisations and Council's liability management policy stipulates that Council can only guarantee up to 7% of its non-targeted rate income. The \$2m guarantee would take Council up to 7%.

2.8 Attachments

Nil

3. PROJECTS IN DEVELOPMENT

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1459309
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Deputy Chief Executive / Director Corporate Services

3.1 Purpose of Report

The purpose of this report is to provide visibility of major unfunded or partially funded projects so that financial risk and implications are noted in advance of future decisions.

Councillor Crown / Mayor Wise

The Prosperous Napier Committee:

- a. **Note** the following projects of Council are currently not fully funded in the Long Term Plan 2021-31 with pre-work and scoping currently underway:
 - i. New Aquatic Facility
 - ii. Civic Building – it is unlikely the current funding can service both a new library (including Council Chambers) as well as Civic accommodation for Council officers
 - iii. Significant upgrade/new National Aquarium – recommendation to further discussions with Central Government on funding
 - iv. Housing - long term plan amendment proposed for consultation to include rates funding gap, based on community feedback to continue with social housing
 - v. Inner Harbour – the Ahuriri Masterplan is currently not fully funded
 - vi. Three Waters Transition – there are a number of work streams that have been set up that require Councils input and contribution. There may be some potential funding from Central Government to support this initiative, but will require Council approval to access this.
 - vii. Resource Management Act Reform – there is transitional funding required to support this both internally, regionally and nationally. No funded has currently been provided
 - viii. Regional Spatial Plan – currently no funding for this national initiative
 - ix. HB Museum Storage – budgets yet to be finalised
 - x. Climate Change funding – noting the national requirements moving forward
 - xi. i-Site building requirements – noting that this may form part of the new Library location
 - xii. City Vision Initiatives – funding was removed from the 2021-31 Long Term Plan, with requests coming from developers to support changes within the CBD for their projects
 - xiii. Inflation above Long Term Plan projections provided by BERL for the assumption development
 - xiv. Long Term Plan Amendment funding – audit and engagement (\$150,000).

Carried

3.2 Background Summary

The purpose of a Long Term Plan for Council is described under Section 93 (6) of the Local Government Act 2002 and includes:

- 1) the activities of the local authority,
- 2) to describe the community outcomes of the local authority, to provide integrated decision-making and coordination of resources
- 3) to provide a long term focus for the decisions and activities of the local authority and
- 4) to provide a basis for accountability of the local authority to the community

Council Officers have noted the major items that are currently unfunded in the current Long Term Plan 2021-31 to ensure that future decisions are not considered in isolation, and there is an ongoing consideration to provide integrated decision-making and coordination of resources.

3.3 Issues

The current unfunded or partially funded projects are currently deemed significant in their own right to trigger the Significance and Engagement Policy requirements should council required these to be funded funding. Should they be required in advance of the next Long Term Plan cycle of 2024-34 they would trigger Long Term Plan Amendments. Preparing amendments in isolation does not allow for the coordination of resources as set out under the Local Government Act requirements under Section 93 (6).

3.4 Significance and Engagement

Each item noted as unfunded would trigger the Significance and Engagement Policy requirements to undertake a Special Consultative procedure if required in advance of the Long Term Plan 2024-34.

3.5 Implications

Financial

Each unfunded item in its own right could be funded within existing debt caps. However, when considered collectively may result in an inability to operate within these. Council will need to be aware of potential financial constraints, priorities for Council spending, as well as affordability considerations for the community.

Social & Policy

The following policies could be triggered for review:

- Revenue and Finance Policy – noting that these contain financial benchmarks as set under legislation
- Financial Strategy in the Long Term Plan
- Infrastructure Strategy in the Long Term Plan
- Significance and Engagement Policy

Risk

As per above with further work to be undertaken, as necessary, to ensure that future decisions are not considered in isolation, and there is an ongoing consideration to provide integrated decision-making and coordination of resources.

3.6 Options

The options available to Council are as follows:

- a) Note the unfunded or partially funded projects

3.7 Development of Preferred Option

This paper is prepared as a noting paper for Council only.

At the meeting

The Acting Executive Director Corporate Services, Ms Thomson spoke to the report which provided visibility of major unfunded or partially funded projects so that the financial impact of any future decisions are not considered in isolation.

Many items listed in the report are large enough to trigger the significance and engagement policy requirements should Council require these to be funded in the future. If funded as a whole these items may result in Council breaching its debt caps.

In response to questions at the meeting it was noted:

- The Matāruahou Project has already been budgeted for and included in Council's Long Term Plan, however does not include development of the land.
- When considering the various projects and funding it is important that Council looks at the whole picture and takes into account the projects on the list and how they might impact rates, loans or reserves going forward.
- Collectively all these fully funded items would amount to tens of millions.
- Central Government has indicated support packages that will be to facilitate Councils being able to produce regional spatial plans etc. However, this is still in the drafting phase of legislation but will come after the Bills have been introduced.
- A number of the projects listed are subject to decision of Council in regard to options and level of investment that may require significant budget.

3.8 Attachments

Nil

4. LONG TERM PLAN AMENDMENT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1459319
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services

4.1 Purpose of Report

To provide Council with background information around the requirements for the preparation of a Long-Term Plan Amendment.

Mayor Wise / Councillor Brosnan

The Prosperous Napier Committee:

- a. **Note** the process that is required under the Local Government Act, Section 93D for the preparation for a Long-Term Plan Amendment

Carried

4.2 Background Summary

Council currently have a number of significant unfunded projects that are not included in the existing Long-Term Plan 2021-31 that it is considering. These projects include:

- A future aquatic centre
- Potential upgrades to the National Aquarium
- Ongoing funding of the housing portfolio
- Climate Change
- Reform portfolios

Should Council wish to progress these in advance of the next Long Term Plan 2024-34, a Long Term Plan Amendment would be required due to the significance of the decision(s).

Preparing a Long Term Plan Amendment, provides an update to the last Long Term Plan. It does not bring through any changes that were made as part of any intervening Annual Plan. Council should be aware of all potential obligations before embarking on an amendment. As noted under Section 93 (6) (c), Council needs to ensure that it provides integrated decision-making and coordination of resources of the local authority.

The content of the consultation document required for an amendment of a long term plan is covered under Section 93D of the Local Government Act.

The following **sections** of the Local Government Act that are therefore relevant consideration for Council:

93(1) The content of the consultation document for the amendment of a long-term plan must be such as the local authority considers on reasonable grounds will achieve the purpose set out in section 93B.

92 (2) Without limiting subsection (1), the consultation document for an amendment to the long-term plan must include –

- a) A description of the proposed amendment
- b) The reasons for the proposed amendment
- c) The implications (including financial implications) of the proposed amendment
- d) Any alternatives to the proposed amendment that the local authority may wish to discuss with its communities

92 (3) The consultation document –

- (a) May have attached to it a copy of the proposed amendment to the long-term plan, if the local authority considers that the fully copy of the proposed amendment will assist people to understand the amendment
- (b) In any other case, must state where a copy of the proposed amendment to the long-term plan may be obtained

92 (4) The consultation document must contain a report from the Auditor-General on –

- (a) Whether the consultation document gives effect to the purpose set out in section 93B; and
- (b) The quality of the information and assumptions underlying the information provided in the consultation document

92 (5) The report under subsection (4) must not comment on the merits of any policy content of the consultation document.

In addition, and in line with the purpose of a long term plan as outlined in Section 93B, the Council must consider:

93B (a) providing a fair representation of the matters that are proposed for inclusion in the long-term plan, and presenting these in a way that –

- (a) Explains the overall objectives of the proposals, and how rates, debt, and levels of service might be affected; and
- (b) Can be readily understood by interested or affected people; and

93 (b) identifying and explain to the people of the district or region, significant and other important issues and choices facing the local authority and district or region, and the consequences of these choices; and

93 (c) informing discussions between the local authority and its communities about the matters in paragraphs (a) and (b).

4.3 Issues

Long-term plan amendments, although within the legislative act requirements, tend to be undertaken in isolation, potentially putting at risk any other future demands of council and its limited resources. As noted under Section 93 (6) (c), Council needs to ensure that it provides integrated decision-making and coordination of resources of the local authority.

A long-term plan amendment, does not take account of any changes that council have approved in its Annual Plans as they do not meet the requirements of significance. Depending on the timing of the amendment will then mean that up to two years of Annual Plans are not reflected as part of the total changes to the previous long-term plan.

4.4 Significance and Engagement

As noted, depending on the significance of the matter, Council will need to apply its Significance and Engagement Policy requirements.

4.5 Implications

Financial

As noted under Section 93 (6) (c), Council needs to ensure that it provides integrated decision-making and coordination of resources of the local authority. Council should turn its mind to any other unfunded activities before embarking on an amendment in isolation.

Council needs to consider a decision in relation to its Revenue and Finance Policy requirements, as well as the impact on the Financial and Infrastructure Strategies, and requirements to work within its financial benchmarks.

Additional budget for consultation, audit fee requirements and staff time would need to be considered, as well as the material and information required for the amendment requirements.

To undertake a Long Term Plan Amendment will have an unbudgeted financial cost. The cost of audit and the preparation and printing costs associated with the plan are estimated at \$150k. In addition, there are resource costs associated with staff including corporate planning, finance, and community engagement, and communications and marketing resources that would need to focus on this as a separate project. Preparation of a Long Term Plan Amendment creates a high demand on staff time and will result in other projects and initiatives being put on hold to accommodate a mid-plan amendment.

Social & Policy

Council will be required to consider all implications across its policies including its Procurement Policy when considering its future pathway.

Risk

The key risks associated with Long Term Plan Amendments are

- A LTP Amendment does not include any other changes to the previous Long Term Plan that may have been included in any subsequent Annual Plan. This makes it difficult to understand the overall changes in total
- Integrated decision making
 - o As noted in the financial implication section, under Section 93 (6) (c), Council needs to ensure that it provides integrated decision-making and coordination of resources of the local authority. When undertaking an amendment, this needs to be fully considered, and the risk associated with doing this outside the normal Long Term Plan process.
- Grouping of issues
 - o Council may like to consider whether it undertakes and an amendment based on one issue, or takes the opportunity to group multiple issues. This is linked with integrated decision making.
- Resourcing
 - o Preparing a long-term plan amendment is time consuming for staff and its limited resourcing. There would be implications for the delivery of the delivery of the existing plan to accommodate an amendment. Additional budget for

consultation, audit fee requirements and staff time would need to be considered.

- Timing of next Long Term Plan
 - Our next LTP will be effective 1 June 2024 and is likely to include significant reform impacts. Given the time and resource involved in preparing an LTP amendment, Council should consider the costs and benefits of doing one. The main benefit is the “time advantage” an amendment gives us; the ability to start a project sooner that we otherwise could have. The closer you get to the adoption of the “in-cycle” LTP (June 2024), the more the costs of the process starts to outweigh the “benefit” unlocked. Officers would not recommend an amendment within 12 months of the next 3 yearly Long Term Plan.
- Audit Requirements
 - There are obligations under the Act to complete an LTP Amendment. Failure to meet these requirements will result in an adverse audit opinion.

4.6 Options

The options available to Council are as follows:

- a. Note the process that is required under the Local Government Act, Section 93D for the preparation for a Long-Term Plan Amendment

4.7 Development of Preferred Option

Note the process that is required under the Local Government Act, Section 93D for the preparation for a Long-Term Plan Amendment

At the meeting

The Acting Executive Director Corporate Services, Ms Thomson spoke to the report which included a number of unfunded projects that Council are currently considering were not included in the existing Long Term Plan 2021-31.

The report outlined a number of sections of the Local Government Act and its requirements when undertaking an amendment to the Long Term Plan. It was important to note that often Long Term Plan amendments tend to be undertaken in isolation. Council needs to ensure that it provides for integrated decision making, co-ordinating its resources accordingly and provide adequate budgeting for auditing.

Ms Thomson noted that the next Long Term Plan effective from 1 July 2024 and the closer an amendment gets to the in cycle Long Term Plan the costs of an amendment start to outweigh the benefits. The general cost of undertaking an amendment to the Long Term Plan is \$150,000 regardless of the number of items and whether it was a capital or operation item.

4.8 Attachments

Nil

5. INVESTMENT AND DEBT REPORT

Type of Report:	Enter Significance of Report
Legal Reference:	Enter Legal Reference
Document ID:	1467615
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

5.1 Purpose of Report

To consider the snapshot report on Napier City Council's Investment and Debt as at 30 April 2022.

Councillors Chrystal / Boag

The Prosperous Napier Committee:

- a. **Receive** the snapshot report on Napier City Council's Investment and Debt as at 30 April 2022.

Carried

5.2 Background Summary

The snapshot report on Napier City Council's Investment and Debt as at 30 April 2022 is shown at **Attachment 1**.

As at 30 April 2022, Council held \$51.2m on term deposit at an average interest rate of 1.81%. The weighted average interest rate has trended upwards from 0.9% in May 2021 due to housing demand driving up deposit demand by banks, expected inflation, OCR increases and global events such as the Ukraine war.

As at 30 April 2022, Council's internal debt balance is \$65.6m.

At the meeting

The Acting Executive Corporate Services Director, Ms Thomson spoke to the operational and procedural report and advised that Council had \$51.2m on deposit at the end of April 2022 at an average interest rate of 1.8%.

It was noted that interests rates have started to trend back upwards on the back of increased housing demand, inflation, OCR increases and global events. Council's internal debt balance was \$65.6m at the end of April 2022.

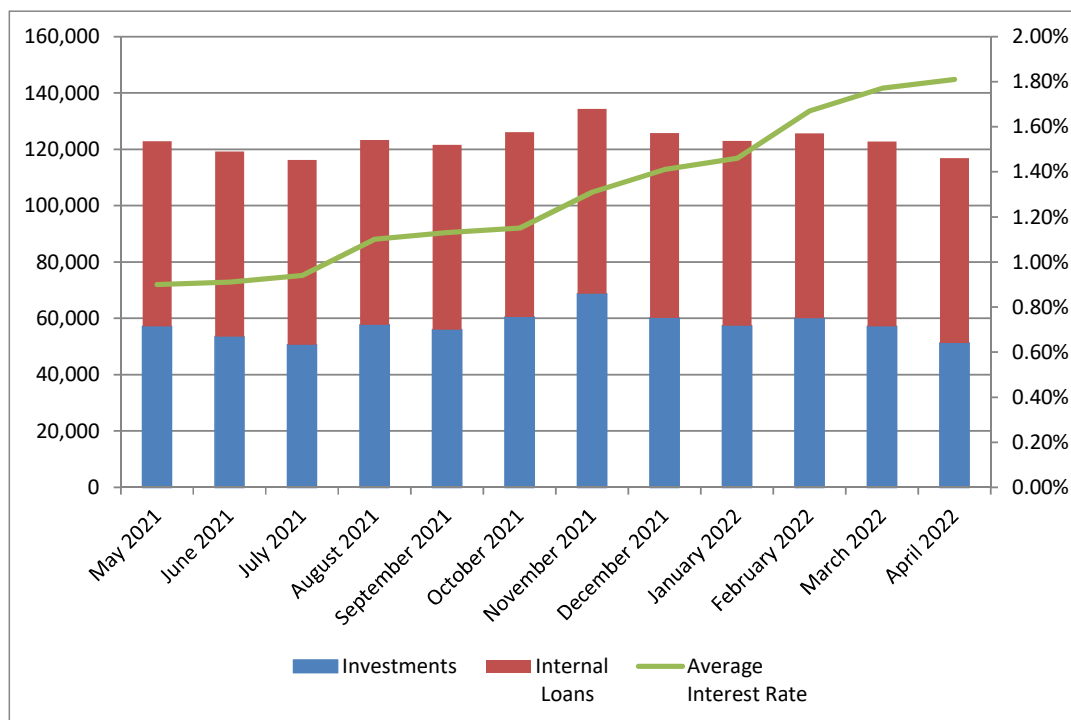
Ms Thomson advised that Council had joined the Local Government Funding Agency however have not utilised any external borrowing through them at this stage. In the Long Term Plan there was provision to draw down on external debt but have not required to do so yet.

5.3 Attachments

- 1 Investment and Debt report as at 30 April 2022

Treasury Graphs for 12-Month Period May 2021 to April 2022

Month-End	Investments	Internal Loans	Average Interest Rate
May 2021	57,190	65,642	0.90%
June 2021	53,549	65,642	0.91%
July 2021	50,602	65,642	0.94%
August 2021	57,720	65,642	1.10%
September 2021	55,937	65,642	1.13%
October 2021	60,440	65,642	1.15%
November 2021	68,695	65,642	1.31%
December 2021	60,160	65,642	1.41%
January 2022	57,326	65,642	1.46%
February 2022	60,075	65,642	1.67%
March 2022	57,170	65,642	1.77%
April 2022	51,270	65,642	1.81%
AVERAGE	57,511	65,642	1.30%



Note: For the reporting period, interest rates have progressively increased from an historic low. The weighted average interest rate has increased in 3 clear stages since March 2021 due, in stage order, to housing demand driving up deposit demand by banks, expected inflation, and OCR increases (in response to inflation) coupled with global events (e.g. wars) driving up rates. Rates will continue to increase over the next reporting period.

6. PROPOSED AMENDMENT TO 2022 MEETING SCHEDULE

Type of Report:	Procedural
Legal Reference:	Local Government Act 2002
Document ID:	1468788
Reporting Officer/s & Unit:	Helen Barbier, Team Leader Governance

6.1 Purpose of Report

The purpose of this report is to consider an amendment to the schedule of Council and Committee Meetings for the 2022 Meetings Calendar which was originally adopted by Council on 28 October 2021.

Councillors Wright / Crown

The Prosperous Napier Committee:

- Make** a Decision of Council under delegated authority for the reason that the schedule change needs to be adopted prior to the next scheduled Council meeting.
- Receive** the report titled "Proposed Amendment to the 2022 Meeting Schedule".
- Adopt** the change to the schedule of meetings 2022 as follows:

Audit and Risk Committee	Rescheduled	From: 17 June 2022, 1pm To: Wednesday, 29 June 2022, 1pm
Napier People and Places Committee followed by Prosperous Napier Committee	Rescheduled	From: 21 July 2022, 9.30am To: 26 July 2022, 9.30am
Hearings Committee (for the consideration of Tenders)	Rescheduled	From: 12 July 2022, 1.00pm To: 28 June 2022, 1.00pm

Carried

6.2 Background Summary

In order to ensure a quorum can be achieved for the upcoming Audit and Risk Committee meeting, officers recommend that the meeting date be modified from 17 June 2022 to 29 June 2022, avoiding other conflicting obligations for several of the Committee members on the initially scheduled date.

The Local Government Act 2002, Schedule 7, Clause 19 states:

...

(4) *A local authority must hold meetings at the times and places that it appoints.*

(5) ...

- (6) *If a local authority adopts a schedule of meetings -*
- a) *The schedule-*
 - i) *may cover any future period that the local authority considers appropriate, and*
 - ii) *may be amended; and*
 - b) *notification of the schedule or of any amendment to that schedule constitutes a notification of every meeting to the schedule or amendment.*

6.3 Issues

No issues have been identified with this report.

6.4 Significance and Engagement

The amendments to the schedule of meetings does not trigger Council's Significance and Engagement Policy or any other consultation requirements.

6.5 Implications

Financial

There will be additional costs for venue hire.

Social & Policy

There are no social or policy implications in relation to this report.

Risk

Further changes to the schedule could result in difficulty finding a suitable venue and increased costs.

6.6 Options

The options available to Council are as follows:

- a) To adopt the amended 2022 meeting schedule as proposed
- b) To propose further amendments to the meeting schedule

6.7 Development of Preferred Option

It is recommended that the amended 2022 meeting schedule be adopted as proposed in the recommendations of the report.

At the meeting

It was noted that there were two additional changes to include on the meeting scheduled and these were

- Napier People and Places Committee followed by Prosperous Napier Committee Rescheduled From: 21 July 2022, 9.30am To: 26 July 2022, 9.30am; and
- Hearings Committee (for the consideration of Tenders) Rescheduled From: 12 July 2022, 1.00pm To: 28 June 2022, 1.00pm

6.8 Attachments

Nil

REPORTS FROM SUSTAINABLE NAPIER COMMITTEE HELD 16 JUNE 2022

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 & 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.

Councillors Brosnan / Taylor

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.

Carried

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.

At the meeting

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

- There was previously a Council approved variation to the recycling service contract due to the unexpected high participation rate of residents. This change will not increase participation or cost as residents still have the same sized three bins to put their recycling out in.
- The increase use of the recycling service enables residents to comply with the Joint Waste Management and Minimisation Plan (WMMP), due to be renewed soon, which aims for residents to take responsibility for reducing their waste. Central Government's legislation changes and Waste Reduction Strategy will help inform the WMMP renewal.
- It has been noted that there is a reduction in tonnage going to the Omarunui Landfill. This is across all forms of waste, including construction waste. It is rare for contaminated recycling to be redirected to the landfill now as the kerbside collection service will not pick this up if it is seen in a resident's crate.
- It will be possible to monitor whether there is an increase in type 5 plastics being added to the recycling service.
- Type 5 plastics will be sent to Waiuku and be turned into fence posts.

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 & 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.

Councillors Crown / Tapine

The Sustainable Napier Committee:

- a. **Receive** the report titled “Capital Programme Delivery”.

Carried

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 Sycle 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 23rd May 2022. The completion of remaining works with the exception of the kitchen and dining areas are programmed for 13th 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.

At the meeting

The Officer took the report as read and there were no questions from the Committee. It was noted that going forward this report will include capital project work from across Council, not just the capital projects being worked on within the Programme Delivery Directorate.

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	On hold 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 lived in 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 rescoped. 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 similiarly 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 Iwi liasion 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 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.

Councillors Tapine / McGrath

The Sustainable Napier Committee:

- a. **Receive** the Three Waters Operational Update report

Carried

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
<u>Drinking Water Leak Detection Programme of Works</u> <ol style="list-style-type: none"> 1. 135 leaks found over 2 weeks of investigation between CBD/Napier South, Marewa, Maraenui and Te Awa. 2. Estimated 13 L/s loss. 99% is soaking straight into ground and not visible. Major leak repairs have reduced this total by about 50%. 3. 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. 	<ol style="list-style-type: none"> 1. 2. and 3. - Leak repairs are being prioritised based on flow and location.
<u>Collapsed Waste Water pipes</u>	<ol style="list-style-type: none"> 1. Repair complete

<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"> 1. 354 Kennedy Road identified September 21. 2. Hyderabad Road identified October 21. 3. 106a Latham Street identified March 22. 	<p>2. and 3. Investigating options for relining or replacement.</p>
<p><u>Storm Water and Waste Water CCTV</u></p> <ol style="list-style-type: none"> 1. Clarence Cox Crescent CCTV Identified storm water pipe full of debris/gravels. 2. Austin Street/Lipton Street CCTV identified a storm water pipe 50% blocked with concrete grout causing localised commercial flooding. 3. CCTV identified a tree growing in wastewater manhole, holding back flow that could have overflowed into Taradale High School and Intermediate. 	<ol style="list-style-type: none"> 1. Pipe cleaned. 2. Pipe cleaned, investigating source of grout 3. Tree removed, further CCTV planned for remaining pipe.
<p><u>Enfield Reservoir Assessment</u></p> <p>Supplies drinking water around the Hospital Hill and suburbs below.</p> <ol style="list-style-type: none"> 1. The reservoir is old and in poor condition. 2. 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. 	<ol style="list-style-type: none"> 1. Detailed structural review being scoped. 2. Reservoir level has been lowered to reduce risk. Investigation underway to ascertain geotechnical information.
<p><u>SCADA</u></p> <p>SCADA Servers</p> <ol style="list-style-type: none"> 1. 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). <p>Site access improvements</p> <ol style="list-style-type: none"> 1. 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. <p>The initial trial is on reservoir hatches and when successful it will roll out to all three waters.</p> <p>SCADA digital upgrade</p>	<ol style="list-style-type: none"> 1. Server changeover complete <ol style="list-style-type: none"> 1. Bluetooth locks are now in place on reservoir hatches. <ol style="list-style-type: none"> 1. Upgrades continue

1. Officers have installed the new Ultra High Frequency (UHF) digital base stations at the Civic Library's Crow's Nest and the historic Thompson Water Tower. These two sites give superb coverage over Napier to our remote stations. Officers have currently upgraded 20% of sites.	
<u>Storm Water Quality Improvements - Witches Hats</u> 1 Filters (witches hats) placed into roading sumps to collect solids washed from roadways during rainfall. 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.
<u>WWTP – Waste Water Treatment plant</u> 1. Outfall pump maintenance programmed to begin with first pump programmed for July 22. 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 2. Divers are planning to be here week of the 15 th 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.

At the meeting

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

- To mitigate the risk of flooding Council Officers are conducting a leak detection programme across the city and are repairing leaks that are found. A lot of water from leaks gets absorbed back into the ground water table, so goes

unseen. This programme has significantly increased Council staff workloads so leaks are triaged and the top priority leaks are repaired first.

- A lot of the leaks found are in the Council network. If a leak is located on private property Council will notify the property owner of the leak and a time period for the repair. They have to organise a plumber to repair the leak, then Council follow-up to check on the repair. This process is managed through the bylaw which aims to enforce efficient water use.
- There is an annual water loss survey conducted which is part of the performance reporting for the Annual Report. Last year water loss was at about 20%. This is not just loss from pipes, but also at the reservoirs and treatment plants.
- Council staff are doing work to improve understanding on the ground water.
- Increased incidences of collapsed pipes in the oldest streets, which have pipes with a high activity, is being seen. Council is seeking to understand this infrastructure better.
- To clear debris out of pipes a number of techniques can be used. One is hydro-jetting, a lot of water through a pipe manhole where there is a hydro truck to suck out the water and debris. This is a labour-intensive process.
- The level of deterioration at the Enfield Reservoir was unexpected, but the risk of catastrophic failure in a significant seismic event has been mitigated. Council Officers are looking at whether the Mataruahou project will need to be accelerated because of this development.
- The witches hats trial has been targeted to high use industrial sites.
- There has been sampling of the affected area where the outfall leak is. There are signs on the foreshore notifying residents of the risk for collecting kaimoana and for swimming. There is also a rahui in place.

ACTIONS:

- An estimated percentage of water loss across the network, excluding the reservoirs and treatment plants, will be brought back to the Council.
- Officers to report back to the Council on whether geotechnical surveying can be done to assess the impacts of water leaks on the underground structure.
- Progress on storm water infiltration to be included in the next report.

3.6 Attachments

Nil

4. JOINT SOLID WASTE BYLAW REVIEW UPDATE

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1468418
<i>Reporting Officer/s & Unit:</i>	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

Councillors Brosnan / Crown

The Sustainable Napier Committee:

- a. **Receive** the report entitled Joint Solid Waste Bylaw Review Update
- b. **Endorse** the approach outlined in Option 1; 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

Carried

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.

At the meeting

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

- Kaupapa Fatigue is something being experienced across the community. Many whānau are going from one hui to another. The worries about the environment are weighing heavy on iwi minds.

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 & 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.

Councillors Chrystal / Taylor

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.

Carried

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. Publicly 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.

At the meeting

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

- This change of purpose is part of the War Memorial project. It is not something that was considered by the Working Group as that has been wound up; this is an operational paper based change which has been triggered by the physical works.

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 & Unit:</i>	Bryan Faulknor, Manager Property 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.

Councillors Taylor / Tapine

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.

Carried

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.

At the meeting

The Officer spoke to the report and clarified that this is a process which will enable their trade waste to be dealt with appropriately and according to their trade waste consent.

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

REPORTS FROM FUTURE NAPIER COMMITTEE HELD 16 JUNE 2022

1. AHURIRI REGIONAL PARK - JOINT COMMITTEE TERMS OF REFERENCE

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1469734
<i>Reporting Officer/s & Unit:</i>	Fleur Lincoln, Strategic Planning Lead

1.1 Purpose of Report

To approve the establishment of a Joint Committee with Hawke's Bay Regional Council and Mana Ahuriri Trust that will provide governance to the Ahuriri Regional Park project; to endorse the Terms of Reference for the Ahuriri Regional Park Joint Committee; and to appoint the Napier City Council Ahuriri Regional Park Joint Committee members.

Councillors Crown / Tapine

The Future Napier Committee:

- Approve** the establishment of a Joint Committee with Hawke's Bay Regional Council and Mana Ahuriri Trust under clause 30(1)(b) of the Local Government Act 2002.
- Approve** in principle the Terms of Reference for the Ahuriri Regional Park Joint Committee (Doc Id 1471630), allowing for minor inconsequential changes being made by each partner as required.
- Approve** the nomination of Napier City Council's two Ahuriri Regional Park Joint Committee members as Deputy Mayor Annette Brosnan and Councillor Keith Price, and the one alternate as Councillor Hayley Browne
- Note** that the Hawke's Bay Regional Council will take a similar paper to their Environment and Integrated Catchment Committee on 6 July 2022, and to their Full Council on 27 July 2022. Mana Ahuriri Trust will also be taking a similar paper to adopt the Terms of Reference to their Board on 30 June 2022.

Carried

1.2 Background Summary

The Ahuriri Regional Park Working Group was formed in June 2020 to take a concept that was identified in the Ahuriri Estuary and Coastal Edge Masterplan (2018) to a project suitable to being funded in the Long Term Plan (LTP). This Working Group consisted of members from Napier City Council (NCC) and the Hawke's Bay Regional Council (HBRC), and worked closely with the yet to be formalised Te Komiti Muriwai o te Whanga to ensure the project was consistent with the vision set by Te Komiti in delivering enhancements to biodiversity, ecosystems, water quality, and cultural values.

At the Future Napier Committee meeting on 11 November 2021, the Committee made the following resolutions in relation to the Ahuriri Regional Park:

- a) *Endorse that the future park to be located at Lagoon Farm be a platform for climate resilience and city sustainability, delivering flood mitigation, stormwater quality, biodiversity and estuarine restoration.*
- b) *Endorse that the boundary of the park currently known as the Ahuriri Regional Park be confined to the legal boundaries of Lagoon Farm (Lot 1 DP 388211).*
- c) *Endorse the preparation of a Masterplan for the park currently known as the Ahuriri Regional Park and the appointment of an independent project manager.*
- d) *Endorse Officer's exploring options for project governance structures for the purpose of endorsing a draft masterplan (including a multi-party Regional Committee), for consultation to be brought back for Council consideration next year.*

With funding being allocated in both NCC and HBRC's LTP's for this project, it is now desirable to establish an appropriate governance structure that will support the next phase in this project.

Early this year, HBRC and NCC met with Mana Ahuriri Trust with the intention of entering into a three-way partnership to progress this project. Options for a governance structure were considered, and included:

- Joint Committee
- Working Group
- 50/50 ownership

Although there are pros and cons for each option, the Working Group considered a Joint Committee (JC) structure offered the following benefits:

- a. Provide a vehicle for true co-governance of the project
- b. JC make recommendations to each partner for decision-making
- c. Provide greater formality of decision-making. Decision-making processes of each partner already established
- d. Use of JC structure already a proven success with the HB Coastal Hazards Strategy

The purpose of the Terms of Reference (ToR) is to define the responsibilities of the JC as delegated by the partner Councils (NCC and HBRC) under the Local Government Act, and to provide for the administrative arrangements of the JC. The ToR establishes the number of JC members from each partner; the delegated purpose of the JC; how the JC will work alongside Te Komiti Muriwai o te Whanga; matters relating to meetings, voting, remuneration, leadership, administrative support, reporting, and other administrative matters.

It is proposed that the JC will be made up of two members from NCC, two members from HBRC, and four members from Mana Ahuriri Trust, plus one alternate each. This represents a true and equal partnership between Council and Mana Whenua. Each partner is required to nominate their JC members. Mana Ahuriri have already nominated their members, who are:

- Tania Eden
- Allana Hiha
- Chad Tareha
- Maree Brown

- Alternate yet to be decided

The two members recommended to be nominated from NCC are Deputy Mayor Annette Brosnan and Councillor Keith Price. The NCC alternate is recommended to be Councillor Hayley Browne.

1.3 Issues

Currently Lagoon Farm is in freehold title and solely owned and managed by NCC. It has been earmarked for future stormwater detention for the City. Entering into a partnership of this nature will mean the future development of this site will be significantly influenced by our partners, HBRC and MAT through the Ahuriri Regional Park JC recommendations. The purpose of the JC is to make recommendations, with decisions still lying with each Partner where these have the delegated power to do so.

HBRC and MAT may seek to make changes to the ToR as they move through the process of approving the ToR. The recommendation is that Council approve this ToR in principle, and that minor, inconsequential changes can be made following Council approving the ToR. More substantial changes would need to be made at a future Council meeting.

Legal advice sought on the ToR concluded that on balance, the Local Government Act 2002 provides for the ability to form a JC with both Council partners and mana whenua entities, and that there is precedent in doing so. Clarity on the powers delegated to the JC (and those that aren't) is essential for ensuring clear expectations from all parties, and appropriate powers have been drafted into the ToR accordingly.

1.4 Significance and Engagement

All Partners acknowledge that there are a significant number of stakeholders in relation to the establishment of an Ahuriri Regional Park, and that the project team, once established, will work closely with these stakeholders throughout the course of the project and beyond. As noted in the Joint Committee Terms of Reference, the Project Manager, once appointed, will report to Napier City Council and its Partners on a regular basis in relation to the project itself.

The Significance and Engagement Policy provides clarity on how and when the community can expect to be engaged, depending on the degree of significance of the issue, proposal and decision. The formation of a Joint Committee and its accompanying ToR do not meet the criteria under this Policy for consultation, however as the project progresses and decisions are made on the future use of this asset, these decisions will likely meet the significance criteria.

The Policy states that whilst Lagoon Farm is not listed as a Strategic Asset, decisions made in relation to the future use and development of the property may have a high level of community interest. In addition, should part of the property be used as an integral part of the city's stormwater network (eg retention areas) in the future, then this would be classed as a strategic asset.

However, it should be noted that the concept of the Regional Park has already been through an LTP public consultation process.

1.5 Implications

Financial

The Terms of Reference specifies a 50/50 NCC HBRC split of costs associated with remunerating the Mana Whenua partners to the Joint Committee. The HBRC Council Meetings Remuneration Policy is applicable to the remuneration of non-elected Council officials. NCC does not have an applicable policy, and so the ToR adopts the HBRC Policy. A copy of the HBRC Policy for Reimbursement for Project Meetings and Travel is attached.

Funding to cover the administration costs, and subsequently the costs associated with engaging a Project Manager and specialists in their field are also shared with HBRC. Funding has been allocated in both Councils LTP's for various projects that align with the Regional Park project.

Social & Policy

The Ahuriri Estuary and Coastal Edge Masterplan identified the exploration of the regional park concept for Lagoon Farm, including stormwater management and enhancement of biodiversity and cultural values, as an initiative of priority. The concept gained significant support from stakeholders and the wider public. It was clear early on that partnership with Te Komiti Muriwai o te Whanga was essential as the project would be a significant contributor to delivering on the purpose of Te Komiti, and the masterplan would operate alongside Te Muriwai o te Whanga Plan for the wider estuary catchment. Co-governance with HBRC and Mana Ahuriri Trust is a commitment to working collaboratively from the very outset and at all levels.

Risks

As noted above, the primary risk is in relation to entering into an equal partnership with both HBRC and MAT in a manner that the JC can make recommendations on the future use and development of a Napier City Council owned asset. It is noted however, that the ToR affords the power for the JC to make recommendations, and that the decision-making power still lies with each Council and MAT Board in terms of their respective interests.

Opportunities

The risks of establishing a Joint Committee for the Ahuriri Regional Park project cannot be considered without also highlighting the opportunities. This project, and the governance structure established to guide and support it, is an opportunity to tangibly work in close collaboration toward common goals on a project that will benefit all. There will no doubt be challenges along the way that will test the resolve of the partnership, but each Partner has committed to working through these, in good faith, and as a result there is a significant opportunity to strengthen our ties, and reach out to all corners of the community, in the delivery of what will be a legacy project for Napier.

1.6 Options

The options available to Council are as follows:

- a. Approve Ahuriri Regional Park Joint Committee Terms of Reference (as provided, but allowing for minor inconsequential changes), and:
 - i. Appoint Deputy Mayor Annette Brosnan and Councillor Keith Price as the two nominated Joint Committee members, and Councillor Hayley Browne as the alternate
 - ii. Appoint alternative Joint Committee members
- b. Approve Ahuriri Regional Park Joint Committee Terms of Reference, subject to changes
 - i. Appoint Deputy Mayor Annette Brosnan and Councillor Keith Price as the two nominated Joint Committee members, and Councillor Hayley Browne as the alternate
 - ii. Appoint alternative Joint Committee members
- c. Do not approve the formation of a Joint Committee for the Ahuriri Regional Park project

1.7 Development of Preferred Option

The Ahuriri Regional Park Working Group was established to progress the project to the point of receiving funding in the LTP. Now that this milestone has been reached, options

for the governance of the project in its next phase have been considered, with a Joint Committee being determined as the most appropriate, with an invitation extended to Mana Ahuriri Trust to be equal partners.. The Terms of Reference establish the 'rules of engagement' and expectations for each party. The ToR is based on a known, being the HB Coastal Hazards Joint Committee, and has been through a number of iterations with the Working Group and Mana Ahuriri Trust nominees. The final ToR has also received legal review, with the conclusion that the establishment of this Joint Committee is provided for in the Local Government Act 2002, and there is precedent for it.

Deputy Mayor Annette Brosnan has co-Chaired the Ahuriri Regional Park Working Group alongside Hinewai Ormsby. Councillors Keith Price and Hayley Browne have also been involved as members of the Working Group. Nominating these members to form part of the Joint Committee will ensure continuation of the project from its inception phase through to its planning phase. Councillors Price and Browne are also Ahuriri Ward Councillors.

At the meeting

The Chair, Deputy Mayor Brosnan introduced, welcomed and acknowledged important people who were joining Council in this journey.

Members of the Ahuriri Regional Park Joint Committee were present at the meeting (Allan Hiha; Chris Dolley; Hinewai Ormsby; Maree Brown; Neil Kirton; Tania Eden; Pirei Munro and Debbie Monahan (Biodiversity Hawke's Bay) with apologies being received from Chad Tareha, James Palmer; Liz Munroe and Martin Williams.

This is a great opportunity for Council to make a step change where not only managing discharge into Te Whanga but also in partnerships and relationships with mana whenua to work together. It is transformational in the way Council will work together in the future with mana whenua.

1.8 Attachments

- 1 Regional Park Terms of Reference (final) (Doc Id 1471630)
- 2 Policy for Reimbursement for Project Meetings and Travel (Doc Id 1471631)

Ngā whakataunga mō ngā whakapuakitanga

Terms of Reference

Ahuriri Regional Park Joint Committee

As at 8 June 2022

As adopted by resolution by:

Tā mātau manawanui

Our Commitment

The Napier City Council (NCC), Hawke's Bay Regional Council (HBRC), and Mana Ahuriri Trust (MAT) wish to partner on the Ahuriri Regional Park (ARP) project in a manner that works towards restoring the health and wellbeing of the Ahuriri Estuary through co-governance.

Both Partner Councils recognise kaitiakitanga of Ngā Hapū o Ahuriri, duly mandated through Te Komiti and at all times, will fully engage with Te Komiti both through its representative and as a group to seek guidance and to coordinate with the ARP Joint Committee on matters relating to Te Komiti's wider catchment plan (SO486367) as we work through the development of the ARP.

1.0 Kōrero Tuku Iho Historical Account

- 1.1 In the decade after the 1851 Ahuriri purchase, Ahuriri Hapū continued to occupy and use Te Whanganui-ā-Orotu in accordance with their tikanga. At this time Pākehā settlement had little impact on Te Whanganui-ā-Orotu.
- 1.2 In 1860 the Crown vested in the Hawke's Bay provincial government for the purposes of harbour development. The vesting empowered the Provincial Superintendent to develop harbour facilities to facilitate trade and commerce.
- 1.3 In 1874 Parliament passed legislation that set aside all of Te Whanganui-ā-Orotu as an endowment for a harbour board. Parliament established the Napier Harbour Board the following year. The Board's 12 members were prominent Hawke's Bay sheep farmers and businessmen, and none was a member of Ahuriri Hapū. Further legislation made Te Whanganui-ā-Orotu increasingly available for developments led by the Board.
- 1.4 Harbour development works had a negative effect on the ecology of Te Whanganui-ā-Orotu. In 1920 Māori witnesses told the Native Land Claims Commission that dredging had made Te Whanganui-ā-Orotu salty, and that freshwater fish species had been replaced by saltwater species. According to one witness Māori had been unable to catch eels and other freshwater fish from the early twentieth century, and pipi beds had been smothered by reclamation. In

addition, Te Whanganui-ā-Orotu and the Ahuriri estuary were polluted by sewage and factory effluent.

- 1.5 On 3 February 1931 a major earthquake hit Napier. The earthquake raised parts of the bed of Te Whanganui-ā-Orotu. Much of its waters emptied into the sea, leaving about two-thirds of the bed exposed.
- 1.6 According to legal advice obtained by the Crown after the earthquake, title to the newly- raised portions of Te Whanganui-ā-Orotu belonged to the Napier Harbour Board under the endowment provided for in the Napier Harbour Board Act 1874.
- 1.7 On 3 May 1934 the Napier Harbour Board agreed to lease 7,595 acres of Te Whanganui-ā-Orotu to the Crown for a 21-year period and the Crown commenced drainage and reclamation work in June 1934. The Crown also commenced farming operations on reclaimed areas of Te Whanganui-ā-Orotu.
- 1.8 By June 1937 the Public Works Department reported that 2,000 acres of Te Whanganui-ā-Orotu had been completely drained and drainage of a further 2,000 acres was well advanced.
- 1.9 In 1945 Parliament passed legislation that provided for certain areas of Napier Harbour Board land to be sold and leased to the Napier Borough Council for the expansion of urban Napier.
- 1.10 Throughout the third quarter of the twentieth century reclamation and subsequent alienations by the Harbour Board provided land for residential, industrial and recreational developments in Napier. The Napier Borough Council developed the Hawke's Bay Airport on reclaimed land that included islands taken under public works legislation in 1939. The Crown also developed the Ahuriri Farm Settlement on reclaimed land.
- 1.11 Nine islands were explicitly excluded from the endowment of Te Whanganui-ā-Orotu set aside for harbour development in 1874. After the earthquake the islands became surrounded by dry land. The Napier Harbour Board Empowering Act 1932-33 empowered the Native Land Court to vest in trustees six islands that were still Māori customary land.
- 1.12 In 1936, on the application of the Napier Harbour Board, the Native Land Court ordered the appointment of six trustees for the islands (approximately 20 acres in total). On 23 May 1939 the Board published a notice of intention to take the islands under the Public Works Act 1928.
- 1.13 Hori Tupaea lodged an objection but, for reasons that are unclear, it appears that no hearing occurred. On 6 October 1939 the Governor-General proclaimed the islands as taken and vested in the Napier Harbour Board. When the deadline for compensation claims expired on 16 November 1944 the Māori trustees had not filed a claim and so no compensation was paid.

- 1.14 In 1916 Hiha Ngarangione (of Ngāti Hinepare) and Oriwia Porou applied to the Native Land Court for an investigation of title to Te Whanganui-ā-Orotu, and based their claim on descent from the tipuna Tāwhao. The Court dismissed the case on the basis that Te Whanganui-ā-Orotu was not Māori customary land and therefore not within its jurisdiction.
- 1.15 In 1916 the Department of Lands and Survey asked the Solicitor-General for his advice on whether the Crown held title to Te Whanganui-ā-Orotu. The Solicitor-General concluded that the wording of the 1851 Ahuriri deed did not include Te Whanganui-ā-Orotu within the boundaries of the purchase and that the boundary shown on the plan attached to the deed had been drawn in error. However, the Solicitor-General found that this was of no material importance because Te Whanganui-ā-Orotu was tidal and the Court of Appeal had determined that Māori customary title did not apply below the high water mark.
- 1.16 In 1920 the Crown established a Native Land Claims Commission to inquire into a number of petitions relating to Māori land, including a 1919 petition regarding Te Whanganui-ā-Orotu. The Commission found that the boundaries described in the 1851 Ahuriri deed “skirt along the interior line of the harbour, but do not include it.” However the Commission found that the Crown had made it clear to Māori that it was purchasing Te Whanganui-ā-Orotu in 1851 through references to “moana” in the deed, though it expressed doubt that Māori appreciated the full effect of the dealing when they signed.
- 1.17 In 1924 Te Wahapango of Ngāi Te Ruruku and eighteen others petitioned Parliament again. The petitioners reiterated their argument that Te Whanganui-ā-Orotu was not included within the boundaries of the Ahuriri purchase, and appealed to the Treaty of Waitangi as a guarantee of their fishing rights in Te Whanganui-ā-Orotu. The Native Affairs Committee reported that the petition should be referred to the Government for consideration but no Crown action resulted.
- 1.18 In 1932 Hori Tupaea of Ngāti Paarau and Ngāti Hinepare and four others petitioned Parliament seeking a share in the benefits accruing from the land upraised from the bed of Te Whanganui-ā-Orotu by the 1931 earthquake. The petition stated that Ahuriri Māori never intended to include Te Whanganui-ā-Orotu in the 1851 transaction. The petition went on to say that as a result of the earthquake Ahuriri Māori had “lost all that remained to them, and have nothing to represent the rights which they formerly had and which they were always so anxious to preserve.”
- 1.19 The Native Land Court inquired into the petition in 1934. Counsel for the petitioners argued that Te Whanganui-ā-Orotu belonged to Māori when the Treaty of Waitangi was signed. Accordingly, article 2 of the Treaty applied to it. Counsel for the petitioners also reiterated the argument that Ahuriri Hapū had not sold Te Whanganui-ā-Orotu to the Crown in 1851.

- 1.20 The Crown argued that Te Whanganui-ā-Orotu had been included in the Ahuriri purchase, as it was included within the boundary apparently illustrated on the plan exhibited when the Ahuriri deed was signed. The Crown also argued that even if Te Whanganui-ā-Orotu had not been included in the purchase, ownership had transferred to the Crown automatically by virtue of the common law because Te Whanganui-ā-Orotu was an arm of the sea. Hapū argued that this was a fresh water lagoon and was never an arm of the sea.
- 1.21 The Māori Land Court did not issue its report until 1948, after further petitions from Ahuriri Māori. The report focused on two questions: whether Te Whanganui-ā-Orotu was included in the 1851 Ahuriri purchase, and whether Te Whanganui-ā-Orotu was an arm of the sea as at 1840. The Judge who wrote the report found that the Crown had only purchased the small, tidal harbour adjacent to the Ahuriri opening. He concluded that the Court had insufficient evidence to decide the arm of the sea question, though there was "some fairly strong evidence" that Te Whanganui-ā-Orotu was originally a fresh or brackish water lagoon.
- 1.22 In 1949 the Prime Minister visited Napier. Ahuriri Hapū later testified that they declined his offer to return 4,500 acres in the northern half of Te Whanganui-ā-Orotu because they wanted the entire area returned to them. According to Ahuriri Hapū, one kaumātua said to the Government at the time, "If you're ready to give us the northern end, then surely we must also own the southern end." In 1951 Ahuriri Māori made further inquiries about the Crown's response to the Māori Land Court's report. The Crown responded that it would not take action until the claimants proved that Te Whanganui-ā-Orotu had not been an arm of the sea.
- 1.23 In 1955 counsel for Ahuriri Māori asked the Māori Land Court whether it was still willing to receive evidence in support of the 1932 petitioners' argument that Te Whanganui-ā-Orotu was not an arm of the sea as at 1840. The Chief Judge declined, stating that the case must be regarded as closed due to the amount of time that had elapsed since the hearings in 1934 and the release of the Court's report in 1948. A further petition in 1965 and a letter to the Crown in 1972 produced no action by the Crown. The Crown considered the 1948 Māori Land Court report an insufficient basis for Crown action.
- 1.24 In 1988 the Crown disestablished the Hawke's Bay Harbour Board (previously Napier Harbour Board) and the remaining endowment lands began to be redistributed to other local authorities. That year the seven Ahuriri Hapū lodged the Te Whanganui-ā-Orotu (Wai 55) claim with the Waitangi Tribunal. Following this claim the Ahuriri Hapū Settlement claim commenced. The Mana Ahuriri deed of settlement first began in 2013 and recognises all historical claims of the seven hapū prior to 1992. It settled on March 3rd 2022 and includes the legislation for Te Komiti Muriwai o Te Whanga.

2.0 Whakatakinga Introduction

- 2.1 Te Whanganui-a-Orotū is a place of great significance to Ngā Hapū o Ahuriri and is central to the existence and identity of Ahuriri Hapū. It is named after the ancestor Te Orotu who was a descendent of the great explorer ancestor Mahutapoanui who is the very beginning of the Ahuriri Hapū people.
- 2.2 Since the arrival of European settlers, Ngā Hapū o Ahuriri have been alienated from Te Whanganui-ā-Orotu. This was the result of successive governments' actions including the vesting of land and waters, legislation, and the governance and management of these lands without representation from mana whenua. Throughout this time, Māori leaders have shown great conviction in their efforts to see their kaitiaki status recognised in relation to Te Whanganui-ā-Orotu, though with limited success. It is only comparatively recently that this status has been acknowledged, and we now transition towards co-governance supported through legislative reform.
- 2.3 The Ahuriri Hapū Claims Settlement Act 2021 establishes Te Komiti Muriwai O Te Whanga (Te Komiti) for the purpose of promoting the protection and enhancement of the environmental, economic, social, spiritual, historical and cultural values of Te Muriwai o Te Whanga. Its role is to provide guidance and coordination in the management of Te Muriwai o Te Whanga (Ahuriri Estuary), to local authorities and Crown agencies. Its functions include preparing and approving the Te Muriwai o Te Whanga Plan and identifying the values, vision, objectives, and desired outcomes relevant to Te Muriwai o Te Whanga.
- 2.4 Te Komiti wants to collaborate with all groups that are focused on the health and wellbeing of Te Muriwai o Te Whanga to achieve its objectives and its management plan for the Ahuriri Estuary including the surrounding catchment area.
- 2.5 NCC, HBRC and MAT seek to collaborate with Te Komiti to work towards restoring the mauri of the Ahuriri Estuary that has been critically affected by activities over many decades, within the constraints of the project. The respective Partner Councils and MAT wish to establish a Joint Committee to coordinate the respective projects, initiatives and plans of all Partners to restore the life force of the estuary.
- 2.6 This ARP Joint Committee is not intended to look at all issues within the broader Estuary catchment. Its focus is on projects and initiatives that NCC and HBRC can directly influence through their own land holdings on and adjacent to 'Lagoon Farm' and service delivery operations. That is, primarily through HBRC and NCC's Infrastructure Directorate and Asset Management Group, and Integrated Catchment Management. The HBRC and NCC regulatory functions provide context for this Joint Committee. Additionally, MAT have influence through the Ahuriri Hapū Claims Settlement Act 2021, the Deed of Settlement, and Te Komiti Muriwai o te Whanga.

2.7 NCC and HBRC are committed to strengthening collaboration of each council's planning and delivery processes, alongside the priorities and projects of MAT and Te Komiti, in order to bring about a step change in the protection, mauri, and enhancement of the estuary. In that context the purpose of the ARP Joint Committee is to make recommendations in relation to the establishment of an ARP serving both that objective and providing significant water quality and biodiversity enhancement and cultural benefits for the community, as well as recreational benefits, while providing for climate resilience and stormwater management.

2.8 NCC and HBRC are both well placed to do this as both provide drainage and stormwater services to Napier through an extensive joint network of open waterways, along with regulatory, reserve and recreation assets and functions. Through MAT the Crown recognises the role of Ahuriri hapū as Kaitiaki of the Ahuriri Estuary and catchment areas. The settlement legislation establishes a permanent statutory committee to promote the protection and enhancement of the estuary and catchment areas for future generations.

2.9 The location of the ARP is currently known as Lagoon Farm, and has a legal description of Lot 1 DP 388211.

3.0 Ngā whakamāramatanga Definitions

For the purpose of these Terms of Reference:

- **“Act”** means the Local Government Act 2002.
- **“Administering Authority”** means Napier City Council
- **“Council member”** means an elected representative appointed by a Partner Council
- **“Member”** in relation to the ARP Joint Committee means each Council Member and each Mana Whenua Member
- **“Partner Council”** means one of the following local authorities: Napier City Council and Hawke's Bay Regional Council.
- **“Technical Advisory Group or (TAG)”** means the non-elected technical advisors to the project, who may move in or out of TAG as required.
- **“Te Komiti Muriwai o te Whanga”** means the entity established by section 83 of the Ahuriri Hapū Claims Settlement Act 2021
- **“Te Muriwai o te Whanga”** means the Ahuriri Estuary and catchment areas shown on SO 486367

4.0 Te ingoa me te mana o te Komiti Hono Name and status of Joint Committee

4.1 The Joint Committee shall be known as the Ahuriri Regional Park (ARP) Joint Committee.

4.2 The ARP Joint Committee is a Joint Committee under clause 30(1)(b) of Schedule 7 of the Act.

5.0 Ngā Mema Kaunihera Hoa Haere Kōtui Partner Council Members

5.1 The two Councils represented within this Joint Committee are NCC and HBRC.

5.2 Each Partner Council shall appoint two Council members and one alternate each to sit on the ARP Joint Committee.

5.3 Each Partner Council shall notify the other Partner Council and the Mana Whenua members in writing of the appointments made.

5.4 Under clause 30A(6) Schedule 7 of the Act, the power to discharge any Council Member on the ARP Joint Committee and appoint his or her replacement shall be exercisable only by the Partner Council that appointed the Member.

5.5 The ARP Joint Committee shall invite lead officers to the meeting of the ARP Joint Committee from each Council in advisory roles as required.

6.0 Ngā Mema Mana Whenua Partner Mana Whenua Members

6.1 The representative partner from mana whenua in this ARP Joint Committee is MAT.

6.2 MAT may appoint four members and one alternate to sit on the ARP Joint Committee.

6.3 MAT must notify all Partner Councils in writing of the appointments made.

6.4 Under clause 30A(6) Schedule 7 of the Act, the power to discharge any mana whenua Member on the ARP Joint Committee and appoint his or her replacement shall be exercisable only by MAT.

7.0 Te Kaupapa o ngā whakataunga mō ngā whakapuakitanga Purpose of Terms of Reference

7.1 The purpose of the Terms of Reference is to:

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

7.1.3 Provide for the administrative arrangements of the ARP Joint Committee as detailed in Clause 14.0.

8.0 Te Mana kua tukuna me te Kaupapa Delegated Authority and Purpose/Fields of Activity

8.1 The ARP Joint Committee has responsibilities delegated by the Partner Councils to fulfil its purpose being:

- 8.1.1 To make recommendations to the respective council's on decisions pertaining to the development of the ARP that are within the jurisdiction of each Partner Council, as it relates to the site legally described as Lot 1 DP 388211. The ARP Joint Committee shall have discretion to determine the matters presented to the MAT Board for decision.
- 8.1.2 To commission reports and advice; and oversee the design and delivery of projects associated with the ARP:
 - a. Provide advice on and approve project briefs
 - b. Commission a project manager and consultant team for the preparation of a masterplan
 - c. Provide recommendations on Annual Plan budgeting and inclusion of funding in the Long Term Plan (LTP) by each Council to achieve agreed water storage and quality, ecology, cultural and recreation outcomes for the estuary, its streams drains and tributaries, and on adjacent land.
 - d. Provide recommendations on the completion of a proposal to be submitted by each Council in the LTP reflecting the current situation for the ARP
 - e. Make recommendations on regulatory changes and other planning documents that support the delivery of the ARP
 - f. Seek advice on the best models for future governance and/or management of the site
 - g. Collaborate in the preparation of applications for necessary consents to ensure timing is coordinated and activities applied for are consistent with the ARP Masterplan
 - h. Establish and agree outcomes, deliverables and ensure milestone alignment and updates on a proposal towards the LTP for each Council.
- 8.1.3 The delivery of an ARP that promotes climate resilience, ecological and water quality improvements, biodiversity improvements, promotes a more natural estuary margin, and provides storm water management, low impact compatible recreational opportunities, cultural storytelling and educational opportunities.
- 8.1.4 To strengthen collaborative relationships at all levels between NCC, HBRC and MAT, and in particular the co-governance, planning, operations, and monitoring functions, as they work through a co-governance relationship to develop the ARP. Council Partners that are consenting authorities reserve the right to be independent for any element that requires consent.

- 8.1.5 To promote alignment of all Partners projects with the ARP projects, initiatives and planning documents, so that resources committed to protecting and enhancing the estuary through the development of the ARP are adequate; that they prudent and efficient; and are likely to produce the outcomes expected by the whole community. Partners will seek to identify and tap into external sources of funding as required.
- 8.1.6 To facilitate collaboration in planning and design for all waterways, drainage and stormwater networks where they discharge into the ARP.
- 8.1.7 To work with Te Komiti to establish processes and collaborate together on actions to restore the mauri of the Ahuriri Estuary through the development of the ARP on Lagoon Farm.
- 8.1.8 To keep each Partner Council, MAT and Te Komiti regularly updated on the ARP Joint Committees progress.

9.0 Ngā mana kāore e tukuna Powers not delegated

The following powers are not delegated to the ARP Joint Committee:

- 9.1 Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 9.2 Decisions relating to the allocation of funding, the use and development of land and watercourses, and matters relating to consenting lies with each Partner Council that has jurisdiction over these decisions. Recommendations only are made by the ARP Joint Committee.
- 9.3 Unless expressly specified in 8.1 of this ToR, the ARP Joint Committee only has the power to make recommendations to Partner Councils and to MAT.

10.0 Te utunga Remuneration

- 10.1 Each Partner Council shall be responsible for remunerating its representatives on the ARP Joint Committee and for the cost of those persons' participation in the ARP Joint Committee. Participation in the ARP Joint Committee from Partner Councils is considered inclusive of the many activities Councillors are expected to fulfil within their role.
- 10.2 The costs associated with remunerating the Mana Whenua members shall be shared equally (50/50) between each Partner Council, and in accordance with the Hawke's Bay Regional Council Policy for Reimbursement for Project Meetings and Travel (Attachment 1), at the rate specified for Working Groups.

11.0 Ngā hui Meetings

11.1 The NCC standing orders will be used to conduct ARP Joint Committee meetings as if the ARP Joint Committee were a local authority.

11.2 The ARP Joint Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference.

11.3 The quorum shall be one member per organisation and a minimum of 4 members in total.

12.0 Te pōti Voting

12.1 The ARP Joint Committee has no decision making authority outside of operational spending. It is tasked with bringing recommendations to each Council Partner and Mana Whenua Partner for consideration.

12.2 Where voting is required, all Members of the ARP Joint Committee have full speaking rights.

12.3 Each Member has one vote.

12.4 When making recommendations, Members of the ARP Joint Committee must strive to achieve consensus, but if, in the opinion of the Chair/co-Chair, consensus is not practicable after a reasonable discussion, a recommendation of the ARP Joint Committee may be made by a minimum of 75% of those members present and voting at the meeting or voting.

12.5 The Chair/co-Chairperson may vote on any matter but does not have a casting vote.

13.0 Te hautūtanga o te Komiti Hono Leadership of the Joint Committee

13.1 The Chair/Co-Chairs are appointed by the ARP Joint Committee.

13.2 The Deputy Chair, if required, is appointed by the ARP Joint Committee.

14.0 Te Tautoko ā-Whakahaere Administrative Support

14.1 Administrative support for the ARP Joint Committee (convening meetings, keeping minutes etc) will be provided by the staff of the Napier City Council's Governance team, unless otherwise agreed.

15.0 Te Whakahaere Motuhake Independent Facilitation

15.1 Any matter or matters being considered by the ARP Joint Committee may be referred by the Co-Chairs for independent facilitation.

15.2 Where a matter is referred for independent facilitation:

- a. A sub-committee of the ARP Joint Committee may be established as required, with at least one Mana Whenua Member and at least one member from each Partner Council
- b. The subcommittee shall identify and assess candidates to undertake the facilitation, and develop recommendations to the Joint Committee to appoint a preferred candidate.
- c. The ARP Joint Committee shall receive and consider the subcommittee's recommendation and confirm an appointment.
- d. The appointment may be made for a set duration (e.g. for 12 months) or on a task specific basis.

15.3 The role of independent facilitator is to assist the ARP Joint Committee to consider, debate and reach resolution on specified matters.

15.4 The independent facilitator shall act in every respect as an independent and neutral third party and shall have no voting or decision-making functions.

16.0 Te whakatakoto pūrongo Reporting

16.1 All reports to the ARP Joint Committee shall be presented via the nominated Technical Advisory Group representative or from the ARP Joint Committee Co-Chairs.

16.2 Following each meeting of the ARP Joint Committee, the project manager shall prepare a brief summary report of the business of the meeting and circulate that report, for information to each Member. Such reports will be in addition to any formal minutes prepared by the Administering Authority which will be circulated to ARP Joint Committee representatives. It is the role of the Joint Committee Members to champion these reports within their respective Partner organisations.

16.3 The Technical Advisory Group shall ensure that the summary report required by 16.2 is also provided to each Partner Council for inclusion in the agenda for the next available Council meeting, and to Mana Whenua representatives for inclusion for the next available MAT Board meeting. A Technical Advisory Group Member shall attend the relevant Council meeting to speak to the summary report if requested and respond to any questions, and will also be available to attend the MAT Board meeting at their request.

16.4 The Technical Advisory Group must include a cultural advisor appointed by Mana Ahuriri Trust, and must be an integral member of the Technical Advisory Group.

17.0 Ngākau Pono Good Faith

17.1 In the event of any circumstances arising that were unforeseen by the Partner Councils, MAT, or their respective representatives at the time of adopting this Terms of Reference, the Partner Councils and MAT and their respective representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of the Partner Councils and MAT collectively.

18.0 Ngā panonitanga o ngā whakataunga mō ngā whakapuakitanga Variations to these Terms of Reference

18.1 Any Member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the ARP Joint Committee.

18.2 Amendments to the Terms of Reference may only be made with the approval of all Council and Mana Whenua Partners at the recommendation of the ARP Joint Committee. Changes recommended by the ARP Joint Committee would be determined through the voting procedure outlined in Clause 12 of this ToR.

19.0 Whakapānga ā-Pāpāho Media Contact

19.1 To be agreed by ARP Joint Committee, generally to be the Chair/Co-Chairs and Deputy Chair.

19.2 The first point of contact from media in relation to this project is Napier City Council. Napier City Council will consult with its Partner members as appropriate.

Policy for Reimbursement for Project Meetings and Travel

HBRC will reimburse eligible people for their participation in working groups (including similar project-based meetings) and/or associated travel costs, as specified following.

Eligibility

To be eligible for reimbursement at half-day or full-day workshops/meetings, the following circumstances must apply, as relevant:

1. The person is providing necessary input to, and feedback on, proposals to address the issue at hand (which may include development or implementation of solutions), including knowledge about the local opportunities and impacts of any proposal
2. The person (or their representative organisation) must have been pre-approved for reimbursement for their participation in the project by the HBRC Chief Executive or relevant Group Manager
3. The person is presenting information at a public meeting or workshop, at the invitation of HBRC
4. The person is not otherwise receiving remuneration from HBRC with respect to the project (for example, as an HBRC regional councillor (whose remuneration is set through the Remuneration Authority) or as a contracted consultant to HBRC for the project)
5. Attendance time (including virtual attendance) at the workshop/meeting is reimbursed at either a half day or full day rate
6. The person must attend for the full duration of the workshop/meeting, unless an agreement is reached in advance with the relevant HBRC project manager
7. An IRD-compliant travel logbook must be maintained to validate any travel [use of vehicle] expense claim
8. Travel time for an eligible person to attend the workshop/meeting is reimbursed for any return trip that takes longer than one hour duration.

Not eligible

The following circumstances are not eligible for reimbursement:

1. The person is receiving remuneration from a participating organisation
2. It is a public meeting or workshop and the person is participating as any other member of the public
3. For travel time, where the return trip for the person to attend the workshop/meeting takes less than one hour
4. For the travel/use of vehicle allowance, the person is a passenger using shared transport to attend the workshop/meeting and the person providing that transport is already being reimbursed for travel costs.

Reimbursement

1. *RPC PSGE Representative or Māori Committee Representative*

For attendance, preparation time and travel, reimbursement is in accordance with the respective rate as resolved by the HB Regional Council on 26 February 2020 (RPC) or 29 July 2020 (Māori Committee).

2. *Working Group Fee*

For attendance and preparation time, a gross fee (i.e pre-tax fee), is available for each eligible person as:

- \$175 per half day (no more than 4 hours working group time)
- \$300 per day (between 4 and 7 hours working group time)

For travel time, an eligible person making a return trip (for the purpose of participating in the working group) that takes more than one hour:

- A payment of \$37.50 per hour (after the first hour of eligible travel) to be paid upon submission of an approved Travel Claim Form.

Claims for the Working Group Fee for meetings attended may be made monthly using the Meeting and Travel Claim Form. Claims will be processed once a month and must be received by the second Monday of the month for payment on the Friday of that week.

HBRC staff will assess withholding tax on a case by case basis, taking advice from the Chief Financial Officer as necessary.

Situations where withholding tax could apply are:

- If the advisor was part of the committee i.e attended regular meetings, similar to board members or elected representatives
- If the advisor gives a 'speech, lecture or talk of any purpose'. Generally, we would expect a 'speech, lecture or talk' to be accompanied with a presentation.

Where either of the above situations apply, withholding tax would:

- **Not be deducted** if the payment is made to a company as companies are generally exempt from withholding tax
- **Be deducted** for an individual acting in their personal capacity.

3. *Travel Allowance*

Eligible persons will be reimbursed for their travel expenses based on the current kilometre rate for business use set by the Inland Revenue Department.

Claims for the Travel Allowance for meetings attended may be made monthly using the Meeting and Travel Claim Form. Claims will be processed once a month and must be received on by the second Monday of the month for payment on the Friday of the same week.

Implementation

1. Eligibility is authorised by the relevant group manager or Chief Executive
2. Eligibility for reimbursement must be pre-agreed between HBRC and the person concerned
3. The Māori Partnerships Team will facilitate the establishment of agreements with iwi/tangata whenua on behalf of the relevant project manager
4. The eligible person will provide HBRC with the required information to process any working group claim

[add link to required information to set up payment](#)

5. The eligible person will sign an attendance sheet at the relevant working group meeting which will be countersigned by the relevant project manager

[*add link to template for record of meeting attendance*](#)

6. Claims using the Meeting and Travel Claim Form may be made monthly using the Meeting and Travel Claim Form, and must be received by HBRC by the second Monday of the month for payment on the Friday of that week

[*add link to Meeting and Travel Claim Form template*](#)

7. The staff person assigned to administer project claims will
 - 7.1 Verify attendance at the meeting
 - 7.2 Verify any Travel Allowance claim
 - 7.3 Recommend approval to the project manager/budget manager, as appropriate
8. The project manager/budget manager will review and approve claims, as appropriate
9. The Finance Team will process for payment as follows:
 - 9.1 When withholding tax is deducted, in the middle of the month alongside payments to contractors
 - 9.2 On the Friday of the second full week of the month otherwise.
10. Reimbursement will be funded from within the relevant project budget.

Review of Reimbursement for Project Meetings & Travel Policy

Annual review – Allowance rate, setting reimbursement for forthcoming financial year.

Three-yearly – Review of policy implementation and effectiveness.

Table 1: Assessment for Eligibility re Reimbursement Policy and Funding Source

Type of person	Type of Meeting			
	HBRC Committee	HB representative at a regional or national level meeting	HB Working Group	Reimbursement Rate
HBRC Councillor	Governance covers costs	Governance covers costs	? Governance covers costs	As set by the Remuneration Authority
RPC PSGE Representative	Māori Partnerships covers costs	Seek reimbursement from meeting owner, otherwise Māori Partnerships	Reimbursement Policy applies from project budget	As set for RPC PSGE representative
Māori Committee Representative	Māori Partnerships covers costs	Seek reimbursement from meeting owner, otherwise Māori Partnerships	Reimbursement Policy applies from project budget	As set for Māori Committee representative
Representative nominated by MC or RPC PSGE	NA	No Seek reimbursement from meeting owner	Reimbursement Policy applies from project budget	As set for Working Group member
Representative nominated by another entity	NA	No Seek reimbursement from meeting owner	Reimbursement Policy applies from project budget	As set for Working Group member
Representative nominated by Chief Executive or Group Manager	NA	No Seek reimbursement from meeting owner	Reimbursement Policy applies from project budget	As set for Working Group member
Contract/consultant/Expert	By CE/Group Manager invitation, through contract	By CE/Group Manager invitation, through contract	As set in contract	As set in contract
Self-nominated	NA	No	No - The person must be endorsed by a relevant group, the CE or relevant Group Manager	No
Public	NA	No	No	No

Table 2: Application of Reimbursement Policy on the scale of public participation

Inform	Consult	Involve	Collaborate	Empower
HBRC informs people of the solution Opportunity to answer questions Eg letter, website, public meeting	HBRC informs people of the proposed solution and there is opportunity to provide feedback Eg submission	HBRC works with people to ensure their concerns and aspirations are directly reflected in the alternative solutions that are developed, feedback is sought Eg public workshop	HBRC and others work together on each aspect of the proposed solution, incorporating advice & recommendations of collaborators as far as possible Eg Working group	HBRC resources others to provide the solution
Not applicable	Not applicable	Not applicable	Reimbursement Policy may apply	Contract formalises the nature of empowerment

Meeting and Travel Claim Form

Project: <Name>

Name: _____

Month: _____

Meeting	Date	Round Trip Distance (in Kms)	Travel Time
<Project> meeting			
<i>Others – please list:</i>			
Total			

Residential Address: _____

Signature: _____ **Date:** _____

Project Cost Code: _____

Approved by:

<PROJECT> Leader Name _____

Signature: _____ **Date:** _____

Meeting and Travel Budget Calculation Form

Project: <Name>

Estimate	HBRC	RPC PSGE	Maori Committee	Working Group
Number of people				
Number of Half Day Meetings				
Number of Full Day Meetings				
Travel time				
Travel distance				
Allocation to Governance \$				
Allocation to Maori Partnerships \$				
Allocation to Project \$				
Total Allocation \$				

2. DESIGN BRIEF AND BUSINESS CASE FOR STATION STREET COMMUNITY FACILITY

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1460735
<i>Reporting Officer/s & Unit:</i>	Darran Gillies, Acting Executive Director Community Services

2.1 Purpose of Report

The purpose of this report is to seek Council endorsement of the Design Brief and Business Case for the Station Street Community Facility (Library), as part of delivering stage one of the Library and Civic Area Plan, and to seek approval of the next steps in procuring a team to lead the project through to the completion of the Concept Design stage.

Councillors Chrystal / Tapine

The Future Napier Committee:

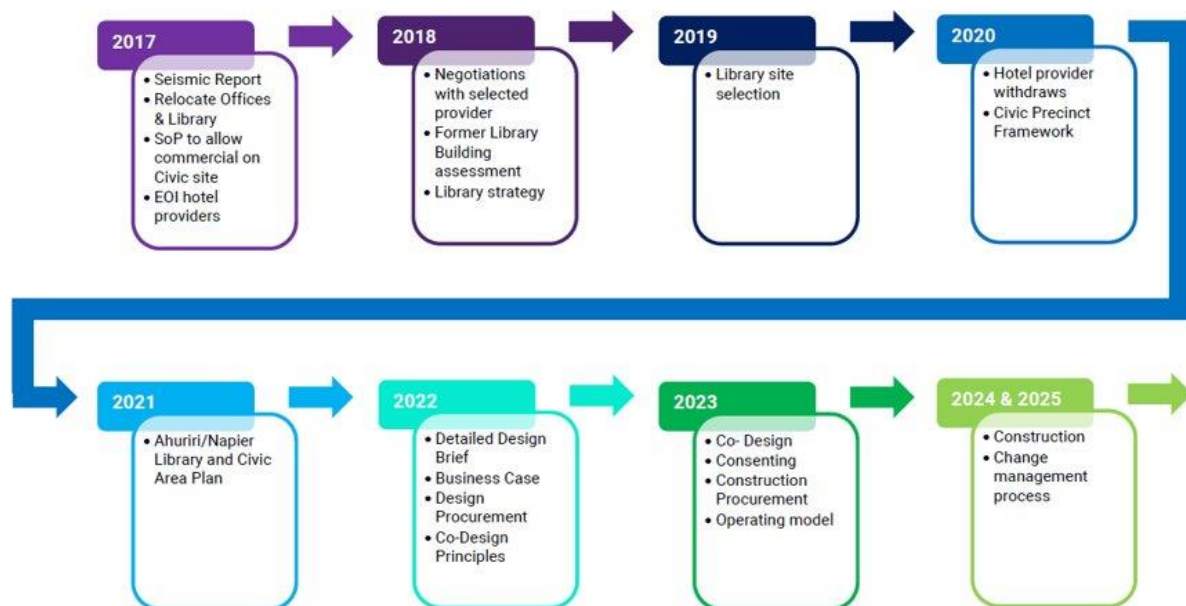
- a. **Endorse** the Design Brief and Business Case for the Station Street Community Facility.
- b. **Approve** the procurement of a design team to execute Concept Design for the Station Street Community Facility.

Carried

2.2 Background Summary

In June 2017, Strata Group, conducted an assessment of the earthquake strength of the Council's main Civic Administration building (civic building) and the adjacent Library tower block building (library building). The report indicated both buildings were earthquake prone as parts of each were only 10% and 15% respectively of the legal requirements for earthquake strength (NBS).

The below diagram outlines the process to date, from the 2017 seismic report to today's report, and through to a proposed construction date.



The Council officially adopted the Library & Civic Area Plan on the 9th of December. This followed community consultation in October in which submitters strongly supported the library (86%) being included in stage one development of the site. Inclusion of Council customer services and the cultural/community hub also received good support with 43% and 45% respectively.

The Library & Civic Area Plan is the foundation stone from which the Design Brief and Business Case are built which in turn bring together the essential elements for a successful implementation.

Design Brief

The design brief expands on and gives detail to the approach developed in the master plan. It describes the size and configuration of the ingredients that go into the facility, and the flow adjacencies of the activities to achieve a high level of functionality and to enable the delivery of current and future Napier Library and Community Services and public-facing Democratic Services. It delivers a level of detail and assurance to enable a design team to commence and move through the concept design stage of the development.

The Design Brief outlines the ingredients for a facility which will provide activities and services that respond in a more holistic manner to meeting community needs, are convenient to access and are more effectively delivered.

Business Case

The business case aims to validate that we are putting the right things in the right place while demonstrating value for money. It also explores the ownership, governance and operating model of the proposed facility.

The Business Case follows the Better Business Case methodology. This methodology presents the strategic, economic, commercial, financial, and management case for the proposed development. Its development works in both response to the design brief and to ensure affordability with clear options for decision making.

Mana Whenua

The Library & Civic Area Plan development built a strong engagement with Mana Whenua, with a desire to work in partnership expressed by both Council and Mana Whenua. The development of the Business Case and Design Brief has continued with the same intent.

Throughout the process of developing the Design Brief and Business Case, wananga have been held that have included representatives of Mana Whenua. The kōrero has been both broad, reiterating the Te Ao Māori world view, consideration for Taiao, Mauri Tu, Tohu, Whakapapa/Whakamana, AhiKaa and Mahi Toi, and specific, observing how particular parts of the brief and in turn design can address te Ao Māori. These have influenced and are included within the Project Vision, Design Values and Architectural Vision, and the Spatial Components and Adjacencies sections of the Design Brief.

Key aspects include:

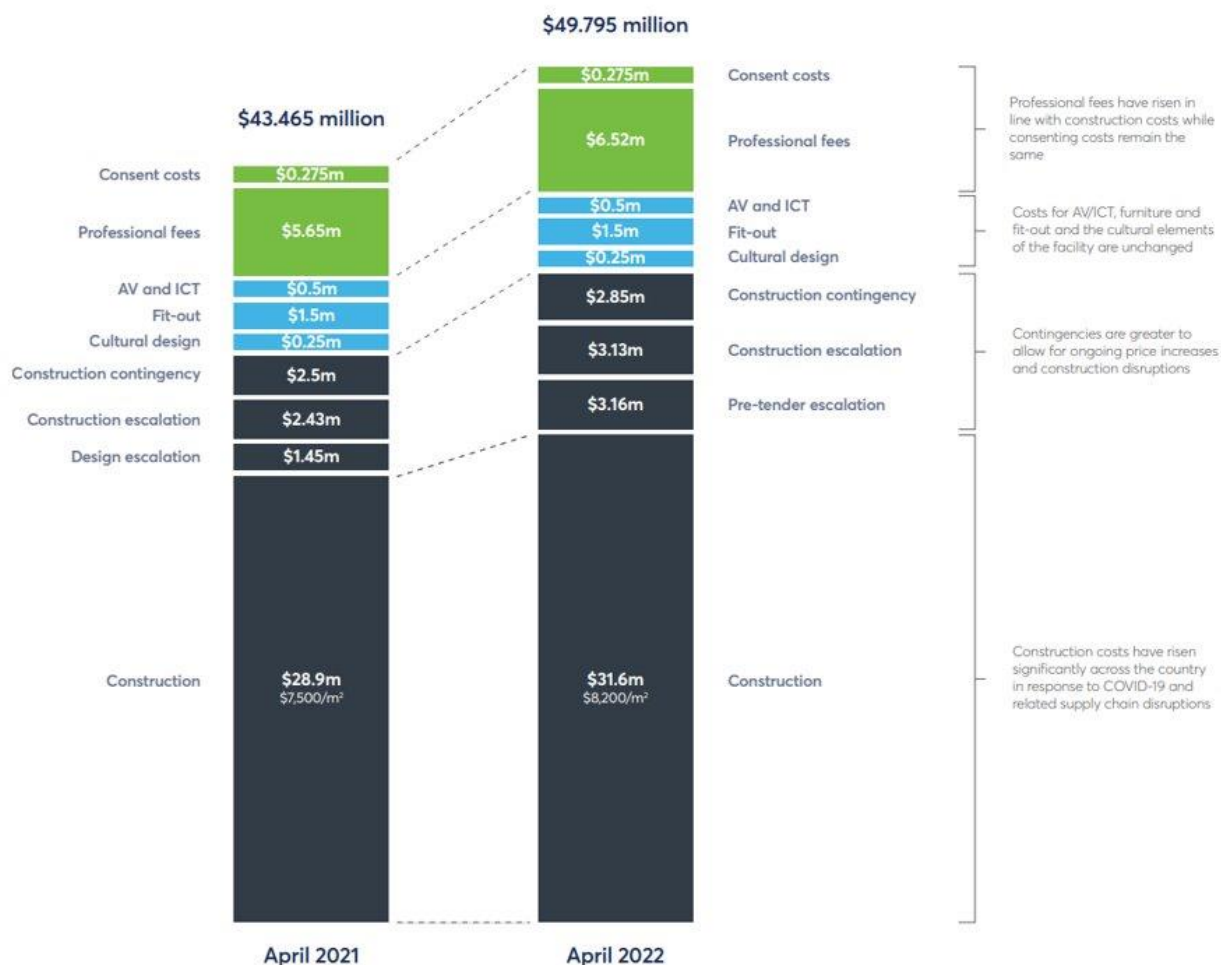
- The Station Street Facility will speak to the place (whenua) and its history, re-revealing the significance of the site.
- Manaakitanga (Hosting) is key.
- The facility will be visually and physically/spatially supportive of expressing Mana Whenua cultural identity and sense of place.
- The facility will support the protocols and tikanga of Mana Whenua use and events – both informal and formal.
- The collection will include the foundational documents of New Zealand, including Te Tiriti o Waitangi, and be appropriately presented and displayed to demonstrate the partnership of NCC and Mana Whenua.
- Much of Mana Whenua's history and stories are oral, and there is a community need and opportunity to record and share these stories.

We will develop a co-design approach with Mana Whenua throughout the project. We will work with our Mana Whenua partners in developing the design principles, in the selection and procurement of our Concept Design team, and in terms of input into the design process.

2.3 Issues

With uncertainty around local government, three waters and resource management still remaining, the focus of the Design Brief and Business Case is on delivering public-facing elements of the council as outlined within stage one of the Library and Civic Area Plan.

Managing cost escalation remains a challenge for any major capital project and one of this magnitude is no different. The diagram below outlines the cost challenges the project may face, with the cost estimate prepared by independent Quantity Surveyors Rider Levett Bucknall increasing \$6.4m between April 2021 and April 2022.



The Commercial case has highlighted challenging market conditions within the building industry, with market indices signalling substantial volumes of commercial and residential building projects forecast over the next 2-3 years. The construction demand, coupled with material and skilled labour shortages, is driving project cost estimates up. Escalations are predicted to peak at 10% per annum in 2022.

Escalation is expected to ease somewhat from 2023 onwards but remains higher than long-term averages throughout this project.

2.4 Significance and Engagement

The Advisory Group, which was initially established to develop the Civic Precinct Framework and carried through the development of the Library and Civic Area Plan, has continued through the Design Brief and Business Case development. The group is chaired by Deputy Mayor Annette Brosnan and its membership has been fairly fluid, including two further NCC representatives, Mana Whenua, representatives from Hawke's Bay Regional Council, the NCC Māori Committee, and Friends of the Library, Ministry of Justice and internal facilities management staff

2.5 Implications

Financial

The two elements of Design Brief and Business Case provide Council with a clear picture of what to expect in the way of costs from both the building, its functions, and the next steps in how this work would occur. The Long Term Plan is where the commitment of funding to this project sits, with \$55m being allocated to the delivery of this project.

Social & Policy

The outcomes of the Design Brief and Business Case and what they seek to achieve align with a number of existing Council strategies and plans, including the Library and Civic Area Plan, the City Vision Framework, the Library Strategy, our Community Outcomes, Disability Strategy, Positive Ageing Strategy, and the Youth Strategy.

In the next phases of this project, Council officers will develop a partnership approach in the spirit of Te Tiriti o Waitangi, whereby we will explore with Mana Whenua the opportunities for a greater presence in this space and to work within a co-design methodology.

Risk

The risks associated with this plan have been detailed elsewhere in this report. They include:

- a. No concept or detailed design has been undertaken to date, so the full cost of the project have not been fully quantified, and what Council wants delivered has not been adequately framed to enable detailed design.
- b. The ongoing challenges of managing project escalation costs in a volatile construction market, which is being impacted by supply chain issues and labour shortages.
- c. Funding required for a two-stage approach, including the financial impact of delay on construction cost.

Moving at pace to the concept design stage of the project will lead to greater detail and a higher certainty around project cost.

2.6 Options

The options available to Council are as follows:

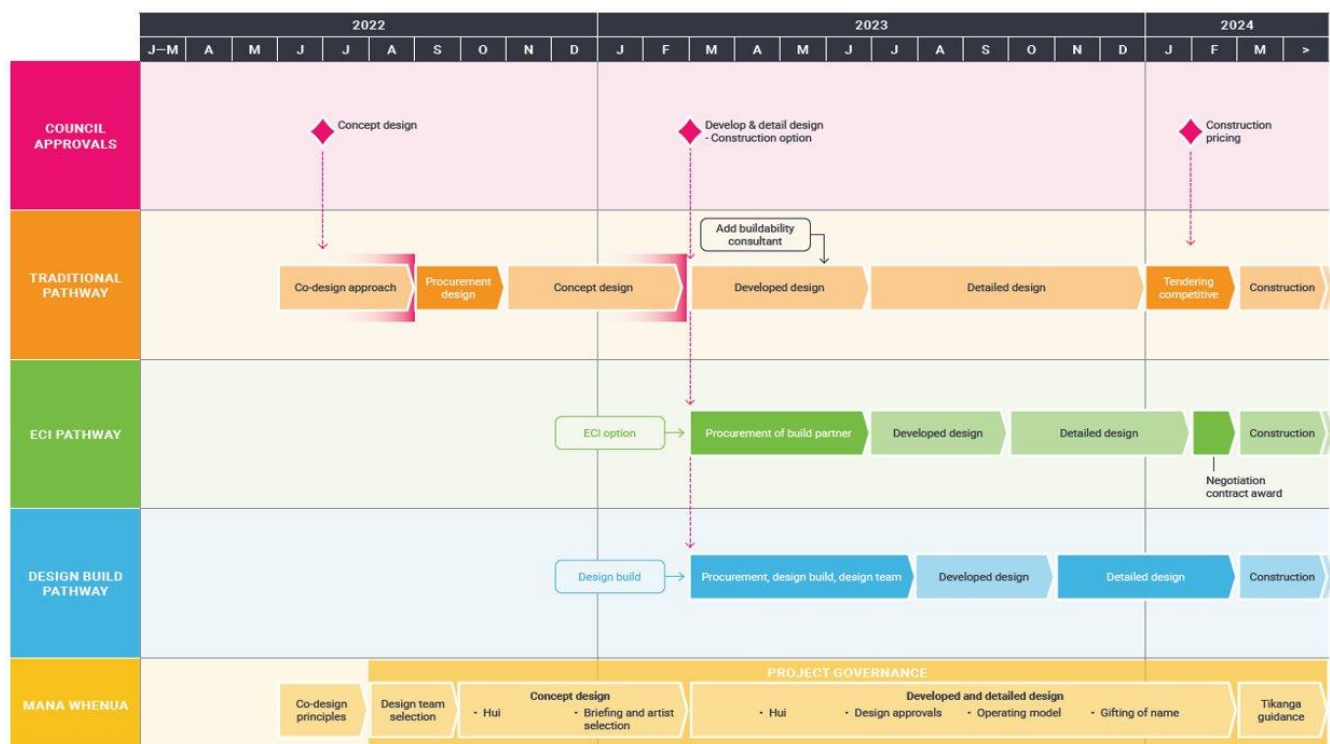
- a. Endorse the Design Brief and Business Case, and
- b. Approve moving to procure a team to deliver the Concept Design Stage of the project
- c. Recommend changes to the Design Brief & Business Case before moving to the Concept Design Stages, or
- d. Not endorse the Design Brief and Business Case

2.7 Development of Preferred Option

The development of the Design Brief and Business Case has followed a robust process, with a significant level of input from our key Mana Whenua partners. We have looked at the many ingredients that go into making sure we are developing a community facility that will be fit for purpose on the day it opens and for many years into the future.

The diagram below outlines three different pathways available to the council from now until construction. It outlines the key approval points in that process in which the council will have the opportunity to make key project decisions.

The key next steps through the preferred option are, the development of a procurement plan in July and August, which enables us to go to market in September, and have a team in place that can deliver a concept design to council in March 2023.



All of those pathways require that we progress to sign the Business Case and the Design Brief.

Concept Design

The development of the Concept Design stage involves the exploration of sufficient design concepts to be able to test the brief, the development potential of the site, and have a Concept Estimate prepared to establish financial feasibility through a more accurate rough order of costs.

The Concept Design Team would include major consultants, whose inputs are required to develop the design to Resource Consent. An architectural team would lead this work towards delivering a preliminary project programme, Building Information Modelling (BIM) Execution Plan (BEP), and outline of legislative constraints.

This work would also include coordinated concept designs for Architectural and Sub consultant and Engineering disciplines. This is anticipated to include: Structural and Civil Engineering, Building Services (Mechanical, Electrical, IT and AV) and Environmental Sustainable Design, Fire Engineering and Protection, Acoustic Engineering, CPTED (Crime Prevention Through Environmental Design), and Traffic Engineering and Landscape Architecture.

Our Mana Whenua partners will be both involved in the procurement of the concept development team and continue inputting into the process in an agreed co-design methodology.

Concept Design Procurement

Architectural and engineering services are recommended to be appointed through an open market, single-stage RFP procurement process. The nature and scale of this project will likely generate national interest.

It is estimated that the procurement process of a Concept Design team including the development of design principles with Mana Whenua would take around three months.

Once on board, it is our aim to be able to come back to council with a Concept Design in March 2023.

Detailed Design Procurement

A Construction Procurement Strategy will be completed during the concept design period to determine the most appropriate methodology for the Council to complete the Developed and Detailed design and Construction delivery. This will require market engagement, assessment of economic conditions, and project risks associated with each delivery model.

The procurement recommendation along with the concept design will be presented to Council in March for approval.

It is anticipated that the current Advisory Group would remain in place and that council will be kept informed through regular updates.

At the meeting

The Acting Executive Director Community Services, Mr Gillies spoke to the report and outlined the differences between the Design Brief and Business Case.

Mr Gillies thanked and acknowledged the Advisory Group and mana whenua partners in the development of this project.

It was noted that a series of wananga would be held to involve the community to provide input into the design and it was also intended to retain the Advisory Group for their input to the project.

2.8 Attachments

- 1 Napier Library Business Case (Doc Id 147114) (Under separate cover 1)
- 2 NCC Station Street Facility Stage 1 Design Brief JUNE 2022 (Doc Id 1471117) (Under separate cover 1)

3. CLIMATE CHANGE POSITION STATEMENT

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1467299
Reporting Officer/s & Unit:	Heather Bosselmann, Senior Policy Analyst - Climate Resilience

3.1 Purpose of Report

To have a position statement on climate change endorsed (copy **attached**).

Councillors Brosnan / Tapine

The Future Napier Committee:

- a) **Endorse** the Climate Change Position Statement (*Doc Id 1473225*) with the amended Objectives 3 and 4 below:

- Napier City Council will lead Napier into a resilient future where we work with key stakeholders to take action and adapt to the impacts of climate change.*
- Napier City Council will create a climate change strategy to ensure that Napier is able to focus on the key challenges from climate change that will affect our city and enable the community to prioritise its efforts in these areas.*
- Napier City Council will collaborate with the community to ensure just and equitable solutions.*
- Napier City Council will work with their Māori partners to ensure Te Tiriti o Waitangi obligations are met.*
- Napier City Council will commit to an emissions reduction target in its next Long Term Plan and will support the community to reduce emissions across the city.

Carried

3.2 Background Summary

In 2017 Napier Mayor Bill Dalton signed the Local Government Leaders' Climate Change Declaration which supported an urgent need for responsive leadership and a holistic approach to climate change. This aligns with central government's direction and is reflected by work that the Napier City Council ("NCC") is already doing internally to build Napier's resilience to climate change. The 2021 Long Term Plan stated that NCC is moving towards a coordinated, whole-of-Council, and whole of region approach to the adaptation and mitigation of climate change effects in Napier. A climate change specialist was then hired to implement this coordinated action and the recommendation is that Council's first step should be a public commitment to climate action.

3.3 Issues

Please refer to the **attached** summary of the 12 May 2022 workshop on Climate Change for more detailed information on the issues Napier is facing. Briefly:

- Unless global emissions peak by 2025 and emissions reduce significantly by 2030, the planet is expected to warm by more than 1.5°C.
- As an organisation with influence NCC has the opportunity to lead Napier in the emissions reductions space to ensure that the city is doing its part.
- Changes to our physical environment are expected as a result of the warming that is now inevitable. NCC and the region is responding already through the Coastal Hazard Management Strategy and Regional Park initiatives. There is also the District Plan which has an outcome to promote development in the hills. However this is an ongoing challenge to continually consider these risks and take appropriate action to ensure that Napier is prepared for a changing climate.
- NCC needs to ensure that the steps Council takes create equitable solutions for Napier's diverse community and this requires working together with community and key stakeholders, and in partnership with Māori to ensure we are bringing the community with us.
- Central government is also driving change and it is expected that some key actions around mitigation and adaptation will be compulsory in the near future. Preparing now will allow NCC to play a part in shaping those key actions alongside central government.

3.4 Significance and Engagement

Community engagement is not required to progress the position statement as it aligns with the path laid out in the LTP, and the next step in this work will involve significant community engagement based around how NCC should structure its future climate action. There is no legal requirement to consult.

3.5 Implications

Financial

There is no additional cost associated with the position statement. There will be operational cost to create the strategy/action plan. There will be costs associated with reducing NCC's emissions (mitigation) and significant cost involved with making Napier resilient to the impacts of climate change (adaptation).

Social & Policy

Central government are currently working on a number of pieces of work that will increase NCC's obligations in the area of climate change. The reform of the RMA, the National Adaption Plan, the Emissions Reduction Plan, and the local government reforms, including 3-Waters, are the major ones.

The draft position statement aligns NCC with the direction being taken nationally and with the community feeling in the 2021 Social Monitor Survey where 57% of people were concerned or very concerned about the impacts of climate change for Napier. Committing to action in this space makes sense within the current political and social climate.

The position statement makes working in partnership with Māori a priority and there will be extensive engagement with mana whenua as part of the development of the strategy.

Risk

There are significant risks associated with not taking action on climate change:

- Emissions reduction targets are likely to become mandatory and the sooner NCC acts the more Council can spread the cost
- While NCC is not already adapting its urban form to the changing climate, there will be significant economic and social consequences from increased natural disasters

and changing weather patterns overtime meaning continuous adaptation and awareness of the effects of climate change on the city are paramount.

3.6 Options

The options available to NCC are as follows:

- a. Declare a Climate Change Emergency
- b. Sign up to the Global Covenant of Mayors for Climate & Energy
- c. Create a strategy/action plan
- d. Start with a position statement

3.7 Development of Preferred Option

There is a balance between publically committing to a position and taking action. The intention of this position statement was to commit to some simple but clear objectives immediately, and then to create a Strategy and Action Plan to turn those objectives into action. The position statement acknowledges the urgency of climate action however the time for declaring a climate emergency has passed. NCC should still consider signing up to the Global Covenant of Mayors. However, it requires some specific commitments and NCC needs to understand Council's current position more fully before it makes that commitment. It may be appropriate to sign up to it as part of NCC's strategy.

At the meeting

The Senior Policy Analyst – Climate Resilience, Ms Bosselmann spoke to the report and advised that the intention of the Position Statement is for the Council to make a public commitment to climate action that will be followed by a Strategy and its implementation. This aligned with the obligations that Central Government would be placing on Council in the near future for mitigation and adaption spaces.

This also provides the opportunity for the Council to take leadership on climate change and signals its commitment as a Council against climate action.

Circulated at the meeting was an amended draft Position Statement "*Objective 3 Napier City Council will collaborate with the community, and work in partnership with Māori, to ensure just and equitable solutions*" by expanding them into two objectives as follows:

- Napier City Council will collaborate with the community to ensure just and equitable solutions.
- Napier City Council will work with their Māori partners to ensure Te Tiriti o Waitangi obligations are met.

3.8 Attachments

- 1 Draft Climate Change Position Statement (Doc Id 1469302)
- 2 Summary of Workshop on 12 May 2022 (Doc Id 1469303)

DRAFT POSITION STATEMENT ON CLIMATE CHANGE:

Napier City Council recognises the significant implications that climate change will have for Napier and the need for mitigation and adaptation actions within Council and the wider community.

Napier City Council signed the Local Government Leaders Climate Change Declaration in 2017 declaring an urgent need for responsive leadership and a holistic response to climate change.

The reports from the Intergovernmental Panel of Climate Change make it clear that we must act now to reduce and prepare for the impacts of Change Change. We have taken that on board and this is our commitment to Climate Action.

This statement outlines Napier City Council's view on what needs to occur in our city and the transformational changes needed to respond to climate change. The statement will inform and guide how we can work in partnership with Māori and support conversations about the regional climate change challenges.

Objectives:

1. Napier City Council will lead Napier into a resilient future where we work with key stakeholders to take action and adapt to the impacts of climate change.
2. Napier City Council will create a climate change strategy to ensure that Napier is able to focus on the key challenges from climate change that will affect our city and enable the community to prioritise its efforts in these areas.
3. Napier City Council will collaborate with the community, and work in partnership with Māori, to ensure just and equitable solutions.
4. Napier City Council will commit to an emissions reduction target in its next Long Term Plan and will support the community to reduce emissions across the city.

Napier City Council will:

- Lead urgent action to address local climate change risk
- Ensure climate solutions are equitable
- Support an evidential science-based approach
- Value mātauranga and te ao Māori in our approach
- Align with national direction and commitments
- Factor carbon footprints into our decision making

Summary of Presentation at Workshop on 12 May 2022:

In February 2022 the Intergovernmental Panel on Climate Change released its report on Impacts, Adaptation and Vulnerability. That report stated: “The cumulative scientific evidence is unequivocal: Climate Change is a threat to human well-being and planetary health. Any further delay in concerted anticipatory global action on adaptation and mitigation will miss a brief and rapidly closing window of opportunity to secure a liveable and sustainable future for all”.

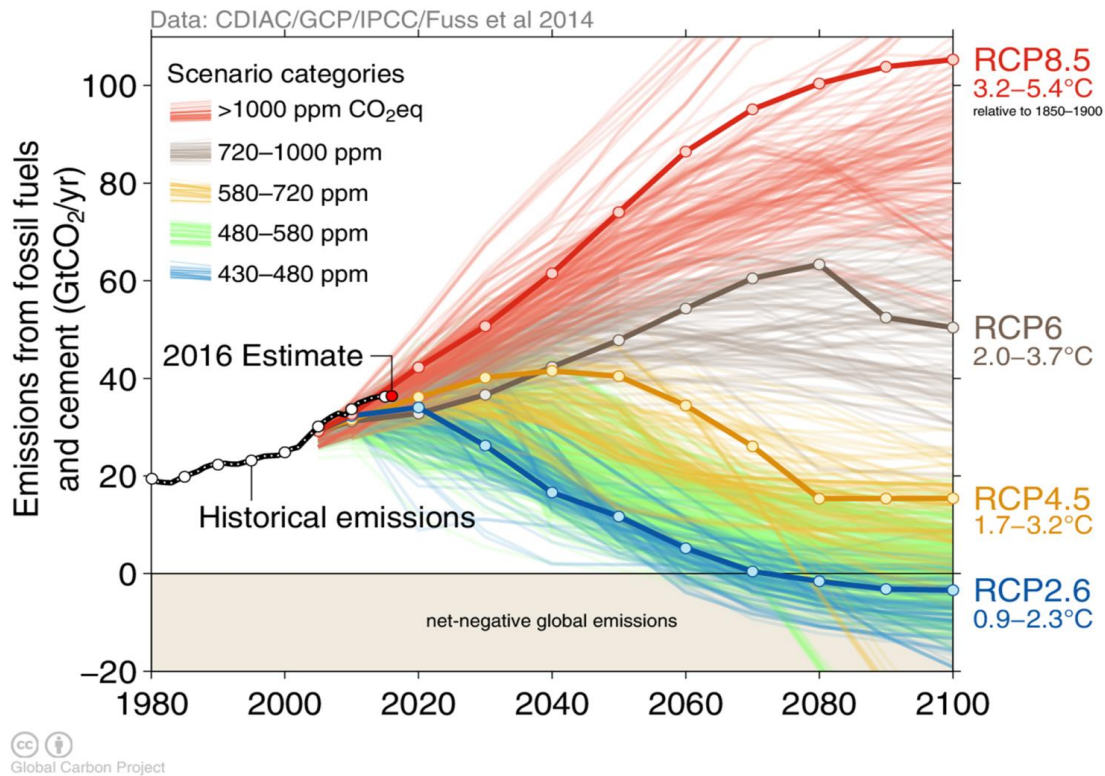
They have since released a further report in April 2022 on global emissions which stated they would need to peak within three years to stave off the worst impacts of Climate Change. Emissions would need to reduce significantly by the end of the decade to create any possibility of warming being limited to 1.5 degrees.

These conclusions are hard to fathom and they lend more weight to the feeling of being overwhelmed that seems to be prevalent currently within society. This is reflected in the November 2021 Social Monitor Survey of Napier where only 57% were somewhat or very concerned about the impacts of Climate Change for Napier. In my opinion this should be seen as an opportunity for leadership in this space, to show our residents and stakeholders that swift and equitable change is possible if we collaborate, both on emissions reduction and climate adaptation.

As a Council we can lead by taking several steps:

1. We need to benchmark our internal carbon emissions. We have engaged an agency to begin this process across Council. We can then use this data to make decisions about where we can and should cut our emissions, including where we can have the most impact. We have now separately benchmarked our carbon emissions in 3-Waters and we will shortly be receiving a finalised report on where we can make cuts to those emissions. We will use any work in 3-Waters as a template for the rest of Council.
2. We need to consider how we adapt to a changing climate. We don't know what the future holds so our strategy needs to prepare us for dealing with unexpected change. The most important part of this is ensuring we are bringing our whole community along with us. To do this we need to know how the community wants to engage and make decisions on these issues.
3. We can frame a positive narrative around climate change that both acknowledge the significant problems we face but also highlights are wins and recognises that we have the power to take action to start tackling these issues and we will find success if we work together.
4. We have already and should continue to collaborate with stakeholders, community, Māori, businesses, and other Council on projects that will have a positive impact on our emissions reduction and adaptation efforts.
5. Our work on the Coastal Hazards Management Strategy is a great example of collaboration with other Councils to create a plan for how we protect our coast line that works for the communities that are actually effected.

Emissions Projections:



The above graph shows possible emissions pathways out to 2100. The four most likely pathways are highlighted. When we are considering our path forward we must aim for the lowest emissions pathway (RCP 2.6) which will see warming peak between 0.9 and 2.3°C. However, when we are considering adaptive climate action we must prepare for the highest emissions pathway (RCP 8.5) which would see emissions peak between 3.2 and 5.4°C to ensure that our planning is as resilient as possible.

The latest IPCC report on emissions states that our emissions are at their highest point ever in the last decade. Even if all the policies to cut carbon that governments had put in place by the end of 2020 were implemented, the world would still warm by 3.2°C this century.

We are already seeing the adverse consequences of climate change across the globe – rises in weather and climate extremes beyond natural climate variability. Some of these extremes have already resulted in irreversible impacts which will remain even if we manage to limit warming to 1.5°C. We have to keep in mind the interdependence of humans and ecosystems. For example, a changing climate will result in pest migrating into new spaces i.e. the risk of the Queensland Fruit Fly establishing itself in NZ and destroying our fruit crops.

We can also expect to face multiple climate hazards at once going forward i.e. summer drought alongside extreme rain events causing flooding. We can also expect multiple climatic and non-climatic risks to be interacting i.e. poverty/lack of insurance in low socioeconomic

suburbs combined with a natural disaster – the 2020 flood in Napier and the difficulties faced by low income households in Maraenui and Marewa who lacked insurance/a financial buffer is a good example.

It is important that when we consider what action to take we are aware of and considering all the implications. Otherwise we risk exacerbating the long term risk or transferring the risk to more vulnerable communities – called maladaptation.

What does climate change look like for Napier?

The main physical risk from climate change for Hawke's Bay (based on what we know now):

- More hot days and fewer cold days: this will lead to issues with heat stress which are exacerbated in cities by the use of concrete and lack of green. Our communities that lack access to air conditioning will struggle to cope and there will be significant costs to our health system. We can reduce the impact for Napier by using urban greening strategies.
- Further sea-level rise: this will exacerbate erosion along our coastlines and lead to inundation in some areas. It will also impact on shallow ground water – given how low lying Napier is this is likely to be a significant issue. Regionally, this is the area where we have done the most work. We already have the Coastal Hazard Management Strategy and work will be getting underway to monitor shallow ground water in the near future.
- Ocean warming and acidification: this will result in changes to the ocean life we see in our waters and what kaimoana is available
- Less winter and spring rain, more summer rain: this will have an impact on what crops we can successfully grow in Hawke's Bay
- More intense rain and more severe cyclones: we can expect to experience floods like the 2020 flood in Napier with more frequency.
- More droughts: this has the biggest impact on water management and how we share that resource. As we share our aquifer with Hastings a regional solution will be required.
- More extreme fire weather: we can expect to see more wildfires across Hawke's Bay.

These changes will have big impacts on the Napier City Council, particularly within infrastructure and city development. We can expect there to be increased costs associated with the construction and maintenance of our core city infrastructure and for climate change to become a core focus of our planning (this has already started in some areas).

Key Advice from the IPCC Report:

1. There are important interactions between mitigation and adaptation strategies – we need to create integrated policies to account for this. For example, with heightened risk of drought will come more extreme fire weather and those fires may destroy forests which currently act as carbon sinks.
2. Current adaptation measures tend to be incremental and reactive – we have a disaster and we patch the problem at that point without considering long term consequences

3. Future adaptation needs to be transformative and proactive to ensure climate resilient development – the actions we take need to prepare us for a future that is, and will remain, unclear
4. We can expect to face cascading consequences as climate risks and impacts become more complex and climatic and non-climatic risks interact more frequently. For example, people living in poverty do not have the financial or emotional resilience to cope with the impacts of natural disasters – this is a key non-climatic risk.
5. We need to act in a coordinated manner with stakeholders, Māori, and central government to ensure that our community is resilient on all levels.
6. The biggest risk of adaptation is locking in risk by discounting ongoing and changing climate risk – this can undermine our ability to adapt to future impacts. This is also known as maladaptation. An example might be that measures are taken to protect one part of the community without the consequences for another part of the community being considered. We can avoid this working across communities to ensure inclusive solutions.

Partnership and Equity:

- Impoverished and vulnerable people have the least resources to adapt or recover leading to increasingly poor outcomes for those communities without adequate support being provided. Māori communities will be particularly impacted.
- We will have opportunities to work with diverse populations who bring a range of different skills and ways of thinking that will help us to challenge what future adaptation looks like. Our ability to adapt can be increased by greater engagement with a range of groups of communities to build trust and social legitimacy.
- Building resilience is about both physical adaptation and also building social resilience within our communities. There is crossover between adaptation and mitigation in this space. Social resilience is important to ensure that communities and individuals can weather the changing climate and natural disasters we can expect going forward. This can be increased by creating more connected communities. To reduce our carbon emissions we need to encourage ways of living that need less travel i.e. children attending the closest school. Keeping activities closer to home will result in more connected communities adding to social resilience.
- Māori land is more likely to be impacted by coastal hazards and Māori are more likely to live in vulnerable and isolated communities. Working in partnership with Māori will allow Māori to choose solutions that work for them.
- Climate Justice is a term that is used increasingly in this space – it generally includes three principles:
 1. Distributive Justice – the allocation of burdens and benefits among individuals, nations, and generations
 2. Procedural justice – who decides and participates in decision-making
 3. Recognition – entails basic respect and robust engagement with and fair consideration of diverse cultures and perspectives

Current work under way at NCC:

- Carbon roadmap for 3-Waters: this is a report outlining what our emissions are from 3-Waters, where the gaps in the data are, and suggestions of how we can reduce our emissions. I will be working with 3-Waters as a test case for emissions reductions,

with the intention that some measures be rolled out across Council once we have baselined those emissions.

- We have contracted Carbon EMS to report on our carbon emissions across Council. This work is in the very early stages.
- Climate Change Risk Assessment: report on the main risks to Napier based on workshops across Council and some limited external engagement – I am currently reviewing the draft report.
- Climate Maturity Assessment: report on how mature we are as a council at dealing with climate change based on workshops across council – I am expecting the draft report before the end of May.
- Regional Carbon Footprint: HBRC are leading this work – we have contributed about 1/10th of the project cost and this will allow us to get data for Napier specifically which will help us to work with the wider community to reduce emissions. That report is due to be complete by September.
- Future Fit: [Discover your Impact on the Climate Change | FutureFit](#)
This is a tool created by Auckland Council which allows individuals and businesses to benchmark their emissions and input reductions they have made. We are working with HBRC and HDC to role this out in the next few months and have offered to lead the comms side of the project. This is a great opportunity to start engagement on emissions reduction across our region.
- Regional Park: this is a great example of a climate positive project which will reduce emissions through sequestration in wetland and native bush, protect and promote biodiversity, and create a more resilient storm water network for Napier. It is also an opportunity for public engagement on climate change issues.
- Civic Building: our intention to gain Green Star rating for this project will put us in a position of leadership on sustainable development for Napier

Government Direction:

- Central government are undertaking a number of pieces of work related to climate change currently. There is significant crossover for local government in these projects which makes this an uncertain time for us. We can expect to be required to reduce our emissions and to implement adaptation work but we do not have all the details at this time.
- National Adaptation Plan: central government outline of the first stage of adaptation work across government – I have drafted a submission on this piece of work which has been circulated. The biggest take away is that at this time central government are unwilling to declare their intentions with regard to funding this work.
- Emissions Reduction Plan: this has recently been released and sets out the plan for how central government intends to lead emissions reduction to meet our goals.
- RMA replacement legislation: Natural and Built Environments Act (main replacement for RMA), Strategic Planning Act (long-term regional spatial planning), and Climate Adaptation Act (managed retreat).

What's next for NCC?

Based on the outcome at our workshop the intention is to start by releasing a position statement on climate change. This is intended to be a public commitment to climate action. It is important we show commitment to action, however, we don't yet have the data to make

specific commitments. The position statement is intended as an interim step while we collect that data and draft a strategy and action plan.

4. NAPIER INNER HARBOUR DEVELOPMENT PLAN

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1467305
<i>Reporting Officer/s & Unit:</i>	Fleur Lincoln, Strategic Planning Lead

4.1 Purpose of Report

The purpose of this report is to seek a resolution of Council to adopt the Napier Inner Harbour Development Plan, and to note the priorities identified for the delivery phase of this Plan.

Councillors Brosnan / Crown

The Future Napier Committee:

- a. **Adopt** the Napier Inner Harbour Development Plan.
- b. **Note** the work programme and funding priorities.
- c. **Note** the memo dated 8 June 2022 (*Doc Id 1473475*) which sets out the options and recommendations for both the priority projects and Te Matau-a-Maui security concerns.
- d. **Endorse Option 1 and Option 3** – That Officers work alongside the Waka Trust to provide and install secure fencing panels along the edge of the wharf where the waka abuts ensuring this fence does not prevent the reasonable access to, and maintenance and enjoyment of the vessel. Prioritise the waka hub development at Iron Pot to deliver long-term secure mooring.

Carried

4.2 Background Summary

The Napier Inner Harbour Development Plan (the Plan) recommends the prioritisation of Inner Harbour asset renewal, while identifying opportunities for improvement that will deliver transformative changes for Ahuriri's waterfront. A 2019 Inner Harbour Asset Condition Assessment identified a broad spectrum of asset condition ranging from very poor condition, with recommendations to repair or replace given a high priority, through to good/reasonable condition. The Inner Harbour currently operates as a purely functional asset; yet there is huge potential to deliver environmental improvements, and to capitalise on the areas cultural significance, historical values, natural beauty, and proximity to retail, hospitality and high-density housing.

The Plan is one of the initiatives recommended by the Ahuriri Estuary and Coastal Edge Masterplan (AECM). The AECM identified high-level opportunities across Ahuriri, while the Napier Inner Harbour Development Plan aligns these with asset renewal. It seeks to deliver a series of transformational changes that align with the delivery of the asset renewal programme, with an aim to achieving greatest efficiency and value for money. The priorities presented in this paper are those that will be taken through to the LTP for funding and implementation.

Priorities

Following a Council workshop which traversed all the opportunities in the plan, the following project initiatives were discussed as priorities for the Council and identified for immediate consideration and inclusion in the next Long Term Plan.

Priority 1

- the replacement of the SH50 revetment with new seawall and terraces. Without the revetment the Iron Pot area cannot be activated as planned.
- the removal of Jull Wharf and finger pier

This would enable the transformation of the Iron Pot, and includes a new floating pontoon for waka. Funding has been set aside for this work in the LTP (from the Harbour Endowment Fund), however additional funds would enable a wider scope of work to be completed, either at the same time, or in a staged approach. Additional funding would also enable this area to be better integrated with the new development on the corner of Customs and West Quay. It is recommended that Officer's carry out design and consenting of the project in its entirety, before refining costs and determining how the project will be delivered (staged or all-at-once).

Priority 2

- rebuild of Jetty's 1 and 2 of the Meeanee Quay marina, with potential to expand this marina either at the same time, or in a future stage. Some rate funded loans for this project have been allocated in the LTP, however these funds would not be available until 2029-2031 (with some funding allocated in 2028/29 for design). The use of rate funded loans is necessary as the Harbour Endowment Fund has been exhausted.

Priority 3

- installation of stormwater quality improvement devices across the area, where stormwater is discharged into the Inner Harbour. This is a relatively small cost for the positive environmental outcomes it will deliver.

Should Council endorse these priorities Council Officers will seek to advance the projects in future work programmes in the short-medium term.

4.3 Issues

The 2019 Inner Harbour Asset Condition Assessment confirmed which harbour assets required replacement or repair, and provided the basis for prioritising an asset renewal programme for the Inner Harbour. The Plan presents numerous opportunities to address a number of issues including the integrity of infrastructure, climate resilience, water quality, and a secure and purpose-built home for waka hourua Te Matau-a-Maui.

4.4 Significance and Engagement

The preparation of this Plan has involved numerous one-on-one discussions with our key stakeholders – those with the greatest level of influence on, and those most impacted from the initiatives put forward. The initiatives recommended in the Plan are consistent with those identified in the AECM, which underwent a significant level of community engagement. Additionally, the funding of the majority of these initiatives would require inclusion in the LTP, with further opportunities to engage with stakeholders and the community through this process. This will be particularly important in regard to Mana Ahuriri who have significant interests in the Iron Pot area. Project design and construction presents additional opportunities for engagement. It is therefore recommended that notification and consultation with the wider public is not required for the Plan.

4.5 Implications

Financial

The Plan itself does not commit Council to financial expenditure. It provides guidance as to what initiatives should be prioritised within the LTP. It is through this process that the financial implications will be explored and determined. The Plan is a strategic document that provides access to external funding opportunities, and is a catalyst for private investment. However the initiatives that were discussed by Council at its workshop as priorities have also been traversed in this paper and have financial considerations accordingly. These resource needs will be brought through the relevant annual planning and Long term planning processes to ensure that these priorities can be implemented in a timely way.

Social & Policy

As noted above, the Plan is one of the initiatives identified in the AECM, and its recommended projects align with those considered at a high level within this Masterplan. In addition, the scope of the Plan included three identified project areas (Project Area 8, 9 and 11) in the City Vision Framework 2015, with consistencies across these two strategic documents. The Plan content also signals appropriate land uses and activities for the land adjoining the Harbour, which may result in changes to the District Plan (through the District Plan Review) and other policies and procedures. The initiatives proposed in the Plan will not only deliver operational improvements to wharf users, but will also bring significant benefits to the use and design of public space that will meet our social, cultural, environmental, economic and climate resilience needs.

Risk

As a strategic, non-statutory document, the Plan presents Council with few risks. Council only commits to the projects put forward through the LTP and through regulatory documents. On the flipside, the risks of not having a strategic plan for this space include ad hoc decisions on asset renewal, lost opportunities for improvements, potential loss of private investment, and the inability to meet criteria for external funding opportunities.

4.6 Options

The options available to Council are as follows:

- a. Adopt the Napier Inner Harbour Development Plan
- b. Do not adopt the Napier Inner Harbour Development Plan

4.7 Development of Preferred Option

The Plan delivers a series of transformational changes that align with the delivery of the asset renewal programme, with an aim to achieving greatest efficiency and value for money. The initiatives proposed in the Plan will not only deliver operational improvements to wharf users, but will also bring significant benefits to the use and design of public space that will meet our social, cultural, environmental, economic and climate resilience needs. It ensures decisions on projects are not ad hoc, and provides guidance to Council on which initiatives need to be prioritised considered as opportunities for external funding.

At the meeting

The Strategic Planning Lead, Ms Lincoln took her report as read which highlighted that it was to adopt the Inner Harbour Development Plan, note priorities and funding opportunities and matters relating to the security of Te Matau-a-Maui which were included in a memo to Councillors circulated on 8 June 2022 (*Doc Id 1473475*).

In response to questions it was noted:

- Typically for resource consents there is a five year limit for completion, there may be scope to request extensions and there is the opportunity to apply six months prior to expiry to have them extended.
- In relation to the waka hourua Te Matau-a-Maui it has been experiencing security and vandalism issues for some time in its current location to the south of the Inner Harbour West Quay wharf. Three options were proposed:
 - i. Continue working with the Trust in the provision of security fencing in its current location and officers believed this would deter 90% of the late night revellers jumping from the wharf on to the waka and vandalising. This would cost approximately \$20-\$30,000. Funds would be sourced from the Inner Harbour maintenance budget.
 - ii. Design and install new pile moorings alongside the West Quay Wharf which would include a new floating pontoon to which the waka would be secured. Officers have explored this option and the solution would require design and consenting and would require funding of approximately \$350-\$400,000. This work has not been budgeted for and to deliver this solution funding would need to be secured. This would not be the preferred option as funds have not been allocated.
 - iii. Delivery of the waka hub as described in the Inner Harbour Plan where sufficient funds have been allocated in the Long Term Plan to begin the design and consenting process immediately with physical construction around 2024/25.
- Focus on key projects going forward and that helps officers progress from a plan that has many things to actually focussing on one and having Councillors support. A recommendation would provide guidance.
- The work for the State Highway 50 revetment would provide structural integrity for the State Highway so officers would need to work in close collaboration with Waka Kotahi.
- The pontoon for the permanent waka berth is much bigger than what would be put in to service the waka in its current location. The size and specification would be a similar proportion to what would be used at Meeanee Quay eventually.
- Fencing would be installed for protection regardless as with Options 2 or 3 the waka would be exposed for at least another 18 months to 2-3 years.
- Councillors were reminded of unbudgeted items and the ongoing affect. Option 2 with the piles and pontoon would be an unbudgeted item.
- An option could be forming a relationship with mana whenua around sourcing external funding to help in the short term.

4.8 Attachments

- 1 Inner Harbour Plan Final (Doc Id 1470439)

Napier Inner Harbour. Development Plan. **Final Draft_30 May 2022.**

30 May 2022

Isthmus.



Land.
People.
Culture.
Isthmus.

Napier Inner Harbour,
The Iron Pot.

Isthmus.

Document record

Issue	Revision	Author	QA	Date
Draft	A	SB/SF	-	26.05.2019
Draft	B	SB/SF	-	09.08.2019
Draft	C	SB/SF	DI	30.08.2019
Draft	D	SB/SF	-	18.09.2019
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Draft	F	SB	-	08.03.2022
Final Draft	G	SB/SF	DI	12.04.2022
Final Draft	H	SB	DI	06.05.2022
Final Draft	I	SF	-	30.05.2022



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Above.
Port Ahuriri c1860.

View of Inner
Harbour area from
above Goldsmith
Terrace.

**Photograph
Source:**
Port to Port, revised
edition, 2006
Don Wilkie.

Final Draft

Napier Inner Harbour. Development Plan.



A public harbour edge.



A working wharf environment.



Authentic character and identity.



A rich Māori cultural landscape.



A water based recreation destination.



A resilient inner harbour.



A healthy marine environment.



An efficient high amenity port route.

The development plan presents a 30-year vision for Napier's inner harbour area to ensure it continues to thrive into the future.

Required inner harbour infrastructure renewals provides an opportunity to take a design-led approach to deliver added benefits for land and water-based recreation, public access and amenity, cultural connection and expression, tourism and economic potential, and water quality and biodiversity values.

Napier's inner harbour is highly valued, with a long history of habitation and use. It forms part of Te Whanganui-a-Orutū, an area once rich in resources - mahinga kai for local iwi and a place for settlement and trade, with pā sited on islands and surrounding landforms.

With the arrival of Pākehā in the 1800's further development occurred, including a settlement along the shingle bank. Followed by reclamation and significant modification through human and earthquake events. Land and water-based recreation uses continue throughout the inner harbour, with the thriving Ahuriri town centre and warehouse area destinations for locals and visitors.

Prepared in collaboration with council officers and in consultation with mana whenua representatives and key stakeholders, the Development Plan presents a 30-year vision for the inner harbour area. Addressing the need to rationalise land and water-side services for efficiency of land-use, capital and operational expenditure. Integrating new and extending current uses within what is spatially a restricted area.

A suite of design principles (adjacent) specific to the inner harbour's built, natural and cultural context have been prepared to guide the Inner Harbour Development Plan. The design principles build on the City Vision (2016) and the Ahuriri Estuary Masterplan (2018) principles of Connectivity, Quality and Authenticity. Moving forward they are intended to guide the projects that will result from the development plan.

The extension of the Napier Port Marine Cultural Health Programme will enable Council to monitor any change in marine health over time.

Final Draft

Isthmus.

Illustrative Inner Harbour Development Plan.

- Key
- 1. Te Karaka Reserve, upgraded
 - 2. Beacon, retained
 - 3. Headland destination / outlook
 - 4. Seating plinths set within revetment
 - 5. Relocated car parking, Freedom camping
 - 6. Toilets
 - 7. Destination playspace
 - 8. New community building, clubrooms & cafe
 - 9. Relocated car & trailer parking
 - 10. Cafe / function terrace (lower area)
 - 11. Boat ramp retained
 - 12. Nelson Quay public space improvements
 - 13. New recreational pontoon & access ramp
 - 14. New pavilion & toilet buildings
 - 15. Iron Pot terraces & stormwater infrastructure
 - 16. Waka hourua pontoon moorings (x2)
 - 17. Discharge wharf
 - 18. Fishing platform, emergency vessel mooring
 - 19. Refuelling wharf
 - 20. Sullage facility
 - 21. West Quay working wharf & one-way street
 - 22. Pakake memorial space
 - 23. Boardwalk, stormwater quality infrastructure
 - 24. Public laneway & connection to Ossian St
 - 25. Napier Sailing Club precinct
 - 26. Ahuriri Linear Park (Pandora Road)
 - 27. Storage building, potential to redevelop to include club facilities
 - 28. Boat launch & trailer parking area upgrade
 - 29. Concrete launch ramp upgraded
 - 30. Coastguard building
 - 31. New pontoon moorings
 - 32. New refuse, toilet & shower facilities
 - 33. Meeanee Quay Reserve area upgrade incl. paths, fishing platforms & seating
 - 34. Shared path connection
 - 35. Whakarire Avenue car parking, relocated
 - 36. Western pier remnant retained
 - 37. Whakarire reserve; pathways, seating & native plantings
 - 38. Mana Ahuriri settlement site



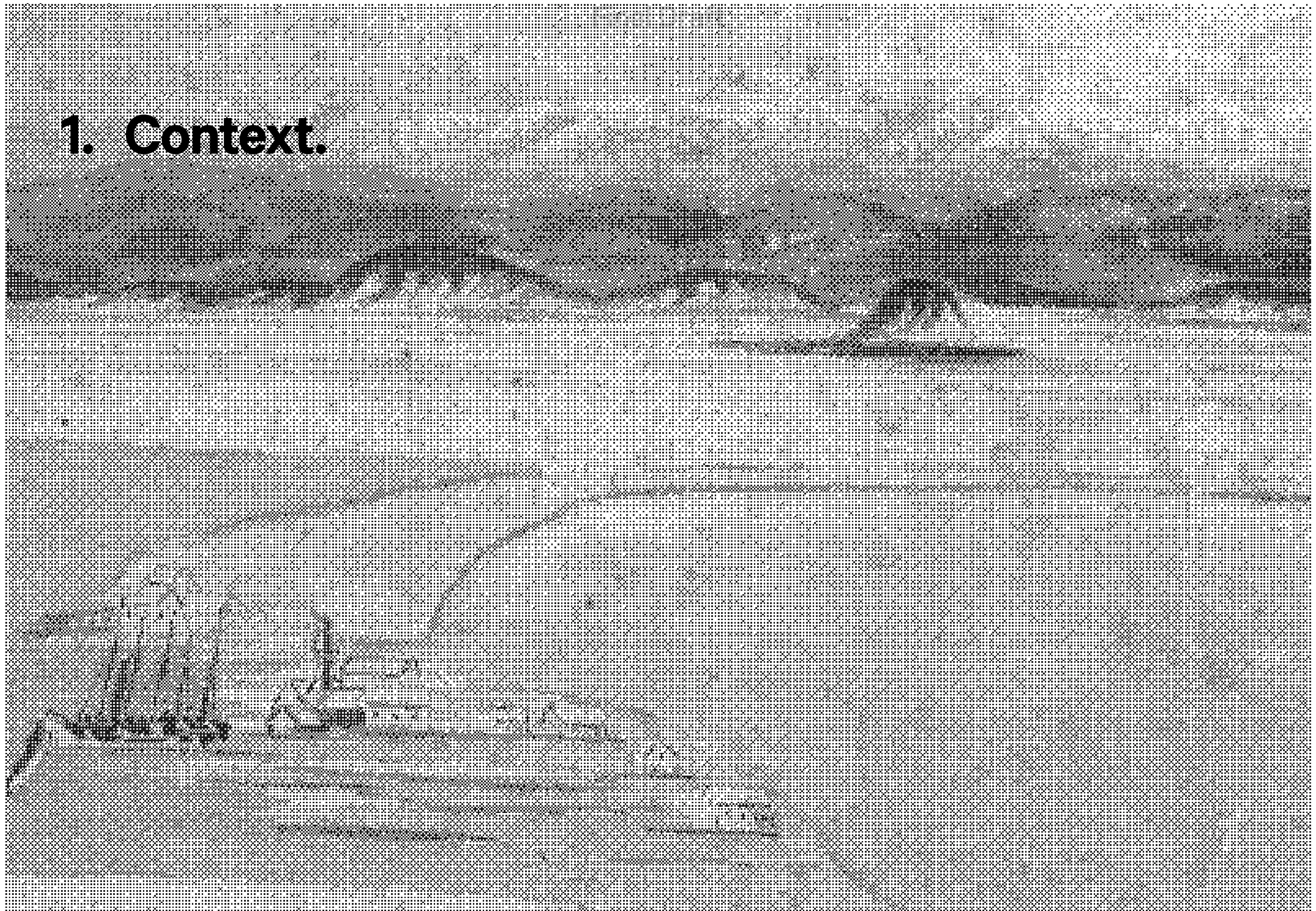
1:4000 @ A3

- A. Te Karaka Reserve Edge.** Concrete & hardwood seating units inserted into limestone revetment.
- B. Iron Pot Waka Hub.** Purpose-built pontoon moorings, with land-side facilities incl. pavilion & seating terraces.
- C. West Quay Working Wharf.** One-way vehicle movement with shared path adjacent. Pōhutukawa & Rata trees retained with movable seating to enable service access.
- D. Meeanee Quay Reserve.** Extended shared path, picnic areas, fishing platforms & coastal edge plantings.



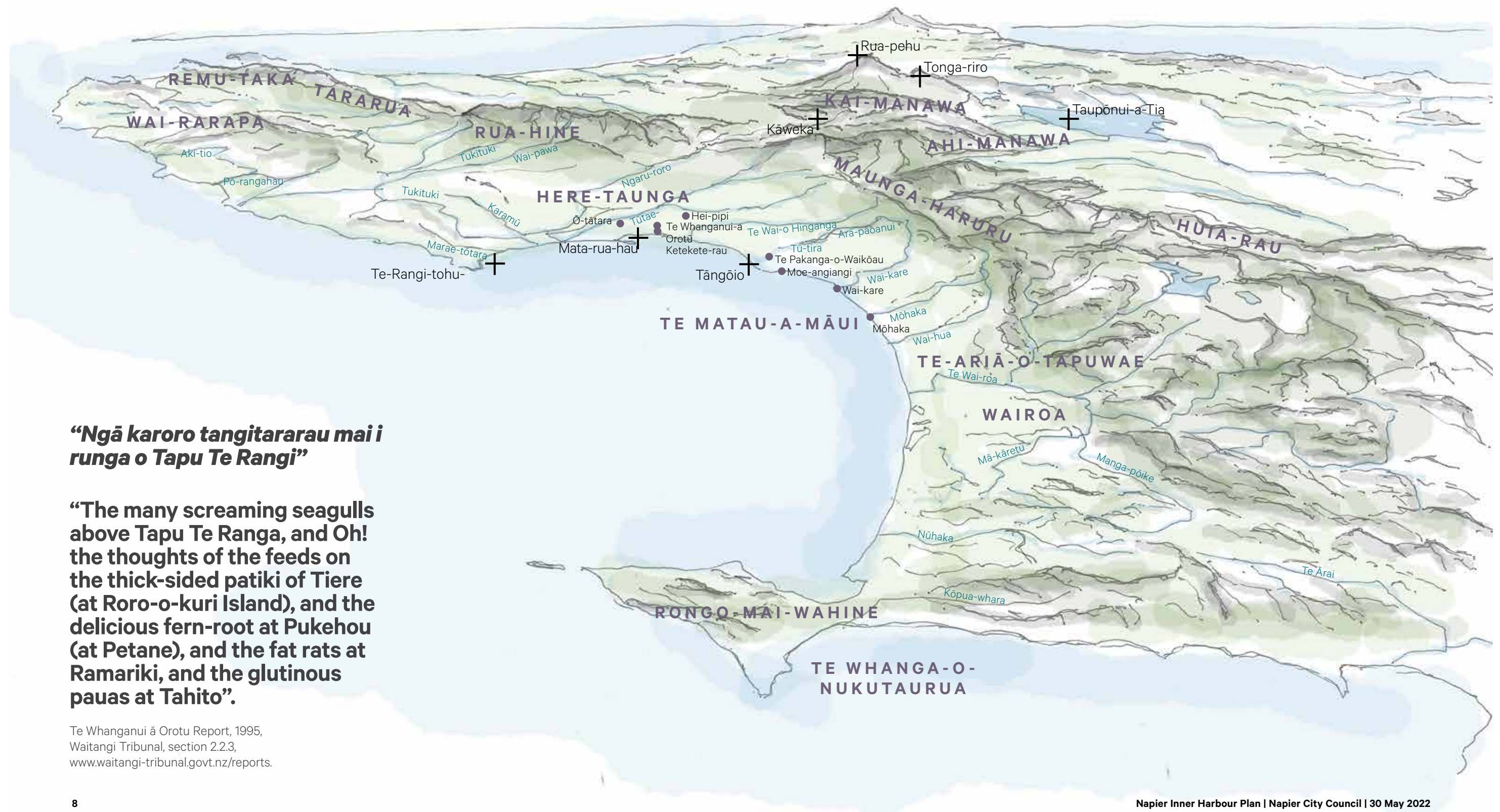


1. Context.



Final Draft

Cultural Landscape. Broad Scale.



“Ngā karoro tangitararau mai i runga o Tapu Te Rangi”

“The many screaming seagulls above Tapu Te Ranga, and Oh! the thoughts of the feeds on the thick-sided patiki of Tiera (at Roro-o-kuri Island), and the delicious fern-root at Pukehou (at Petane), and the fat rats at Ramariki, and the glutinous pauas at Tahito”.

Te Whanganui ā Orotu Report, 1995,
Waitangi Tribunal, section 2.2.3,
www.waitangi-tribunal.govt.nz/reports.

Cultural Landscape. Local Scale.

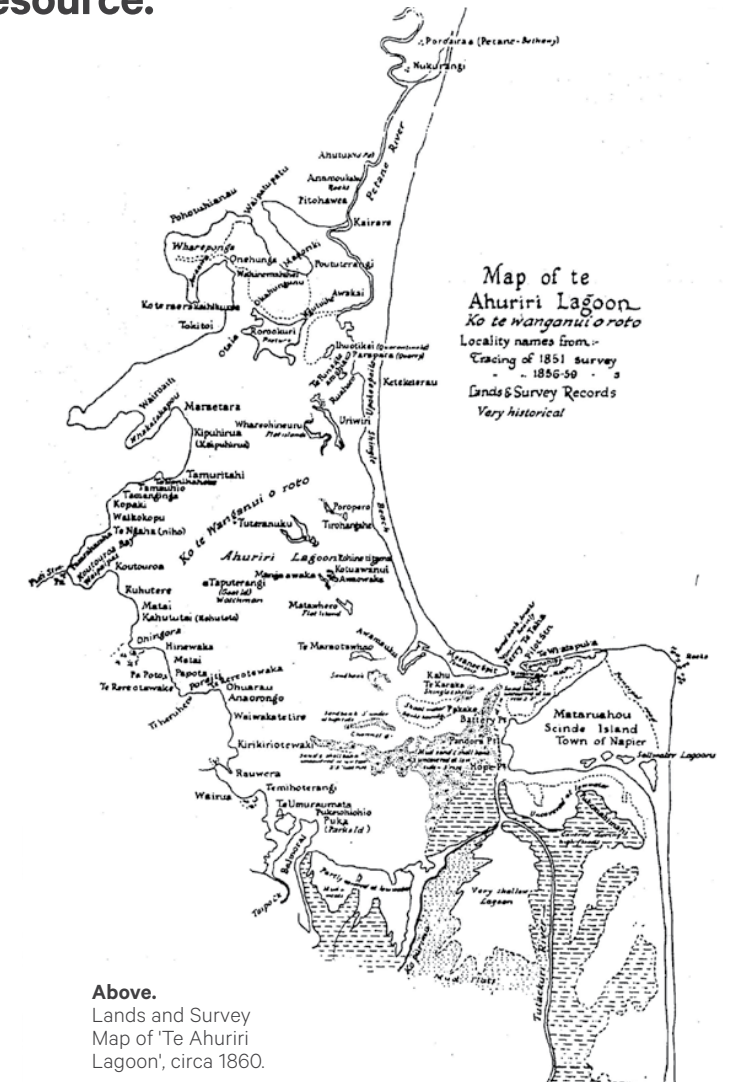
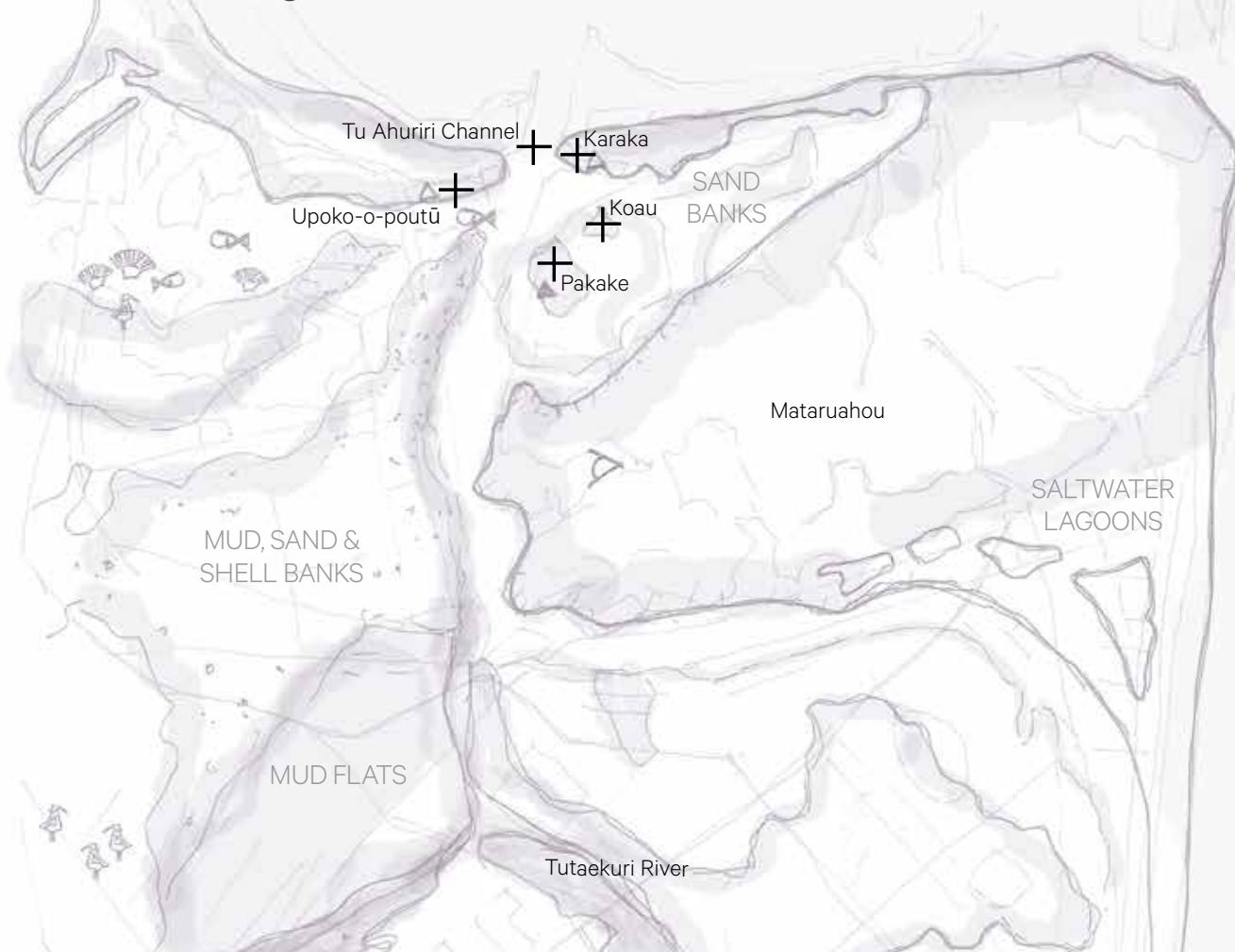
Ahuriri estuary, Pania reef and limestone outcrop of Mataruahou, the shingle spits extending north and south, and the western hills that form Te Whanganui-a-Orotū are rich in cultural associations.

Pā were sited on islands and western hills, at Pakake, Koau and Pukemokimoki. The area was an abundant mahinga kai, sustaining a group of interconnected neighbouring hapū, visitors and guests.

The channel through the shingle spit has strong whakapapa to Tū Ahuriri who cut the channel following the closing of an earlier channel at the northern end of the estuary. Defensive pā, either side of the channel at Te Karaka and Upoko-o-poutū had expansive views across the harbour and estuary, and to the numerous moutere, awa and other features.

Sheltered anchorage and proximity to the abundant resources of Te Whanganui-a-Orotū, and the freshwater resources of the Taipo and Tutaekuri awa provided for ideal living conditions for the ancestors of mana whenua.

Decades of agricultural, industrial, and urban activity have degraded this once pristine resource.



Above.
Lands and Survey
Map of 'Te Ahuriri
Lagoon', circa 1860.

Project Area. Te Whanganui-a-Orotū.



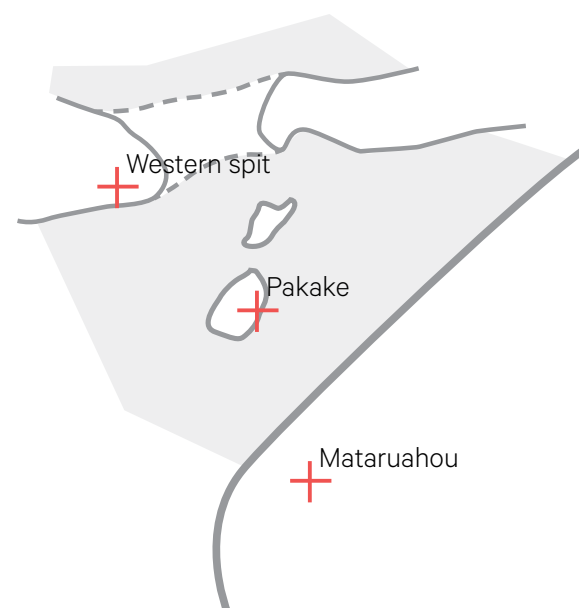
Left.
Contemporary aerial
photo with project
area indicated.

Below (l-r).
Inner Harbour aerial
photography 1948,
1988, & 2005.

Right.
Te Whanganui-
a-Orotū, Ahuriri
Estuary pre and post
1931 earthquake.
Illustrating the
extents of land
modification
resulting from
the earthquake
and subsequent
drainage and
reclamation.

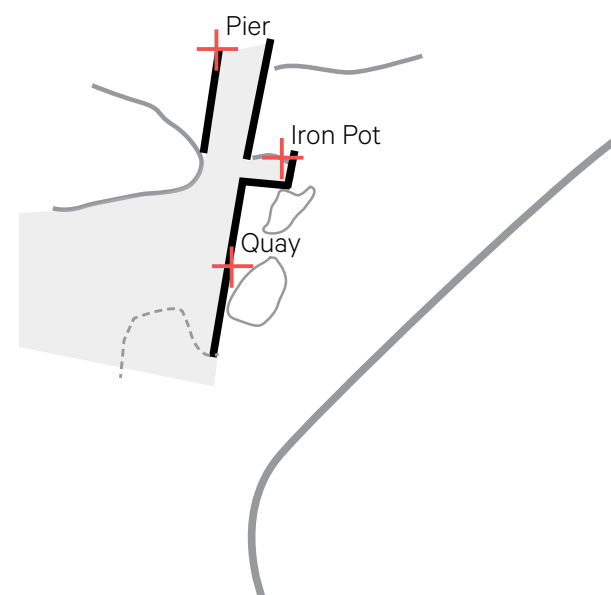


Inner Harbour Development Pattern.



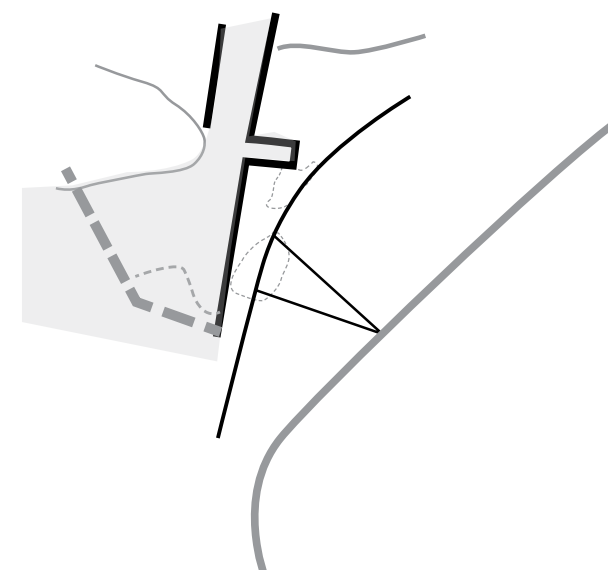
Early Landform

- Estuary & islands enclosed by the shingle spit with Mataruahou behind
- Channel cut by Tū Ahuriri
- Pakake Island and pā located in proximity to channel



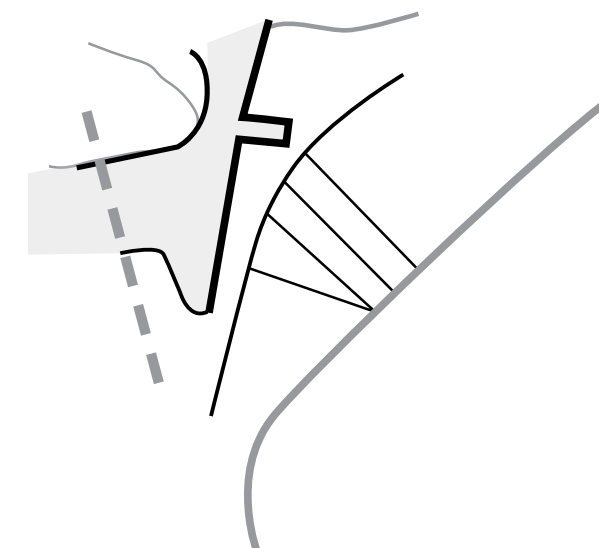
Late 1800s

- Iron pot formed with quay to south, bridge connection between island and spit
- Constructed edge extended south along West Quay
- Piers constructed narrowing channel and reinforcing alignment



Early 1900s

- Iron Pot narrowed with quay to north
- Rail line constructed along south edge of shingle spit
- Causeway connection between islands, quay and hill, followed by reclamation
- Earthquake uplift
- Quay constructed connecting West Quay and the western spit



Mid 1900s

- Completed reclamation of north and south ponds, including extended road and development pattern
- Sailing Club land reclaimed
- New road alignment from the west constricts & separates inner harbour and estuary



Left to Right.
Entrance to Ahuriri
Harbour, 1866. By
Charles Decimus
Barraud.

Overlays of c.1860 maps and existing aerial photography.

Infrastructure Condition Summary.

A condition assessment has been carried out by Advisian on Napier City Council owned assets within the Inner Harbour area. Refer to full report: Advisian Condition Assessment - Draft Summary (13.02.2018).

The findings of this assessment have found multiple areas that require addressing, a summary of which is illustrated opposite. The most critical of these are shown in red on the plan opposite.

- 1

Perfume Point
Southern reventment erosion & gaps, non uniform distribution, slumped
- 2

Fishing Club Pier.
Concrete deck, seawall & cross heads - good condition.
Piles, rip rap & ladders - poor condition
- 3

Fishing Club Floating Jetty No.1 (now removed)
- 4

Fishing Club Floating Jetty No.2 (now removed)
- 5

Fishing Club Floating Jetty No.3 (now removed)
- 6

Nelson Quay Wharf.
Very poor condition - all elements. Pile leaning seaward and significant loss of fill behind the concrete sea wall. Jetty bolts corroded or missing.
- 7

SH50 Revetment
Concrete blocks displaced and gaps between boulders
- 8

SH50 Seawall Wharf
Extremely deteriorated condition
- 9

SH50 Jetty
Significantly deteriorated, earmarked for demolition.
- 10

Jull Wharf (Jetty)
Extremely deteriorated condition, at risk of complete failure
- 11

Discharge Wharf - Jetty
Revetment good condition, timber piles in poor condition
- 12

West Quay Floating Jetty
Good condition, except non uniform revetment & corrosion of steel elements.
- 13

West Quay Wharf / Seawall
Poor condition.
- 14

West Quay Jetty 3
Poor condition.
- 15

West Quay - Revetment
Poor condition.
- 16

Pandora Bridge Revetment
Damaged formation, fabric fallen apart.
- 17

Meeanee Quay - Jetty No 1&2.
At risk of collapse in storm, pontoons in good condition.
- 18

Meeanee Quay - Revetment No 1&2.
Erosion & not suitable material, insufficient rock armour.
- 19

Whakarire Jetty 1&2
Steel & timber poor condition
- 20

Whakarire Revetment
insufficient rock armour& erosion.



Inner Harbour. Stormwater.

Stormwater is discharged untreated to the inner harbour at multiple points. The heavy vehicle, rail yard, light industrial and road corridor land uses of the wider catchment would suggest that the contaminant load may be significant.

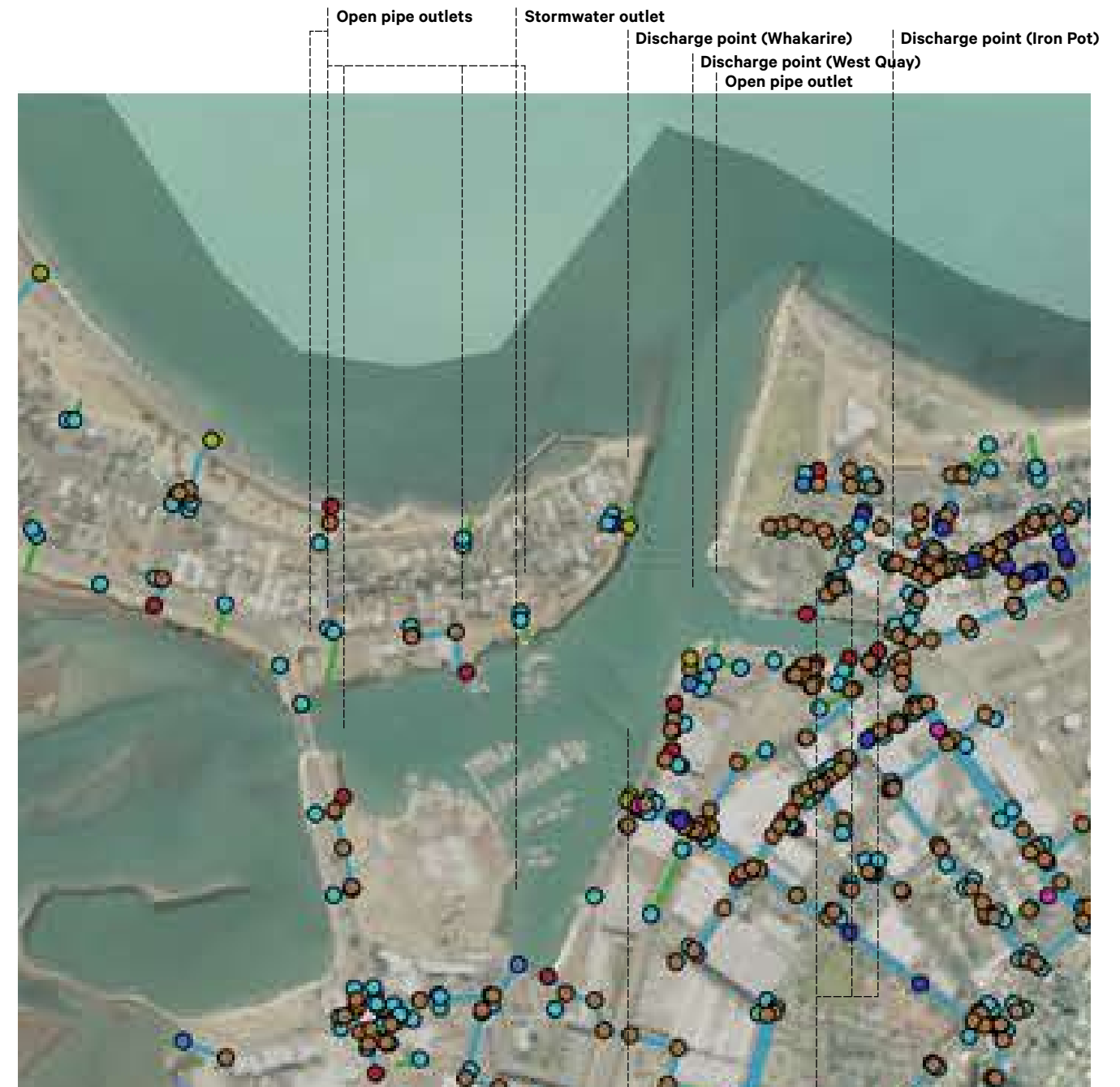
Opportunity exists to capture, slow and treat the stormwater at source, to improve the water quality entering the harbour. Utilising low impact stormwater systems - raingardens and mechanical devices within the road reserve.



Top.
Existing. Outlet (broken)discharging Meeanee Quay catchment direct to Inner Harbour with no water quality treatment

Middle.
Existing. Large outlet discharging rail yard catchment direct to Iron Pot with no water quality treatment.

Bottom.
Outlet discharging Nelson Quay catchment direct to Iron Pot with no water quality treatment.



Stormwater network & outfalls.

Drainage node function:

- | | |
|------------------|----------|
| Connection point | Junction |
| Discharge point | Manhole |
| End cap | Outlet |
| Inlet | |

Drainage pipe function:

- | | |
|------------|------------------|
| Culvert | Main |
| Inlet lead | Open drain |
| Lateral | Drainage channel |

Inner Harbour. Flora & Fauna.

Pōhutukawa are the dominant tree species within the inner harbour area. Nīkau, Karaka and limited areas of native shrub species are found within reserve areas. The mature Pōhutukawa (and single Rata) along West Quay are significant, functioning to delineate the working wharf area from the carriageway adjacent.

Opportunities exist to increase native plantings for shade, shelter, habitat and biodiversity purposes. Introduction of street trees along Bridge Street would reduce the street scale and enhance pedestrian amenity. Enlarging the planted areas beneath the Pōhutukawa along West Quay would assist in protecting them from damage by vehicles using the wharf.



Water-based.

- Sailing, boating, paddleboarding, rowing
- Waka ama
- Fishing, commercial & recreational
- Swimming
- Surfing

Map labels (from top to bottom):

- Fishing
- Beacon
- Beach
- Channel
- Fishing
- HB Sport Fishing Club
- Boat ramp
- NCC marina
- Fishing industry moorings
- Private leased mooring
- Refueling wharf
- Fishing industry moorings
- Pile moorings
- Te Matau a Māui waka mooring
- Boat ramp
- NCC marina
- Beach
- Coastguard
- Slipway
- NSC Marina pontoon berths
- Boat ramp
- Pandora Pond
- Estuary
- Sea Scouts hall
- Boat ramp

Land-based.

Fishing
Beacon
Car parking, Freedom camping
Shared path
Toilets
Beach
Te Karaka Reserve
Bar
Motel
Historic wharf
Boardwalk
Residential
Town centre
Fishing
HB Sport Fishing Club
Public toilets
Car, trailer parking
Bus stop
Port route
Old Customhouse
Wharf edge
Wharf access drive
Refueling wharf
Bars & commercial
Working wharf edge
Bridge Street
Commercial
Rail corridor
Warehousing
Waka mooring wharf
Residential terraces
Public toilets
Restaurant & gallery
Residential apartments
Hotel
Public toilets
Takitimu Seafoods
Pandora Road
Parking (private)
Boat ramp
Boat sheds
NSC clubhouse
Maintenance dry dock
Boat ramp & reserve
HB Canoe Club & Pacific SLSC
Sea Scouts
Coastguard
Commercial
Informal walkway
Public reserve
Residential
Shared path

347

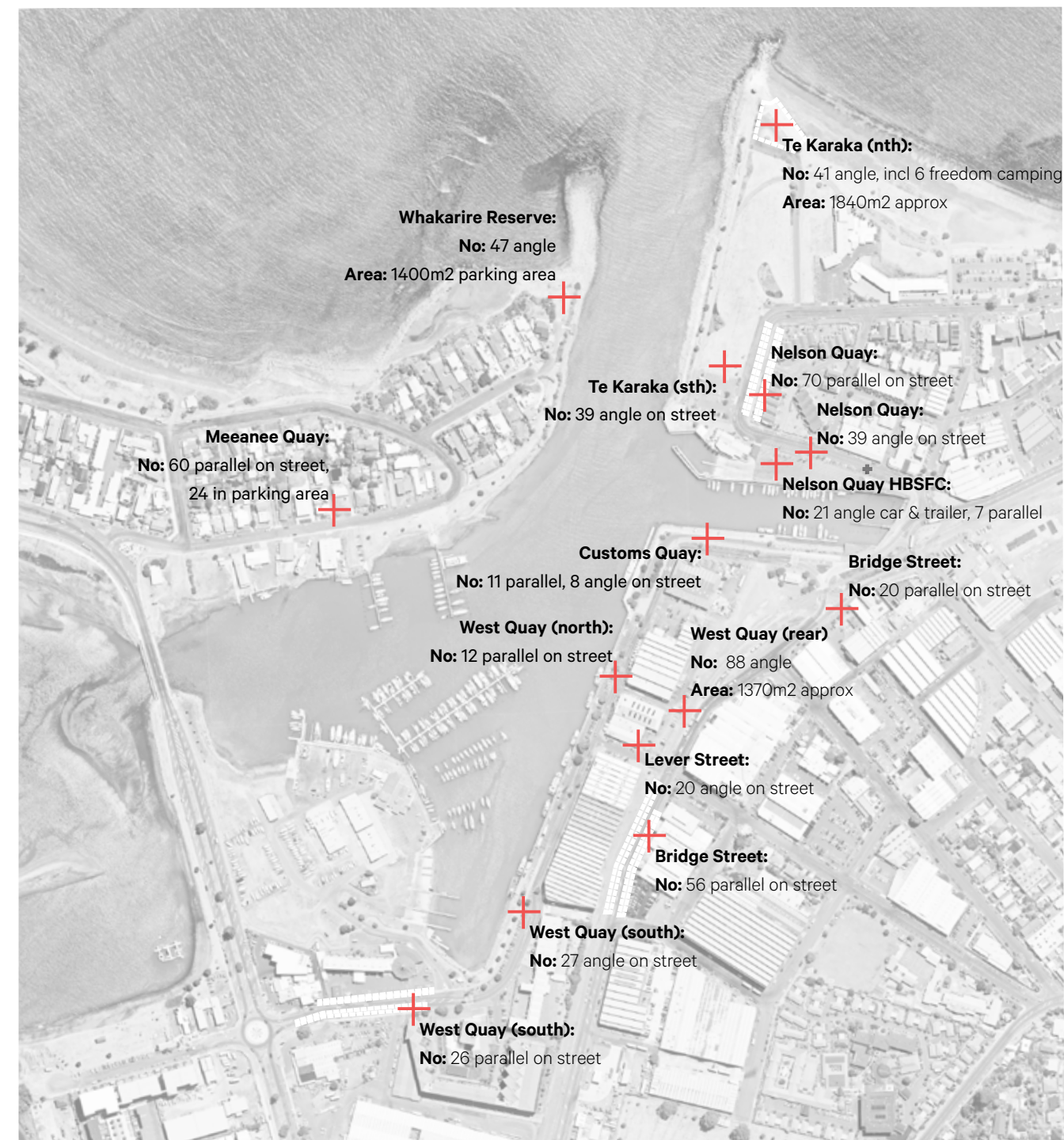
Car Parking Provision.

A mix of street and precinct-based car parking is located along the quays and within reserve areas.

Opportunities exist to relocate some car parking to nearby 'back of house' locations, to improve pedestrian priority, public open space and access at highly valued water's edge locations.

Existing Parking Provision.

Location	Number	Type	Public/Private	Trailer provision
Te Karaka Reserve (nth)	41	precinct, angle	public	no
Te Karaka Reserve (sth)	39	precinct, angle	public	no
Nelson Quay (nth)	70	on-street parallel	public	yes
Nelson Quay (sth)	39	on-street angle	public	no
Nelson Quay	21, 7	precinct, angle	private	yes
Customs Quay	11, 8	on-street parallel, angle	public	no
West Quay (nth)	12	on-street parallel	public	no
West Quay (sth)	27	on-street, angle	public	no
West Quay (sth)	26	on-street parallel	public	no
Lever Street	20	on-street, angle	public	no
Bridge Street	56	on-street, parallel	public	yes
West Quay (rear)	88	precinct, angle	private	no
Napier Sailing Club	excl.			
Meeanee Quay	60	on-street, parallel	public	yes
Meeanee Quay Reserve	24	precinct, angle	public	yes
Whakarire Reserve	47	precinct, angle	public	no
Total	596	336 on-street 260 precinct	508 public 88 private	21 marked + on-street & precinct unmarked



Napier City Council Project Requirements.

High-level NCC project requirements, to be delivered within the development plan include:

Recreational and Commercial Fishing Berths:

Existing NCC controlled berths:

Meeanee Quay Pier 1: 23 Berths

14 Occupied (11 Recreational, 3 Commercial Fishing)

9 Vacant

Meeanee Quay Pier 2: 23 Berths

15 Occupied (15 Recreational, 0 Commercial Fishing)

8 Vacant

Jull Wharf: 11 Berths

9 Occupied (3 Recreational, 6 Commercial Fishing)

1 Vacant, 1 disused requiring repair

Nelson Quay: 24 Berths

20 Occupied (18 Recreational, 2 Commercial Fishing)

2 Vacant, 2 disused requiring repair

West Quay (north): 1 berth

1 Occupied (large recreational vessel berth)

Future demand recreational berths:

Anecdotal evidence suggests that trailer boats have increased in popularity with recreational fishermen. Potentially due to the availability of larger and higher performing trailer boats along with more powerful towing vehicles. This may be the reason for a static demand for recreational berthage facilities.

This however places increasing demand on the Council owned Nelson Quay Boat Ramp and associated parking and also the Napier Sailing Club ramp and parking.

Demand exists for visiting larger recreational vessels (smaller super yachts), for which only the Napier Sailing Club has facilities to cater for. The Napier City Council controlled berths cannot cater for visiting recreational vessels.

The ability to cater for visiting recreational boats should be looked at in conjunction with redevelopments particularly the Napier Sailing Club proposal, along with catering for increased demand for boat ramp and associated car and trailer parking facilities.

Existing boat ramp water access:

Boat ramp owned and operated by the Napier Sailing Club. Pay to use.

Boat ramp owned and operated by Napier City Council at Nelson Quay (next to the Fishing Club.). Pay to use.

The only free access for small craft is from the reserve at 808 and 808A Meeanee Quay. Currently no formed ramp. It is important that this area be retained as public access for small craft and trailer parking.

Other Activities:

Napier Sailing Club: land occupied is vested in NCC as a local purpose (Boating Club) reserve under the Reserves Act. Deed of Lease with NCC, 21 years from 12.8.1999 with one ROR. In addition NSC and associated entities owns the marina adjoining its leased land.

The breastwork to the front of the Napier Sailing Clubhouse is to be renewed in the near future with Council contributing to half of this cost. The club also has a proposal to replace their pile moorings with a new marina.

Berths: 87

Pile Moorings: 40

Hawke's Bay Sports Fishing Club: land occupied (basically the footprint of the clubhouse) is vested in NCC as a local purpose fishing club reserve. Deed of Lease with NCC for 15 years from 1.7.2015.

Hawke's Bay Coastguard: 704 Meeanee Quay – Local Purpose Maritime Reserve. Lease with NCC 20 years from 1.9.1999. Currently being renewed.

Westshore Sea Scouts: 808A Meeanee Quay. Local Purpose Maritime Reserve. Lease being renewed from 1 June 2018 for 15 years with 1 ROR.

HB Canoe Club & Pacific SLSC: 808A Meeanee Quay. Local purpose Maritime Reserve. Current ground lease of footprint of sheds expired.

Waka Wharf: informal arrangement for the ocean going waka to occupy the waka wharf on West Quay. This wharf was not purpose built for the ocean going waka but for paddling waka.

The wharf is not completely suitable.

703 and 705 Meeanee Quay: subject to 20 year registered perpetually renewable 20 year ground leases with a private company. Land vested in NCC, Lessee owns buildings and improvements.

705A Meeanee Quay: land including slipway is privately owned and operated. Outside of any Council control.

West Quay:

West Quay is home port for 19 commercial fishing vessels, paying an annual berthage fee. With length available for 12 fishing vessels to be moored single file along West Quay.

In addition MV Carly has a permanent berth on the West Quay extension.

Berthage on West Quay is on a first in first served basis i.e. no dedicated berths per vessel. Visiting fishing vessels use West Quay and pay on a casual use basis.

At busy times i.e. the Tuna season up to 10 visiting vessels can be moored on West Quay at any one time.

In the event that there are no spare berths it is expected that vessels will berth more than one abreast but for safety reasons no more than four abreast into the channel. This applies to local vessels as well as visiting vessels.

The number of vessels on West Quay at any one time varies depending on the weather conditions and fishing seasons / and whether boats are away fishing for extended times. When factors combine and the harbour is full it can be somewhat congested.

This is exacerbated by vessels alongside the wharf in general do not like other vessels moored abreast of them and leave trawl boards out etc. to make this difficult. In addition you can't have a heavier steel boat along side a lighter wooden boat. It is left to the industry to manage among the skippers these issues.

When berths are unable to be obtained on West Quay then boats berth illegally on the refuelling wharf and discharge wharf.

It would be desirable to have more berths for the larger fishing vessels.

Issues:

Public parking and pedestrian and cycle access on West Quay creates potential health and safety issues. It is a working wharf and needs to be reserved as such.

Other parking and roading options should be considered.

Additional facilities provided:

Refuelling facility: operated by a private company with a Licence with NCC to Occupy West Quay Wharf.

Maintenance Wharf: Required as re-fit work including welding, gas cutting, disc grinding/sanding and spray painting is not allowed at normal berths due to the impact on surrounding vessels.

Discharge Wharf: located within the Iron Pot to allow a lower level discharge and loading facility.

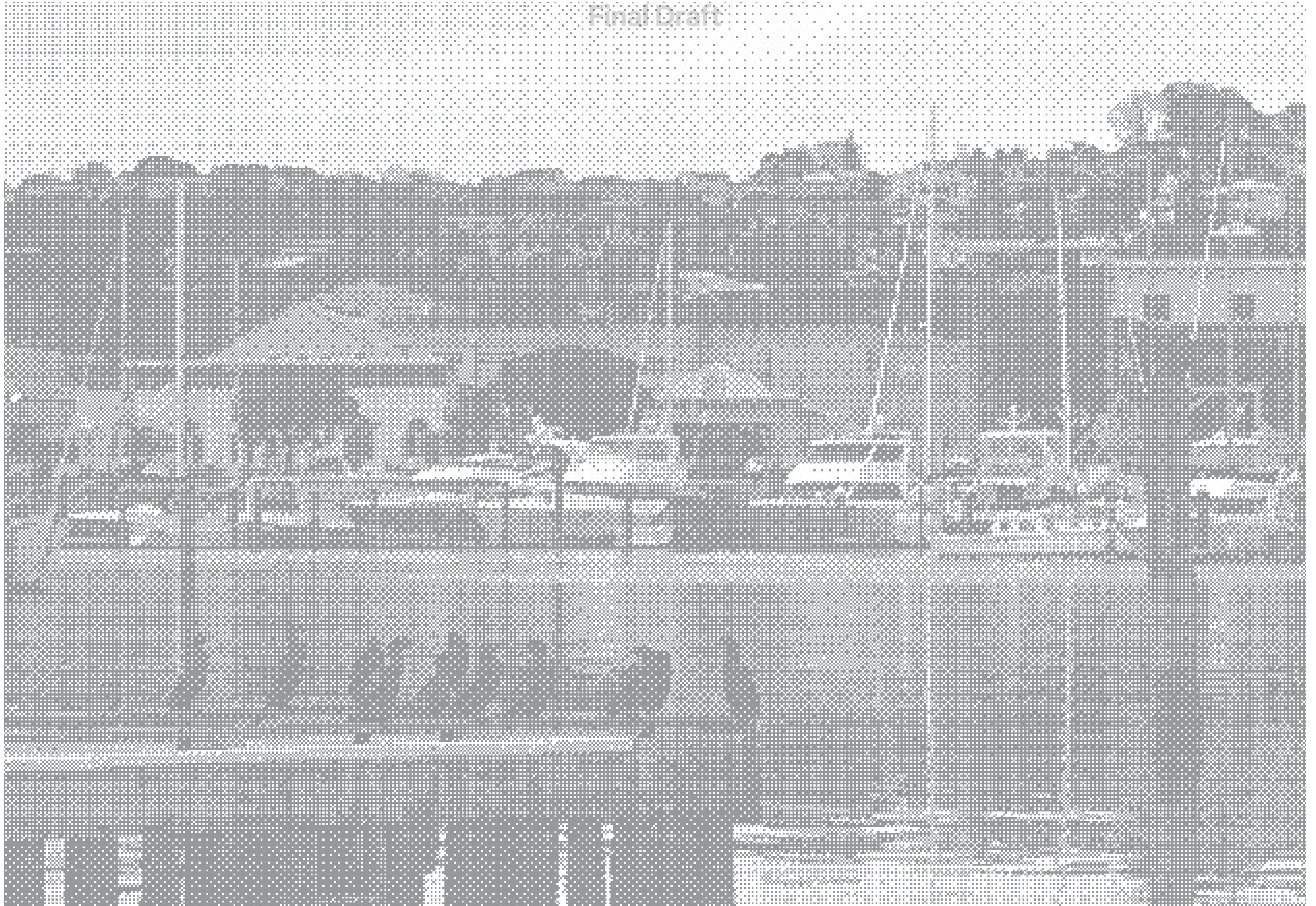
Other Requirements:

Requirement for sewerage discharge facility for boats.

Future developments need to cater for as separate areas:

- Fixed keel yachts due to depth requirements
- Smaller recreational and fishing vessels
- Larger fishing vessels
- Larger visiting pleasure craft

Final Draft



Final Draft

2. Inner Harbour Development Plan.

Design Principles.

To guide the future development of the inner harbour, design principles, specific to the built, natural and cultural context have been established. These principles build on the City Vision (2016), and the Ahuriri Estuary Masterplan (2018) principles of Connectivity, Quality and Authenticity.

Opportunities have been identified that build on an understanding of the project context and the existing infrastructure condition. They are the result of a clear set of project requirements provided by council officers and engagement with key stakeholders.

The inner harbour development plan recognises and strengthens the particular character and experience of the inner harbour and areas within it. Delivering on the vision for a thriving Ahuriri inner harbour.



A public harbour edge.

Connect people and place at the interface of land and sea - Ki Uta Ki Tai.



A working wharf environment.

Celebrate the working nature of the inner harbour, supporting economic development.



Authentic character and identity.

Promote the regional heritage, warehousing and working nature of the Ahuriri area.



A rich Māori cultural landscape.

Engage mana whenua to tell their stories and to share the unique Māori history of Ahuriri as a gateway to Te Moana-nui-a-Kiwa Polynesia.



A water based recreation destination.

Continue the history of voyaging, navigation and water based sport and recreation.



A resilient inner harbour.

Design for climate change, weather events and sea level rise.



A healthy marine environment.

Implement biodiversity, habitat and water quality improvement initiatives inclusive of mātauranga Māori.



An efficient high amenity port route.

Improve amenity while supporting the local and regional economy through retention of an efficient port route.

Opportunities.



- 1. Strengthen public space edge of Inner Harbour**
 - Creating continuous and generous pathway to inner harbour perimeter
 - Close gaps gaps at Nelson Quay, and increase provision at end of Iron Pot
 - Encourage improved public access through Sailing Club reserve area
- 2. Improve water quality**
 - Stormwater treatment of roading catchment at source, prior to discharge
 - Provision of sullage facilities
- 3. Improve habitat and biodiversity**
 - Habitat protection and creation - fauna: penguins, other manu, shellfish etc
 - Reintroduce endemic and other native plant species for habitat and biodiversity
- 4. Upgrade recreational vessel mooring facilities**
 - Replacement of end-of-life moorings at Meeanee Quay & Iron Pot
- 5. Upgrade Nelson Quay to enable other uses**
 - Re-plan car and trailer parking area to enable use for other activities at certain times.
 - Upgrade both street and wharf area to provide for safe pedestrian and cycle movement.
- 6. Create waka hub incl. purpose-built mooring(s) for waka hourua**
 - Pontoon mooring for Te Matau-a-Māui and visiting waka hourua
 - Accompanying landside facilities, public space and shelter / building(s)
- 7. Provide extended better managed commercial vessel mooring**
 - Improved management of commercial fishing vessel mooring. Booking system etc.
- 8. Create space for pedestrians & cyclists within working wharf**
 - Upgrade streetscape to improve amenity and address health and safety issues
 - Reduce private vehicle movement to one-way
 - Create generous pedestrian and cycle route to West and Customs Quay
- 9. Create West Quay laneway precinct**
 - Public laneway to east elevation of woolstores
 - Integrated with Mana Ahuriri development site and Customhouse
 - Supporting the activation of the rear of the existing woolstores
- 10. Improve Customhouse setting**
 - Extend one-way vehicle movement from West Quay to western end of Customs Quay
 - Public car parking to rear as part of laneways precinct
- 11. Improve the Bridge Street and 'peanut' arrangement**
 - Simplify / reduce / rationalise the 'peanut' roundabout arrangement
 - Create a more legible pedestrian environment, generous footpaths and tree planting
- 12. Strengthen connections between West Quay & Business Park area**
 - Create a new pedestrian linkage from Ossian Street to West Quay
- 13. Upgrade Te Karaka reserve**
 - Premier waterfront reserve, new pathways, seating, native tree planting, play & recreation
 - Recognise the cultural narrative of Tu Ahuriri, the channel and wider connections
- 14. Upgrade West Quay reserve**
 - Recognising its location as the former outfall of the Tutaekuri
 - Incorporate raingardens for stormwater treatment
 - Increasing ability to access / get close to / experience the water
- 15. Improve vessel launch and marina facilities at Meeanee Quay**
 - Retain and improve the informal (free) vessel launching facilities at Meeanee Quay
 - Construct new marina, car park and toilet block adjacent to Meeanee Quay reserve
 - Increase storage facility capacity
- 16. Upgrade public reserve at Meeanee Quay & Whakarire**
 - Celebrate the shingle spit landscape, drawing the character of wider estuary through
 - Provide for hobby fishing and small boat (kayak, canoe) launching
 - Provide space for picnic and informal recreation use, and xtend pathway around point
- 17. Recognise Pakake and Koau islands**
 - Pakake 'memorial' site near to location of current waka mooring (edge of Pakake)

Character & Experience.

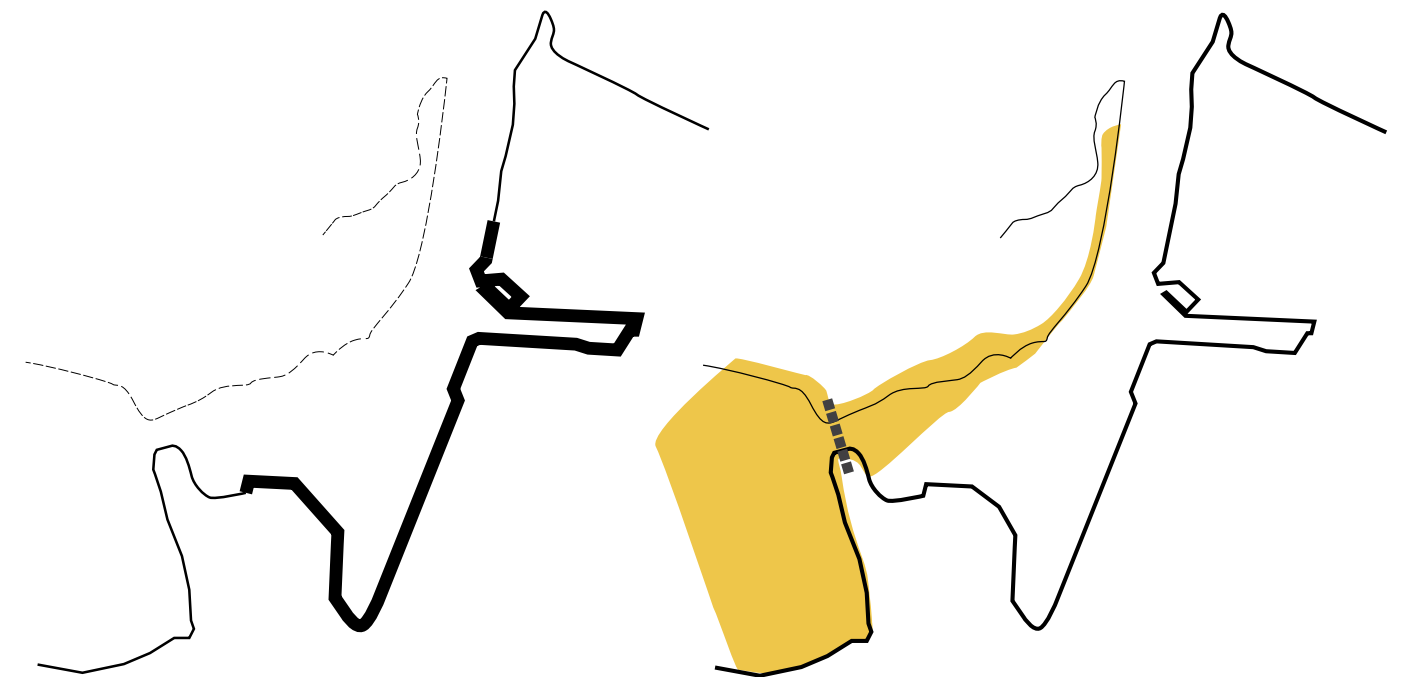
The inner harbour is an enclosed water-space, experienced as a linear movement route along the edge of land and sea. Creating a sequence of spaces of varying aspect, open-ness and enclosure.

The containment of the Iron Pot and southern end of the inner harbour are in contrast to the open views afforded to the north and west. The water space, converges at the channel before entering the harbour.

Built edges characterise the eastern side of the inner harbour and Iron Pot. In contrast with softer, more permeable edges to the north and west sides, nearer the estuary.

The built form responds to these edge conditions, with warehouses adjacent the quays forming largely continuous street frontage. In contrast, along Meeanee Quay, buildings sit within the open space, rather than defining it.

Opportunity exists to strengthen and express this character and experience.

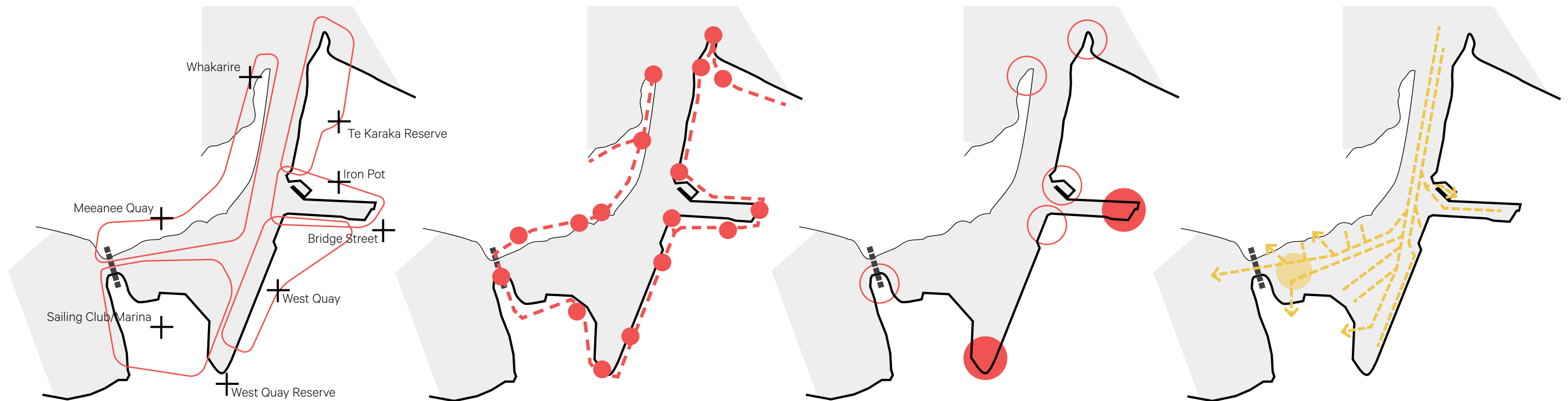


Edges.

Reinforce the distinctive edge conditions of the inner harbour - the strong line of the built edge of the quays and wharf edges to the east and south, and the softer lines of the shingle spit and estuary to the north and west.

Estuary - Inner Harbour.

Strengthen the connection between the estuary and inner harbour, while recognising their different characters. Draw the estuary environment through and along the shingle spit edge.



Character Areas.

The inner harbour is made up of a series of distinctive character areas:

Te Karaka Reserve; the Iron Pot; Bridge Street and the 'peanut' intersection; West Quay working wharf and reserve; the Sailing Club and marina, and the shingle spit with Meeanee Quay extending around to Whakarire point.

Water Edge Experience.

A necklace or sequence of nodes / events / spaces along the coastal edge. Experienced through moving along the edge via foot, cycle and vehicle.

Aspect.

Two locations within the inner harbour offer a sense of containment, shelter and refuge - the eastern end of the Iron Pot and the southern end of the inner harbour. Both afford contained waterspace views.

In contrast are locations at points where expansive views are afforded, at both sides of the northern end of the channel, both sides of the entrance to the Iron Pot and at the Pandora Road bridge abutment.

Water Access.

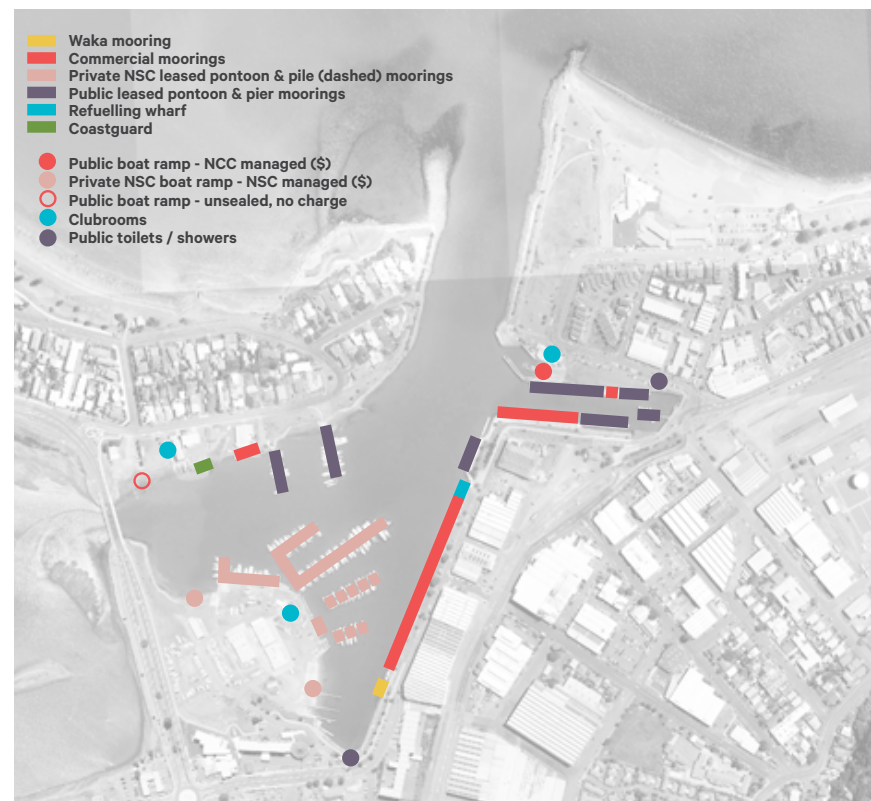
Multiple points of water access for vessels from public and private boat ramps and marina facilities.

Movement throughout the inner harbour and channel is spatially constrained.

Small area of water space east of the Pandora Road bridge utilised for sailing lessons.

Significant tidal flows beneath Pandora Bridge at times. Headroom beneath bridge restricted by tides.

Approach.

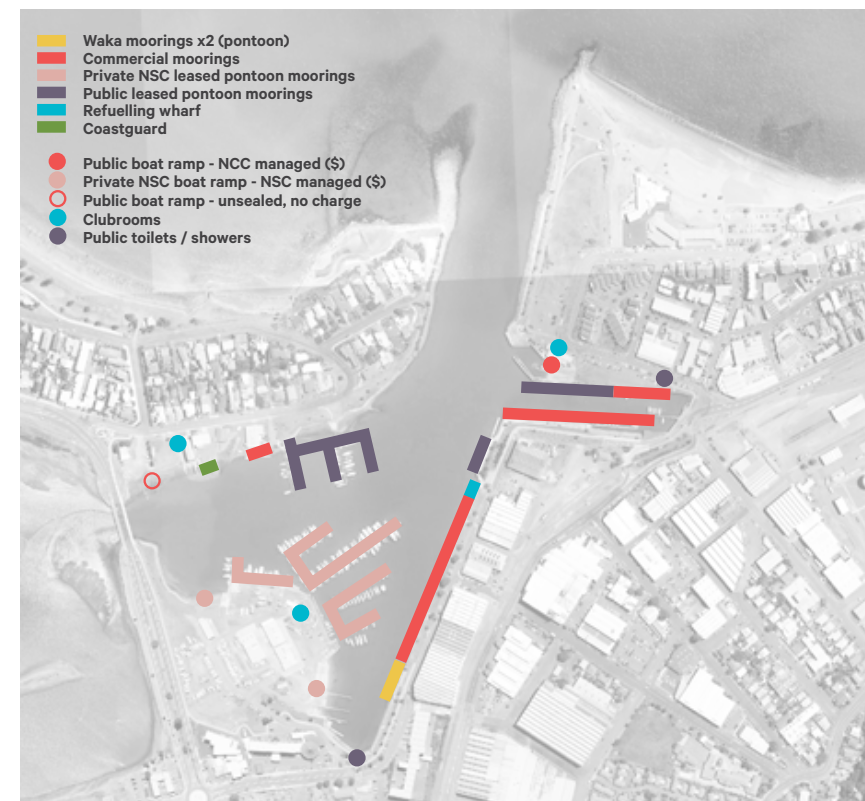


Existing.

Currently a mix of recreational and commercial land and water-side facilities are located dispersed around the inner harbour. Facilities include commercial fishing, recreational vessel and waka hourua moorings; clubrooms, boat ramps; Coastguard and refuelling facilities.

Issues:

- Condition of infrastructure.
- Dispersed facilities, contributing to increased costs to maintain.
- Health & safety issues of working wharf & public edge.
- Lack of sullage facilities.
- Need for purpose-designed waka hourua pontoon mooring.
- Lack of pontoons to assist launching at Nelson Quay ramp.
- Water quality including stormwater quality at discharge.
- Increased demand for recreational mooring.
- Demand for car & trailer parking, at times.

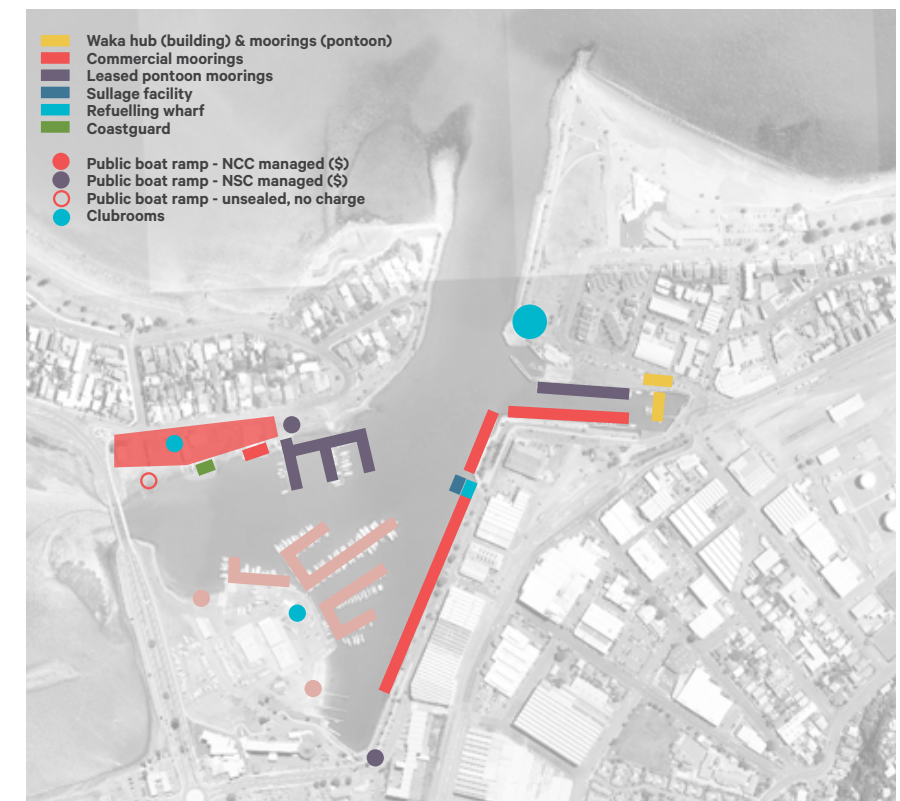


Option A.

Upgrade facilities in current locations.

Upgrade commercial and recreational moorings and facilities; provide purpose-designed waka hourua mooring in current location.

- End of life assets (pile moorings) replaced with new purpose designed pontoon moorings at Meeanee Quay & Iron Pot.
- Commercial fishing vessel mooring remain focused at West Quay & Iron Pot.
- Waka hourua mooring retained in current location. Upgraded to provide purposed-designed pontoon mooring.
- Nelson Quay boat ramp retained.
- Clubrooms and Coastguard remain in existing dispersed around and activating inner harbour perimeter.
- Free-of-charge smaller vessel launching retained & upgraded at Meeanee Quay.



Option B.

Consolidate facilities to new locations.

Consolidate and upgrade commercial and recreational moorings and facilities; provide purpose-designed waka hourua mooring and land-side facilities as part of Iron Pot waka hub. Provide sullage facilities at refueling station. Encourage marine industries precinct redevelopment at Meeanee Quay.

- End of life assets (pile moorings) replaced with new purpose designed pontoon moorings at Meeanee Quay & Iron Pot.
- Commercial fishing vessel mooring consolidated to West Quay & Customs Quay.
- Waka hourua relocated to Iron Pot, to purpose built pontoon moorings (x2), with associated land-side facilities.
- Potential for mixed-use including clubrooms building at south end of Te Karaka Reserve (replacing existing Sport Fishing Clubrooms building).
- Sullage facility co-located alongside refuelling facility
- Free-of-charge smaller vessel launching retained at Meeanee Quay.
- Coastguard remains in current location.

Final Draft

Isthmus.

Napier Inner Harbour Development Plan. Draft.



Left.
Top to bottom.

Te Karaka Reserve edge. Precast concrete & hardwood seating units inserted into limestone revetment in key locations. Increased volume of native species tree, shrub and groundcover planting.



Meeanee Quay Reserve fishing platforms and shingle beach. Extended shared path, picnic facilities, grass areas and coastal edge plantings.



Iron Pot waka hub purpose built pontoon moorings, seating terraces. Associated land-side facilities including pavilion buildings and pontoon access.



West Quay working wharf, one-way vehicle movement with pedestrian and cycle zone adjacent to alfresco dining areas. Pōhutukawa trees retained with increased area of underplanting and movable seating between to enable service access to wharf.



- Key**
1. Te Karaka Reserve, upgraded
 2. Beacon, retained
 3. Headland destination / outlook
 4. Seating plinths set within revetment
 5. Relocated car parking, Freedom camping
 6. Toilets
 7. Destination playspace
 8. New community building, clubrooms & cafe
 9. Relocated car & trailer parking
 10. Cafe / function terrace (lower area)
 11. Boat ramp retained
 12. Nelson Quay public space improvements
 13. New recreational pontoon & access ramp
 14. New pavilion & toilet buildings
 15. Iron Pot terraces & stormwater infrastructure
 16. Waka hourua pontoon moorings (x2)
 17. Discharge wharf
 18. Fishing platform, emergency vessel mooring
 19. Refuelling wharf
 20. Sullage facility
 21. West Quay working wharf & one-way street
 22. Pakake memorial space
 23. Boardwalk, stormwater quality infrastructure
 24. Public laneway & connection to Ossian St
 25. Napier Sailing Club precinct
 26. Ahuriri Linear Park (Pandora Road)
 27. Storage building, potential to redevelop to include club facilities
 28. Boat launch & trailer parking area upgrade
 29. Concrete launch ramp upgraded
 30. Coastguard building
 31. New pontoon moorings
 32. New refuse, toilet & shower facilities
 33. Meeanee Quay Reserve area upgrade incl. paths, fishing platforms & seating
 34. Shared path connection
 35. Whakarire Avenue car parking, relocated
 36. Western pier remnant retained
 37. Whakarire reserve, pathways, seating & native plantings
 38. Mana Ahuriri settlement site

1:4000 @ A3 / 1:2000 @ A1

Development Plan Summary. Draft.



- High priority
- Medium priority
- Low priority

Item (by area)		Infrastructure Condition	Public Space Upgrade	Facilities	Water Quality	Priority	Cost
1	Te Karaka.						
	<u>Revetment</u>						
1.1	Replenish/rebuild limestone revetment to length of channel to address identified erosion and create as necessary uniform distribution, covering existing bench to restrict access along.						\$\$
1.2	Construct precast concrete stepped seating units into limestone revetment at three locations, accessed from boardwalk level.						\$
1.3	Construct precast concrete, hardwood & limestone rock stepped headland, including new surfacing, seating, lighting and access to area of proposed Doris memorial.						\$\$
	<u>Reserve</u>						
1.4	Upgrade Te Karaka Reserve to premier recreation reserve. Includes relocation and extension of existing car parking, t incl. raingardens for stormwater treatment. Widened boardwalk, extended path network, destination playspace, seating, rubbish bins, lighting, native tree, shrub and groundcover plantings.						\$\$
1.5	New multi-storey multi-purpose club and community building on part of existing southern car park area. Assume 500m2 area across two+ levels.						\$\$\$
1.5	Community building plaza area, extended car parking area to include car and trailer parking, incl. raingardens for stormwater treatment, upgrade lower terrace area with new concrete surfacing, furniture lighting and balustrading.						\$\$
1.6	Gross pollutant traps to all road drainage sumps and at outfall to harbour within Reserve area.						\$
2	Iron Pot.						
	<u>Nelson Quay</u>						
2.1	Option 1. Repair of Nelson Quay seawall, new balustrading.						\$\$\$
	Option 2. Replacement of Nelson Quay seawall on current alignment, incl balustrading.						\$\$\$
2.2	Retain existing boat ramp, reinstate pontoons for launching,						\$
2.3	New 'pier' and terraced water access terraces to south side adjacent to boat ramp.						\$\$
2.4	Remove Fishing Club building(s) and associated bar/ restaurant (staged following 1.5).						\$
2.5	Replace existing pontoon and associated recreational vessel berths including required services for moorings below Nelson Quay seawall. New access ramps from quay level west to recreational moorings, east to waka pontoon.						\$
2.6	Upgrade quay / wharf area. West area (2/3) concrete surface for car & trailer parking / manoeuvring, east end (1/3) to public space including concrete paving, compacted gravel areas, seating, bollards, lighting and trees.						\$
2.7	Upgrade Nelson Quay streetscape including bus stop. Including footpath widening, resurfacing, street lighting, street trees and raingardens for stormwater treatment.						\$\$
2.8	New pavilion building(s) including toilets, exhibition and gathering space to east end of existing car park area. Integrating shelter for bus passengers.						\$\$
	<u>SH50 / Bridge St End</u>						
2.9	Replace SH50 revetment, seawall, wharf and jetty with new (sheet piled) seawall on alignment to front of existing. Concrete seating terraces, hardwood seating platforms forming terraced seating area. Include for amenity lighting and power supply.						\$\$
2.10	Upgrade existing intersection streetscape. Including carriageway realignment, footpath widening & surfacing, seating, street lighting, street trees and raingardens for stormwater treatment.						\$\$

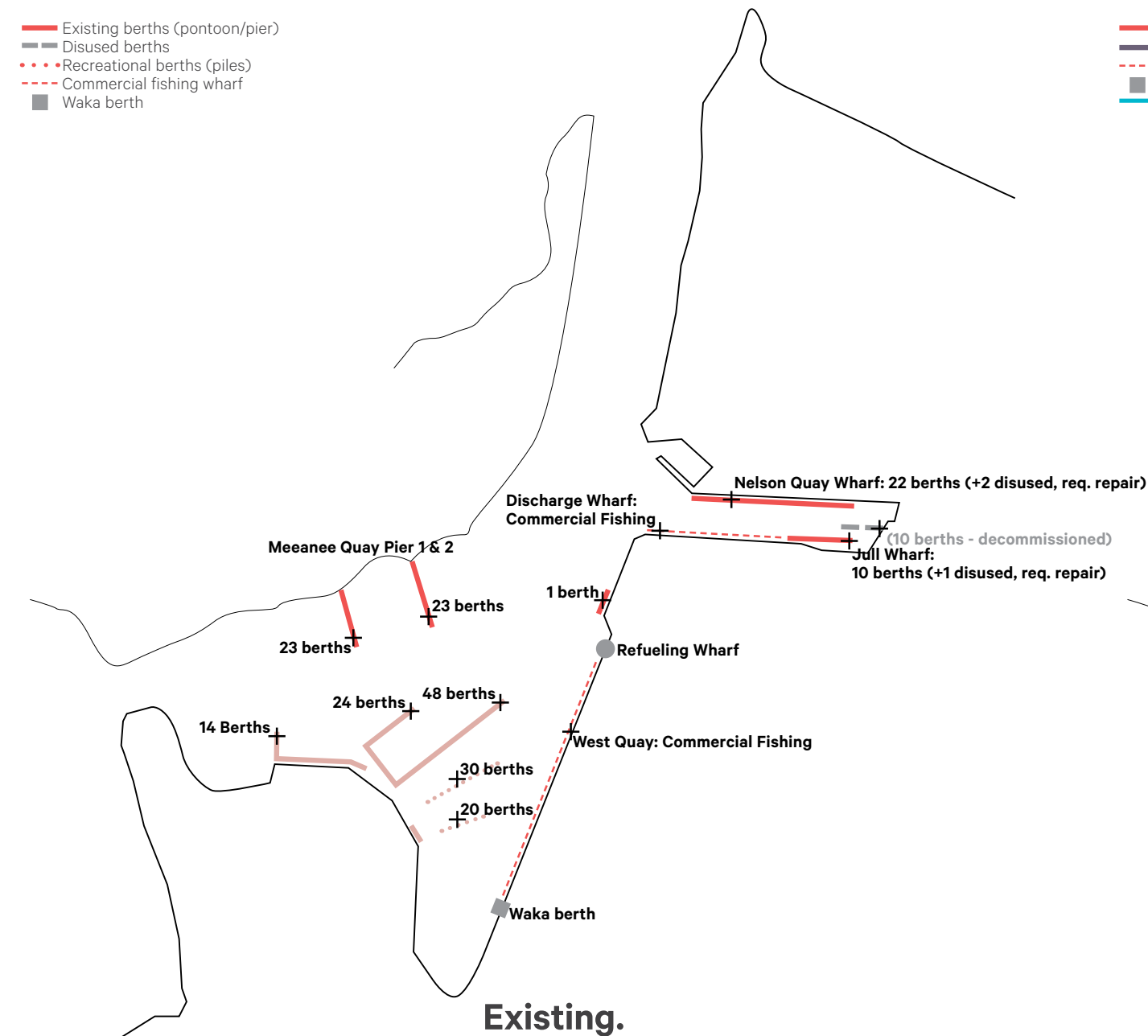
Development Plan Summary. Draft.

	Item (by area)	Infrastructure Condition	Public Space Upgrade	Facilities	Water Quality	Priority	Cost
2.11	Install mechanical stormwater filter within existing pipe network to provide end-of-line treatment of wider catchment. Upgrade / replacement of existing outfall as necessary.						
2.12	New purpose designed pontoon and finger pontoons for waka hourua (x2) mooring.						
2.13	Remove disused pier and moorings extending from Bridge St end of Iron Pot.						
2.14	Retain and repair as necessary pier and associated (Jull Wharf) moorings east of Discharge Wharf as connection between seating terraces and existing Discharge Wharf.						
2.15	New revetment, new accessible ramp pedestrian access in planted bank between Customs Quay and Discharge Wharf/new boardwalk. Incorporate habitat for Kororā.						
2.16	Discharge Wharf and vehicle access points retained, with repair &/or replacement of timber piles as necessary.						
2.17	Gross pollutant traps to all road drainage sumps and at outfall to harbour within Iron Pot area.						
3	Bridge Street & ‘Peanut’ Roundabout.						
3.1	Investigate with Waka Kotahi the realignment of Bridge Street carriageway between Coronation and Ossian streets, including potential reduction in .peanut. roundabout length, relocaton of rail barrier arms, new crossing points and pedestrian refuges.						
3.2	Streetscape upgrades. Including widened concrete surfaced footpaths, street tree & raingardens / mechanical stormwater filters for stormwater treatment.						
3.3	Gross pollutant traps to all road drainage sumps and at outfall to harbour.						
3.4	Gross pollutant traps to all road drainage sumps and at outfall to harbour within Bridge Street area.						
4	West Quay.						
4.1	Upgrade Customs Quay to one-way slow street. Including full street width resurfacing (widening footpath, narrowing carriageway, parallel car parking north side only), seating, bollards street trees, raingardens, street and feature lighting. Option 1. Full carriageway rebuild to surface in concrete. Option 2. As above. Resurface in asphalt over existing bases.						
4.2	Upgrade West Quay (to Lever St) to one-way slow street and working wharf (continuous with Customs Quay). Includes full quay and street width (widening footpath, narrowing carriageway, retaining existing mature trees), street furniture including seating, increased planted area beneath existing trees, street and feature lighting. Option 1. Full carriageway rebuild including wharf area to surface in concrete. Option 2. As above. Resurface in asphalt over existing bases.						
4.3	Mechanical stormwater filters installed within existing pipe network for Customs and West Quay catchment.						
4.4	Repairs to seawall as required.						
4.5	Retain West Quay Floating Jetty, repair revetment to uniform, address corrosion of steel elements.						
4.6	New fixed / pontoon moorings (small commercial / recreational vessels) to northern lower wharf area.						
4.7	Upgrades to refuelling station as required.						
4.8	New sullage facility adjacent to refuelling, utilising refuelling wharf. Connection to wastewater system.						
4.9	Deliver Pakake (plaza) space through co-design with Mana Whenua.						

	Item (by area)	Infrastructure Condition	Public Space Upgrade	Facilities	Water Quality	Priority	Cost
4.11	Boardwalk from memorial space across end of inner harbour. Assume piled structure, hardwood surface, wheelstops, seating, lighting and interpretation.						
4.12	West Quay southern reserve area upgrade. Including new footpath connection into Sailing Club reserve, widened foopaths, street trees and raingarden for stormwater treatment.						
4.13	Gross pollutant traps to all road drainage sumps and at outfall to harbour within West Quay area.						
5	Meeanee Quay & Whakarire.						
	<u>Meeanee Quay</u>						
5.1	Open space upgrade of area west of Sea Scouts hall, retaining gravel ramp for small boat launching. Hardstand areas, seating, lighting, tree, shrub and grass areas. Addressing local stormwater outfalls to improve water quality.						
5.2	Repair / rebuild existing concrete ramp adjacent to Sea Scout hall.						
5.3	Replace Meeanee Quay Jetty 1 & 2 with floating pontoon marina, land-side refuse, toilet and shower facilities.						
5.4	Open space upgrade of area east of Nino's. Including upgrade of car parking area, pathways around to Whakarire, picnic lawns, fishing platforms (acting as groyne), beach construction as required, seating, rubbish bins and lighting.						
5.5	Footpath upgrades / widening to extend shared path from intersection with Pandora Road along Charles Street, including stormwater quality treatment.						
5.6	Capitalise on opportunities for NCC ownership of sites along Meeanee Quay.						
	<u>Whakarire</u>						
5.7	Replenish Whakarire revetment as part of Whakarire point public space upgrade.						
5.8	Option 1. Repair as required to the Whakarire Jetty (timber and steel), upgrade to provide water access, as part of wider public space upgrade. Option 2. Remove Whakarire Jetty.						
5.9	Public space upgrade of Whakarire point to include relocation of car park area to end of street, headland path, seating, native tree and shrub planting. Reinstating public space claimed by adjacent residences.						
5.10	Gross pollutant traps to all road drainage sumps and at outfall to harbour within Meeanee Quay and Whakarire area.						

In delivering these initiatives, Council will procure services using the Progressive Procurement Guidelines, where appropriate.

Indicative Berth Numbers & Locations.



Total Berths:

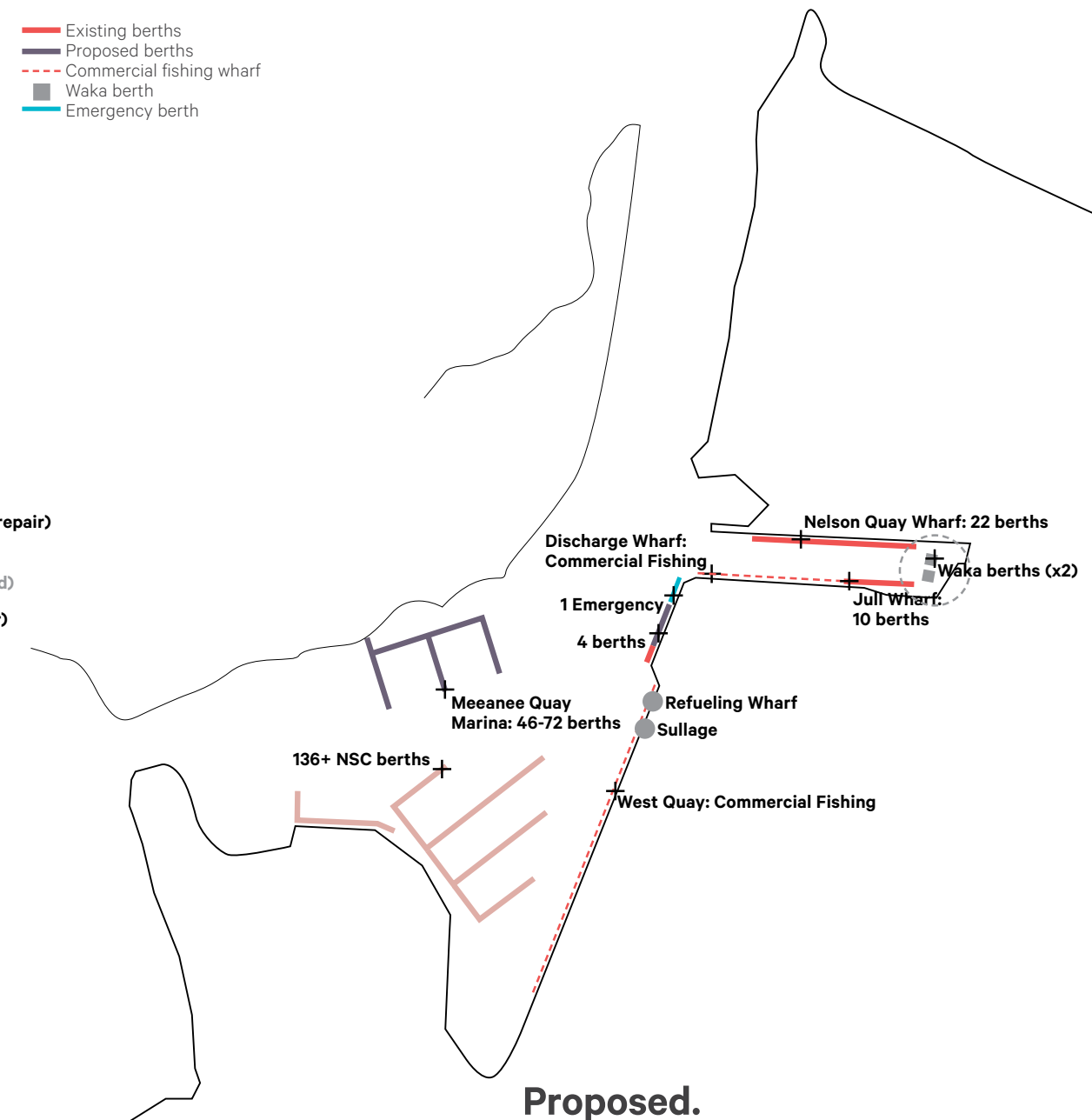
136 Napier Sailing Club berths
(incl 50 pile moorings).

NCC Recreational berths: **79 operational** (+3 disused requiring repair)

NCC Commercial berthage: 430 lin. m (approx)

Waka berths: 1

Emergency berth: 0



Total Berths:

136+ Napier Sailing Club berths. Showing NSC proposal to
replace pile moorings with pontoon moorings

NCC Recreational berths: **82+**

NCC Commercial berthage: 430 lin. m (approx)

Waka berths: 2x (purposed designed)

Emergency berth: 1

Water Quality Initiatives & Event Opportunities.

Events.

The inner harbour hosts a number of water sport related events. The quays, street and reserve areas present opportunities to extend the events focus wider to include markets, performance, cinema, laneway festival, light show, arts and sculpture based events. The waka hub offers potential to host national and international cultural events.



Water Quality.

The Development Plan presents high-level initiatives to improve water quality, with a focus on stormwater entering the harbour from the surrounding public road and wharf areas.

Where practical, at-source treatment of stormwater through low-impact raingardens is recommended. In other locations mechanical treatment devices may be a more appropriate solution. Raingardens have the added benefit of improving amenity, habitat and biodiversity values. Both raingardens and filters require on-going maintenance.

Installation of gross pollutant traps is recommended to all sumps within the road corridor. With screens at the discharge point to collect rubbish and large particles.

Monitoring of activities related to discharge of waste via the stormwater system from private land adjacent is recommended.

Sullage facilities are recommended adjacent to the refuelling station.

Te Karaka Reserve.

Creation of a premier waterfront destination that recognises the rich Māori and European history of the site and surroundings. Suitable for a variety of recreation activities and events.

Located on the shingle spit to the eastern side of the channel connecting the estuary and bay. The channel was originally cut by Tu Ahuriri as a point of access between estuary and ocean.

The current alignment of the channel follows the line of the east pier constructed in the late 1800's. The site was designated public foreshore reserve following the decommissioning of the petroleum storage tank depot and sewage outfall, and purchase of the land by Napier City Council in 1994.

The reserve is predominantly grassed, with limited tree cover. The water edge along the channel is engineered limestone revetment, providing habitat for Kororā, extending into a constructed 'headland' of concrete blocks on varied alignments functioning to reduce tide and wave action within the channel and protect the constructed beach along the northern edge of the reserve.

The reserve is primarily utilised on a day-to-day basis for passive and active recreation, particularly focused on the shared path along the reserve edge. It hosts a number of events through the year including Fishing Club events.



Right and below.
Existing site materials, texture & colour palettes study.



Left:
Ahuriri Roadstead - c1859 by J Rhodes. Entrance to the estuary with Te Karaka Point shown beyond Te Koau Island.

Opportunities.

The reserve's water edges, particularly the channel edge and 'headland', offer significant opportunity to bring people to the water edge, to enable interaction with the water, while addressing the condition of these assets.

At strategic points within the limestone revetment, and limiting disturbance of the resident Kororā, there is potential to create areas of stepped seating units for people to observe the activity of the channel off-line from the existing pathway route. These would be potential locations for exploring the cultural narrative associated with Tu Ahuriri, and for interpretation about the resident penguins. Extending out to the point, there is opportunity to create an accessible setting for the Doris memorial and to reconstruct the 'headland' to enable easier level and stepped access out to experience the dynamic nature and views across the bay.

Upgrade of the main reserve area including relocated and extended car parking back from the water edge to prioritise place for people; event lawns with required services; potentially incorporating additional recreation activities - half-ballcourt and plaza area (to accommodating overflow car parking); a shingle bank / coastal themed destination playspace; and a combined club and community building to host groups, support events and provide space for marine education. The reserve area offers significant opportunity for additional native tree planting for shade, shelter and habitat for coastal marine species. Use of Karaka species would assist in reinforcing cultural associations, while continuing to provide expansive open areas for events and recreational activity.

Scope.

- Repair of existing limestone rock revetment.
- Large scale seating units (x3+) within limestone revetment.
- Integrated cultural design opportunity relating to Tu Ahuriri & channel.
- Reconstructed headland at north end for increased accessibility, precast concrete, limestone rock and hardwood.
- Widen existing shared path boardwalk to include integrated seating along edges. Remove existing barriers that impede views.
- Native plantings along edge to protect & enhance Kororā habitat.
- Opportunity to provide Kororā nesting boxes.
- Coordinated implementation of the Doris memorial.
- Create passive recreation & event lawns with power and water facilities.
- Upgrade northern car park area, incorporate at-source stormwater quality treatment.
- Upgrade south car park to include car and trailer parking, incorporate at-source stormwater quality treatment.
- Destination children's playspace plus toilet facilities.
- Retention of existing Sport Fishing Club building in short-medium term, with potential for new shared club, marine education, community & cafe building in longer term.
- Associated upper plaza and multi-purpose car parking area.
- Improved and continuous pedestrian connection along Nelson Quay.
- Improved street and amenity lighting.



1. Stepped seating areas
2. Widened boardwalk
3. Constructed 'headland'
4. Indicative Doris memorial site
5. Destination playspace
6. Car park, Freedom Camping
7. Main event lawn, serviced
8. Low native planting & native trees
9. Widened boardwalk
10. Car park
11. Club, marine education, community & cafe building
12. Native coastal tree & shrub planting

Left.

Existing reserve area aerial photo. Former alignment of shingle bank and channel evident in current Nelson Quay street layout.

Expansive grass areas, minimal tree planting, car parking occupying prime water edge locations with long access drive.

Right.

Sketch reserve layout.









Two event lawns of differing sizes are created, separated by path network. Widened boardwalk and edge plantings restrict access to Kororā habitat. Coastal plantings, children's playspace at northern end, continuing out to Doris memorial site, beacon and reconstructed headland. Potential new combined club, cafe and community building to southern end. With multi-purpose car parking / market space, including raingardens.

1:2000 @ A3



Final Draft

Te Karaka Reserve. Water edge path & headland.

-  A public harbour edge.
-  Authentic character and identity.
-  A water based recreation destination.
-  A healthy marine environment.
-  A working wharf environment.
-  A rich Māori cultural landscape.
-  A resilient inner harbour.
-  An efficient high amenity port route.



Below.
Widened boardwalk shared path along reserve edge. New native coastal species tree and low shrub planting.



Left & Above.
Large scale concrete seating elements at key locations accessed from the widened upper boardwalk create off-line spaces to sit and watch the activity of the channel. Interplant upper areas of revetment with native grass and groundcover species.

Right.
Celebrate the reserve naming with Karaka tree (*Corynocarpus laevigatus*) plantings.



Right.
Events potential. Boat racing. Picnics and outdoor cinema. Sculpture / light installation.



Final Draft

Isthmus.



Above.
Concrete, limestone
and timber headland
extends out from
point, enabling
easier access
and providing
opportunities for
seating and location
for fishing.



The point extending north from the end of the reserve offers a location from which to experience the dynamic nature of the harbour and open ocean. An ideal location to cast a fishing line from, and a popular location for wedding and event photos. Currently access is difficult with concrete blocks laid at random angles and alignments.

Opportunity exists to create a more easily accessible 'headland' structure, from a palette of hardwood timber, concrete and limestone boulders. Celebrating the interplay of textures these local materials brings.



Above.
Precedent images,
from top: Oriental
Bay, Wellington.
Evans Boat Harbour,
Gold Coast.

Right:
Precedent images,
from top: half
ballcourt opportunity
for youth activity.
Environment themed
play opportunity



Final Draft

Iron Pot.

A place of sheltered anchorage from pre-European times, the enclosed water space of the Iron Pot currently provides mooring for commercial fishing and recreational vessels.

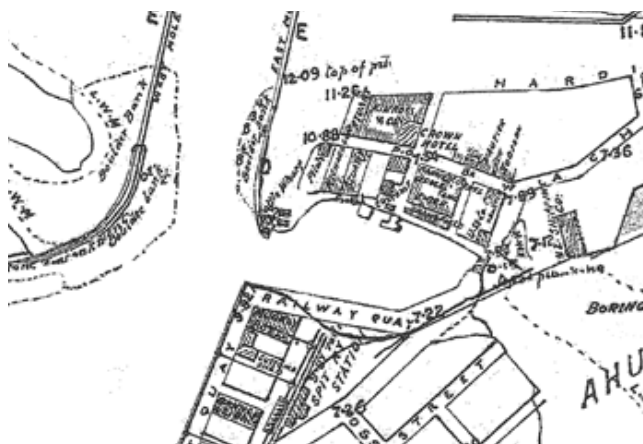
Creation of a waka 'hub' at the eastern end with associated seating terraces, public space areas, pavilions, access paths and pontoon offers a vibrant new use.

One of the first breakwaters built extended west from the edge of Koau island enclosing the southern edge of the Iron Pot, followed by the construction of Railway Quay (now Customs Quay), and the construction of a bridge at the east end, linking the island and wider reclamation with the shingle spit to the north. The original location of the sea wall / wharf to the north side followed closer to the Nelson Quay alignment. The current sea wall constructed shortly before the 1931 earthquake lifted over 1.5m resulting in a significant height difference down to the water level.

Condition of many of the assets within the Iron Pot requires attention, providing the opportunity to deliver additional public space, environment, community, cultural and social outcomes as part of their renewal. Including replanning of existing recreational club facilities, creation of a waka hub, improved pedestrian connectivity, new public open spaces and seating, improved stormwater quality, and tree and shrub planting for shade, shelter and habitat.

Final Draft

Isthmus.



Above.
Map extracts
showing sequential
development of the
Iron Pot area over
time.



Right.
Existing site
materials, texture &
colour palette.



Right.
(l-r) Boat ramp,
seawall & pontoon,
lower wharf in
foreground; Looking
west along Iron Pot.
Discharge wharf to
left. Bridge Street
pier in foreground.
Recreational vessel
moorings either
side; Discharge
wharf, access drive
& pou located at
outer corner of
Iron Pot.



Above.
(l-r) Pontoon
below Nelson
Quay seawall;
Looking south
across Iron Pot to
Discharge Wharf,
pier & limestone
revetment; Bridge
Street pier & Jull
Wharf.

Left.
Seawall enclosing
boat ramp

Iron Pot. Waka Hub.

Celebrate Ahuriri as a gateway port for waka voyaging with the creation of a purpose built mooring for Te Matau a Māui and visiting waka hourua. With supporting land-side facilities to enable hosting of events and the continued revival of waka practices.

Creation of purpose built pontoon mooring for waka hourua at the end of the Iron Pot is proposed. Supporting this waterside facility are landside facilities including seating terraces stepping down toward the water, widened footpaths and space for gathering and karanga, pavilion structures containing exhibition (digital story-telling platform, interpretation) space, gathering space and toilet facilities. Creating space to host events including Te Herenga Waka Festival, and other tourism and economic opportunities.

Opportunity to upgrade the Nelson Quay area of the Iron Pot to a flexible public space able to host activities in addition to car and trailer parking. such as markets and passive recreation. Retaining the existing boat ramp and manouvering area as part of upgraded parking and public space area.

Opportunity for significant improvement of the stormwater entering the inner harbour through the integration of planted low impact and mechanical stormwater treatment devices, along with treatment of stormwater at source within the wider catchment. Terracing and pavilions are to be designed to ensure access to stormwater infrastructure for both routine and emergency maintenance and repair

Karaka
Koau
Pakake



Above & Left. Waka based event images. Source: Inner Harbour Profile for Māori Tourism.

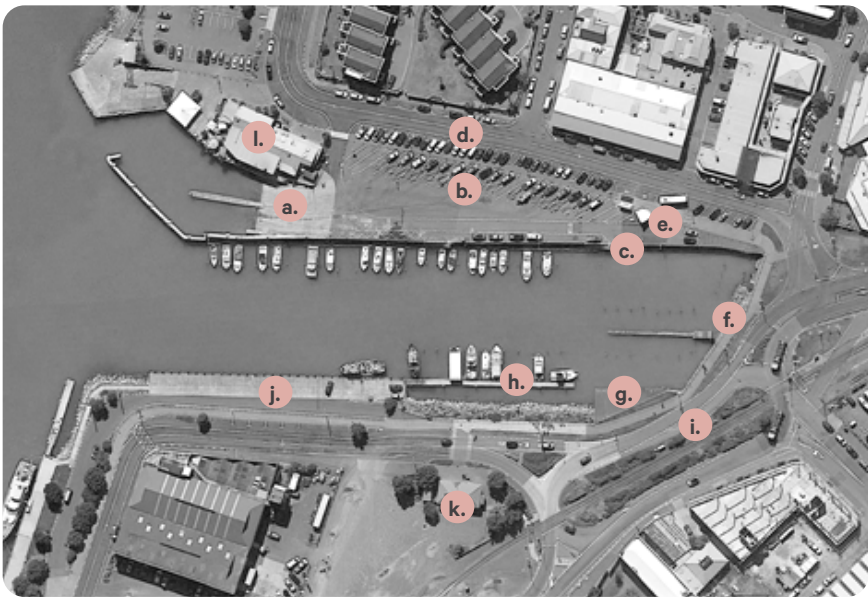
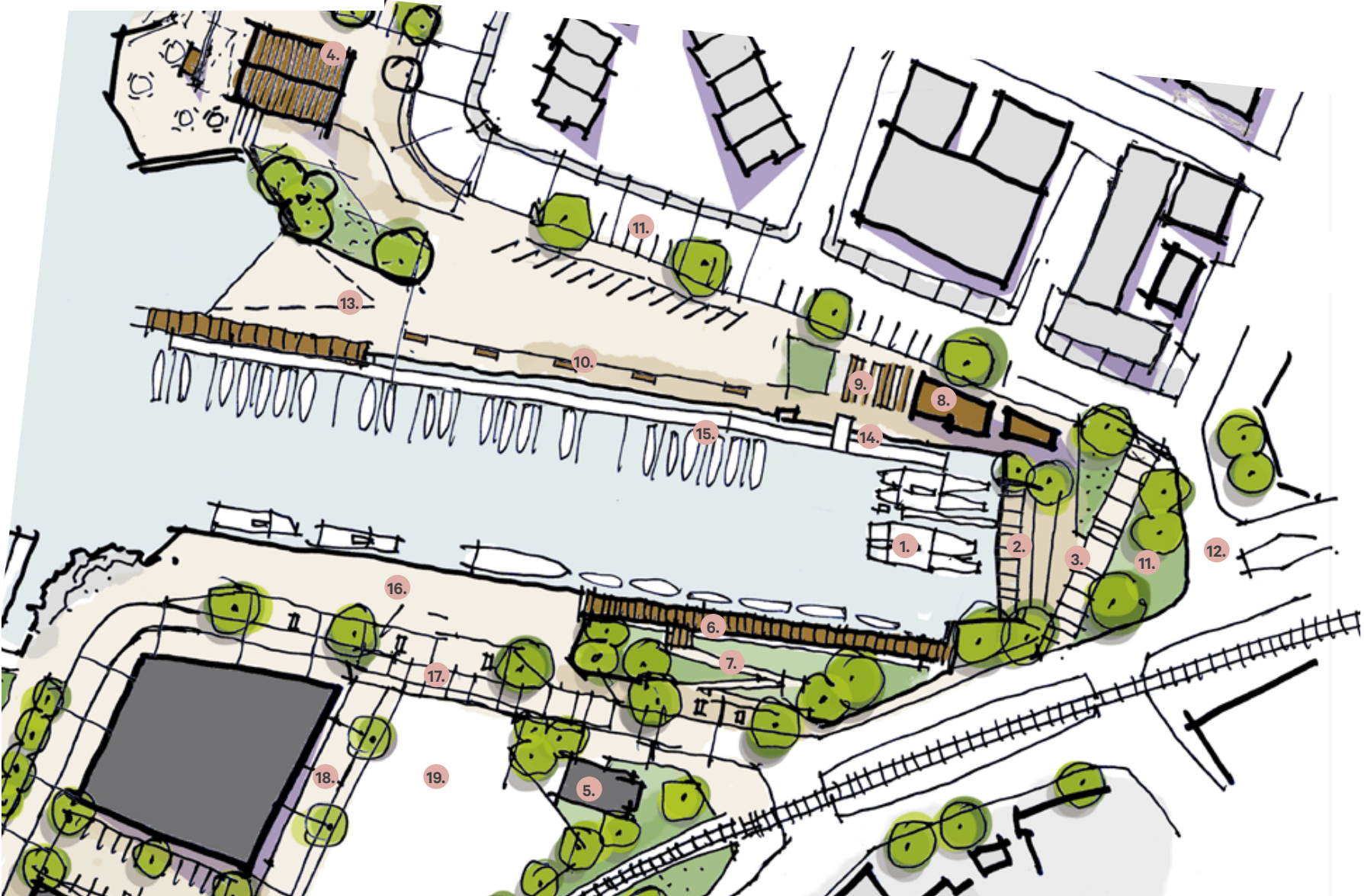


Right. Iron Pot existing, looking north from Customs Quay. Pontoon mooring of recreational vessels against seawall. Commercial fishing vessels berthed at Discharge Wharf.

'Since the revival of waka knowledge in Ngāti Kahungunu, Ahuriri has become a gateway port for voyaging waka from Polynesia and centre for revival of traditional celestial navigation. Alongside the Atea-a-Rangi Celestial Compass and expansion and diversification of waka practices, Ahuriri is best-placed to leverage a unique Māori brand.'

Scope.

- Long term relocation of Sport Fishing Club to nearby new facility.
- Implement continuous shared path from reserve to Nelson Quay.
- Upgraded Nelson Quay streetscape to include widened footpaths, street tree plantings.
- Investigate viability of raingardens for stormwater quality improvement.
- Repair / replace as necessary the existing northern seawall, including balustrade &/or wheelstops to edge.
- Replace pontoon moorings to north side, including new access ramp.
- Retain public boat ramp, reinstate pontoons to aid launching.
- New pavilion building, housing exhibition / gathering space & toilets.
- Remove Jull wharf and finger pier.
- Replacement of seawall at western end with new seawall, potential to incorporate seating terraces.
- Widened footpaths, plaza space, seating terraces and plantings.
- Install mechanical stormwater treatment within network prior to discharge to Iron Pot, supplement with raingardens within road reserve.
- New pontoon and fingers suitable for waka hourua mooring. Pontoon sized for capacity required for waka boarding and events.
- Boardwalk connection between seating terraces, pontoon and Discharge Wharf.
- New limestone revetment wall, planted bank and ramp connection between Discharge Wharf & boardwalk and Customs Quay allowing for undisturbed areas for Kororā nesting
- Improved street and amenity lighting.
- Dedicated bus stop.



- Existing**
- a. Boat ramp
 - b. Car & trailer parking
 - c. Seawall and access ramp
 - d. Nelson Quay
 - e. Toilets & bus stop
 - f. Bridge St seawall and pier
 - g. Jull Wharf
 - h. Pier, revetment behind
 - i. Bridge St & 'peanut'
 - j. Discharge Wharf
 - k. Customhouse
 - l. Sport Fishing clubrooms



Right.
Low impact
stormwater
treatment options -
planted raingardens,
mechanical filters.

- 1. Purpose-built pontoon mooring
- 2. Seating terraces, new seawall beneath
- 3. Karanga plaza space
- 4. New club, cafe & community building
- 5. Old Customhouse
- 6. New boardwalk connection
- 7. Ramped access
- 8. New pavilion & toilet facilities
- 9. Nelson Quay public space.
- 10. Balustrade & seating elements to restrict access to edge
- 11. Stormwater treatment raingardens
- 12. Mechanical stormwater treatment beneath.
- 13. Existing boat ramp retained, end terraces replace current seawall
- 14. New access point and ramps
- 15. New recreation mooring pontoon
- 16. Existing Discharge Wharf
- 17. One-way Customs Quay
- 18. New public laneway
- 19. Mana Ahuriri settlement site



Final Draft

Iron Pot. Waka Hub.



Left. Purpose built waka hourua mooring pontoons, seating terraces and plaza space to end of Iron Pot. Boardwalk connection to Discharge Wharf, with ramped connection up to Customs Quay. Pavilion(s) on Nelson Quay housing exhibition space, toilets and other facilities. Potential to integrate additional Kororā habitat within / beneath the terrace structure.

Right. Precedent: Pavilion, public art, wharf and boardwalk, Kumutoto Wellington.



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Left.
Precedent: Seawall, steps and seating terraces, Kumutoto Wellington.



Above.
Retain / replace limestone revetment, planting & accessible path. Incorporate additional Kororā habitat / nesting areas to terraces structure.

Right.
One-way Customs Quay. Increased public space, pedestrian and cycle zones.

Ramped access to wharf edge beyond Discharge Wharf from Customs Quay.



A public harbour edge.



Authentic character and identity.



A water based recreation destination.



A healthy marine environment.



A working wharf environment.



A rich Māori cultural landscape.



A resilient inner harbour.



An efficient high amenity port route.

Bridge Street.

Investigate the potential to upgrade Bridge Street from the Ahuriri Bypass south to Riddell Street to improve pedestrian amenity and legibility and to better connect the two areas of Ahuriri separated by the State Highway.

A complex roading arrangement currently exists where Bridge Street meets Customs Quay, Coronation Street and the Ahuriri Bypass. A 'peanut' shaped roundabout accommodates the port rail link crossing from the west to the east side of the road, the required movements and turning of truck and trailer units, and vehicle movement in and out of Coronation Street and Customs Quay. The complex and vehicle dominated roading environment lacks legibility and is hard to navigate for pedestrians. For drivers it is also a complex roading arrangement.

Opportunity exists to work with Waka Kotahi to investigate potential changes to the roading arrangement to improve pedestrian amenity and legibility, and to better connect the two areas of Ahuriri currently separated by Bridge Street / State Highway 50 arrangement. With the potential to incorporate land previously utilised for weighstation purposes.

A number of options have been tested at high-level (refer to appendix), with a preference for a simplification of the existing layout to deliver on the roading and rail requirements, improved pedestrian and cycle amenity and consistency with the Inner Harbour Development Plan principles. A potential option is illustrated within the sketch plan, which shortens the 'peanut' roundabout through the reduction of Customs Quay to one-way vehicle movement. Footpaths could be widened and additional pedestrian crossing points created.

Realignment of the Bridge Street south carriageway from Lever Street to the 'peanut' could include crossing points and pedestrian refuges either side of Ossian Street, street trees and widened footpaths along the north side with clear pedestrian linkages through to the proposed laneway, car parking and West Quay. The connection to Bridge Street north has the potential to be made more direct to give more pedestrian space at the end of the Iron Pot.



Above.
Looking southwest from end of the Iron Pot.

Right.
Bridge Street. Looking north from the end of the peanut. A transportation dominated streetscape.



Right.
Looking south across end of Iron Pot to Bridge Street, the Customhouse



Right.
Cutaway section of potential Bridge Street south arrangement. Showing increased pedestrian and cycle amenity, and connections through to West Quay.





Scope.

- Alongside Waka Kotahi investigate the potential for upgrade of Bridge Street to improve amenity, legibility and connectivity.
- Realign Bridge Street carriageway from Lever Street north utilising former weighstation land, including pedestrian crossings and refuges to either side of Ossian Street.
- Create generous width tree lined footpath to northwest side.
- Footpath connection through to laneway, car parking and West Quay.
- Retain indent car parking to Bridge Street south on southern side.
- Reduce Customs Quay to one-way level surface 'slow-street'. (eliminating one turning movement).
- Shorten 'peanut' roundabout and replant with lower groundcover species to aid visibility and legibility. Relocating rail barrier arms and associated signage as required.
- Realign vehicular connection to Bridge Street north and the village, removing splitter islands, adjusting kerb alignment to south side.
- Combine space left from consolidation of the Bridge Street north connection into the footpath & plaza space at the end of the Iron Pot.
- Improve lighting along Bridge Street replacing transportation type poles with high-quality alternative in keeping with environment.

A public harbour edge.

Authentic character and identity.

A water based recreation destination.

A healthy marine environment.

A working wharf environment.

A rich Māori cultural landscape.

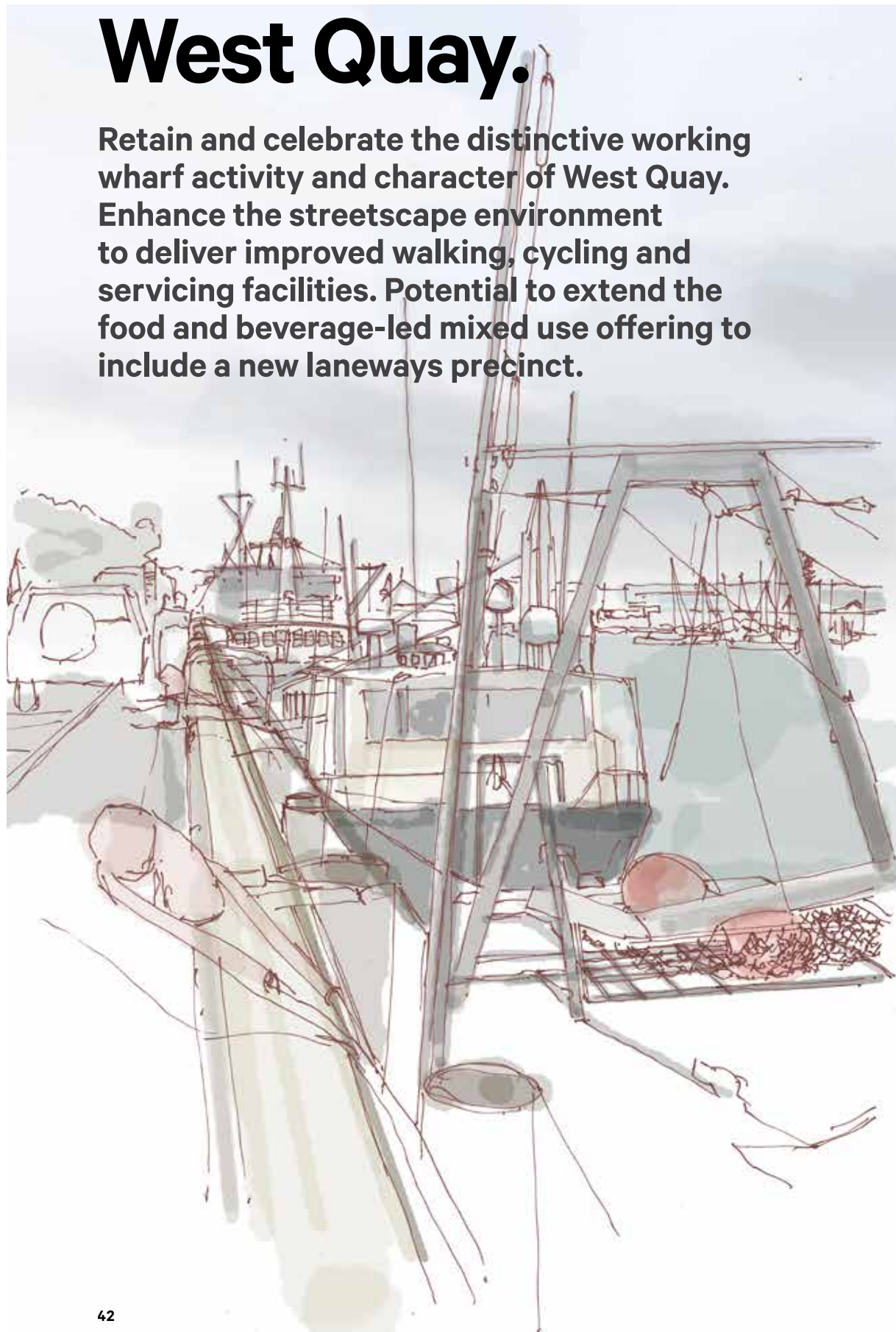
A resilient inner harbour.

An efficient high amenity port route.

Final Draft

West Quay.

Retain and celebrate the distinctive working wharf activity and character of West Quay. Enhance the streetscape environment to deliver improved walking, cycling and servicing facilities. Potential to extend the food and beverage-led mixed use offering to include a new laneways precinct.



West Quay is a local and visitor destination due to the vibrant character of the working wharf and the mix-of uses that front the quay. The quay accommodates the servicing requirements of the commercial fishing fleet, the outdoor dining spaces of the adjacent bars and restaurants, adjacent commercial and residential uses, one-way vehicle thoroughfare (from Lever St to mid-Customs Quay) and recreational walking and cycling.

Recent changes made under the Waka Kotahi Innovating Streets for People programme have provided an improved environment for pedestrians and cyclists, while also making the street and wharf safer for motorists and users of the wharf. Reducing the lane width to a one-way south to north direction has freed up space for a dedicated and protected pedestrian path on the building edge, and a dedicated cycle lane on the wharf edge. Parallel parking spaces between the active lane and the cycle lane provide parking opportunities while protecting the cyclists. Additional bike parking provides for those on bikes. The trial has been successful and is being transitioned to a permanent solution.

To the rear of the warehouses is land currently utilised for informal car parking, this combined with the deep warehouse building footprints, offers significant potential for the creation of a laneways precinct, with a continuous public lane adjacent to the warehouses, connecting between Customs Quay and Lever Street, to enable their activation and redevelopment of the adjacent sites.



Above.
Map extracts showing sequential development of the West Quay area.

Final Draft

Isthmus.



Final Draft

West Quay. Working Wharf & Laneways.



Proposed.

1. Commercial fishing mooring
2. Refueling wharf
3. Sullage facilities
4. Discharge wharf
5. Pontoon mooring, fishing
6. Vehicle access to wharf
7. Working wharf area
8. Pakake memorial space
9. One-way vehicle lane
10. Pohutukawa
11. Raingardens & seating
12. Bars & cafes
13. Laneway, activated
14. Development site
15. Car parking
16. Customhouse
17. Pedestrian route
18. Toilet building
19. Raingarden
20. Boardwalk
21. Crossing

Scope.

- Strengthening of seawall (subject to further investigations)
- Maintenance and upgrades to refuelling facility as required.
- Potential sullage facility adjacent to refuelling.

West & Customs Quay streetscape upgrade to include:

- One-way vehicular traffic between Lever Street and Customs Quay
- Street & amenity lighting, bespoke furniture items
- Retain existing Pōhutukawa and Rata trees, underplanted
- Mechanical stormwater treatment devices
- Ramped pedestrian connection to Discharge wharf level from Customs Quay

Laneway Development Opportunity (private land)

- Concrete surface, flush
- Pedestrian connection to Ossian Street crossing
- Street & amenity lighting, street furniture items
- Footpath upgrades and planting to vicinity of Customhouse.

Pakake Memorial space

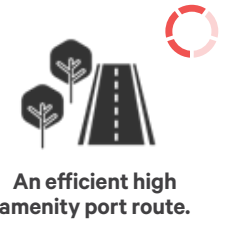
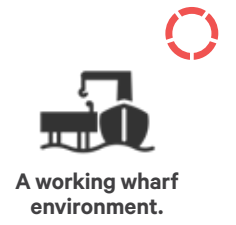
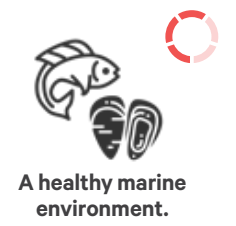
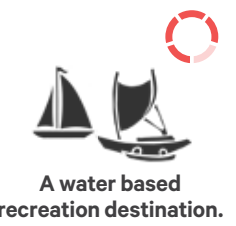
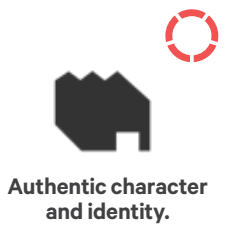
- Co-designed with mana whenua
- Hardwood and concrete surfacing, connection to boardwalk
- Lighting, seating and plantings.
- Cultural artworks
- Interpretation, as appropriate

West Quay Reserve

- Boardwalk connection, including seating elements
- Raingarden to street edge
- Raised crossing point
- New toilet building



Right.
Laneways precedents. Activation through adjacent building use spilling out, lighting and art installations.



Final Draft

Isthmus.

Existing.

Two-way street & working wharf.



Proposed.

One-way street, shared path & working wharf.



Existing.

- a. Commercial mooring
- b. Refueling wharf
- c. Discharge wharf
- d. Vehicle access to wharf
- e. Working wharf
- f. Two-way carriageway
- g. Car parking & street trees
- h. Bars & cafes
- i. Commercial
- j. Residential
- k. Informal car parking
- l. Customhouse



Above & Left.

One-way West Quay working wharf, with shared path, parallel parking. Footpath adjacent to dining terraces.

Below.

Laneway behind West Quay sheds.



Right.
Waka Kotahi
Innovating Streets
NCC trialing of
proposed changes
to West Quay.



Final Draft

West Quay. Pakake Reserve.

In partnership with mana whenua, create a commemorative space at the end of the West Quay working wharf, in proximity to the site of the former Pakake Pa, should mana whenua wish to recognise the history and associations in this way. The space could extend further south integrating into a new boardwalk connection across the end of the inner harbour.

Set at two levels, the upper connects to the street and West Quay crossing point. The lower level provides a space for fishing and model boat sailing. Potential to incorporate a large raingarden at the street edge and recontour bank to the water, planted with native brackish species.

The implementation of this memorial space could be done in stages as budget allows, and to align with commemorative dates.



Right.
Boardwalk, model boat and fishing deck across end of inner harbour from West Quay to Sailing Club Reserve. Hardwood timber deck, incorporating steps and seating elements. Estuarine and brackish planting extending from recontoured waters edge.



Above.
Precedent imagery. Barry Curtis Park stormwater pond boardwalk and native riparian planting.

West Quay. Napier Sailing Club Reserve.

The land occupied by the Napier Sailing Club (NSC) is vested in Napier City Council as a Local Purpose (Boating Club) Reserve under the Reserves Act, with a Deed of Lease to the club. The club and associated entities own the adjoining marina. The club has a long history of use and occupation of the site, with development funded through donation and club events.

The Napier Sailing Club are key players in the inner harbour. Napier City Council work closely with the club to ensure the needs of the public are met. Recent initiatives include the public pathway along the south edge of the site, connecting West Quay and Pandora Road. The club faces a number of challenges including predicted inundation as a result of sea level rise and increasing demand for recreational fishing facilities. A strategy to address the effects of climate change, as illustrated opposite, is required to ensure the long-term viability of the reserve and its assets.

The reserve offers opportunities for redevelopment to meet club needs, balanced with increased public access to the water edge, water quality and habitat initiatives, while addressing sea level rise impacts.



Existing.

- a. Clubrooms
- b. Concrete boat ramp
- c. Car & trailer parking
- d. Caretaker cottage
- e. Boatsheds
- f. Storage
- g. Gravel boat ramp
- h. Boat storage, open
- i. Boat storage, fenced
- j. Maintenance yard
- k. Public footpath
- l. Car parking

1943. Timber quays connect West Quay and Westshore across sand and shellbank landscape. Tutaekuri river outfall evident at south end of inner harbour.

1969. Baches on NSC site, initial breastworks in place, anchor moorings. 'Crows nest' building to south.

1988. Sailing Club building, breastworks, pile moorings and boat sheds constructed.



LIBRE Coastal Inundation Map 2065.



LIBRE Coastal Inundation Map 2120.

Meeanee Quay & Whakarire.

Expand the recreation uses of the Meeanee Quay & Whakarire. Upgrade reserve area and replace existing pier moorings with new marina and supporting land-side facilities.

The landscape of the Westshore shingle spit is rich in history and character. Westshore is separated from the Ahuriri shingle spit area by the channel accessing the inner harbour. Cultural narratives describe the cutting of the channel by Tū Ahuriri, with the Meeanee Quay - Charles Street alignment reflecting this earlier shingle bank and channel extent. Following Pākehā settlement, the east and west piers were constructed, narrowing the channel to its present width. Pile remnants of the west pier remain, extending north into the harbour. Along with a small area of wharf utilised by the meat works formerly located on the spit.

Existing buildings along the waters edge of Meeanee Quay are utilised for storage, Sea Scout Hall, Coastguard, commercial and fishing industry purposes. The water edge has a mix of gravel ramp, seawall, wharf, slipway, gravel beach and limestone revetment. Opposite are the residential buildings.

The shared path connection by-passes the quay, connecting from Pandora Road along James Street to the Westshore Beach Reserve, with no formed path for pedestrian access around the point. Car parking occupies the outer most edge of Whakarire point.



- Existing.**
- a. Wharf structure
 - b. Parking
 - c. Sea Scouts Hall
 - d. Boat ramp
 - e. Shared path
 - f. Warehouses
 - g. Beaches
 - h. Historic Wharf
 - i. Whakarire Point

Left.
Remnant piles from western spit pier extending north into bay.



Final Draft



Proposed.

1. Public boat launch ramp
2. Potential new building
3. Car & trailer parking
4. Sea Scouts Hall
5. New marina
6. Refuse, toilet & shower - location tbc
7. Reserve area & beach
8. Fishing platforms
9. Shared path
10. Historic wharf
11. Car parking
12. Whakarire Reserve

Below.
Recreational reserve and beach areas along Meeanee Quay. Fishing platforms constructed within existing groyne.



Facilities for launching of small vessels, car and trailer parking are retained at the western end of Meeanee Quay. Existing buildings are retained, with potential for shared use of the Sea Scout Hall and other buildings by other clubs. Replacement of the Meeanee Quay Piers 1 and 2 with a new marina and pontoons provides for increased vessel mooring within the inner harbour. With land-side facilities including refuse, toilets and showers.

The shared path is extended along Meeanee Quay and Charles Street, following the former shingle spit alignment. A pedestrian pathway connects from the Meeanee Quay footpath through the reserve at the waters edge to Whakarire, past the existing groyne modified to include fishing platforms. Car parking is removed from the point and replaced with public open space, seating and native planting. Creating a destinations space to enjoy the Whakarire landscape. Opportunity for the expression of narratives associated with the Upoko-o-poutū pa and it's connections to celestial navigation and observation.

Scope.

- Open space upgrade of area west of Sea Scouts hall, retaining gravel ramp for small boat launching. Hardstand, seating, lighting, tree and shrub planting.
- Reinstall concrete ramp adjacent to Sea Scouts.
- Address stormwater outfalls to improve water quality.
- Removal of Meeanee Quay Jetty 1 & 2, replacement with new marina and land-side facilities
- Open space upgrade of Meeanee Quay Reserve. Incl. car park area, pathways, picnic lawns, fishing step platforms, beach construction, seating and lighting upgrades.
- Footpath upgrade to extend shared path along Charles Street, including stormwater quality treatment.
- Public space upgrade of Whakarire Point, incl. relocation of car park area, headland path, seating and planting.
- Replenish Whakarire revetment.
- Repair as required to the Whakarire Jetty (timber and steel) as part of wider public space upgrade. Retain remnant West Pier.

Isthmus.



A public harbour edge.



Authentic character and identity.



A water based recreation destination.



A healthy marine environment.



A working wharf environment.



A rich Māori cultural landscape.



A resilient inner harbour.



An efficient high amenity port route.



Final Draft

Isthmus.

3. Appendix.

Partner & Key Stakeholder Feedback.

A number of partners and key stakeholders have been consulted in the preparation of the development plan.

Stakeholder	Feedback
1) Mana Whenua Forum	<ul style="list-style-type: none">• Draft of inner harbour development plan presented to local iwi forum 13.08.2019.• General support for the direction the plan is moving in.• Support for waka hub and purpose design moorings at end of Iron Pot.• Need to work around Kororā resident within Iron Pot area.• Support for creating space to acknowledge Pakake.• Support for improved stormwater and water quality.• Support for free-of-charge boat launching area.• Local iwi forum to work with Council to prepare cultural overlay for the inner harbour area to under pin development plan and subsequent projects.• Presented draft Development Plan to Mana Ahuriri Trust at Council workshop on 08.03.2022.• Engagement with mana whenua partners is ongoing.
2) Te Matau-A-Māui Voyaging Trust	<ul style="list-style-type: none">• Have great aspirations for this waka. To better tell the story of Takitimu waka through Te Matau-a-Māui.• Problems with vandalism. Waka needs to be more visible and accessible.• Needs a more appropriate mooring. Shelter and space is necessary for welcoming ceremonies.• Waka located in the Iron Pot would be a great connection to Mana Ahuriri Trust held land.
3) Takitimu Seafoods	<ul style="list-style-type: none">• Do not currently own their own vessels, would not rule out owning vessels in the future.• Vessels away for day, 2-5 days, or weeks at a time.• Most vessels berth at West Quay, one at Nino's on Meeanee Quay up the slipway.• Crew load and unload up to 3x a day.• Issues with safety (pedestrians & cyclists) and congestion.• Often not able to access vessels directly from the quay due to parking.• Often not enough room for truck to park next to vessel.• Forklifts travel between vessel and processing plant, unloading one vessel at a time.• Future expansion likely to be through partnership with other iwi. Increasing land side processing volumes.• Larger trawlers are mooring in Nelson, due to high Napier port mooring costs.
4) Napier Port	<ul style="list-style-type: none">• Port Wharf 3 used for casual mooring base for large fishing vessels (trawlers), superyachts, on pay per hour basis. 10 year lifespan before redevelopment.• Cannot provide facilities for emergency berthing.• Coastguard emergency vessel moored at Port.• Port route to be maintained.• Mapping of Kororā nesting pairs within port and inner harbour area has been done. Significant numbers nesting within inner harbour rock revetment.

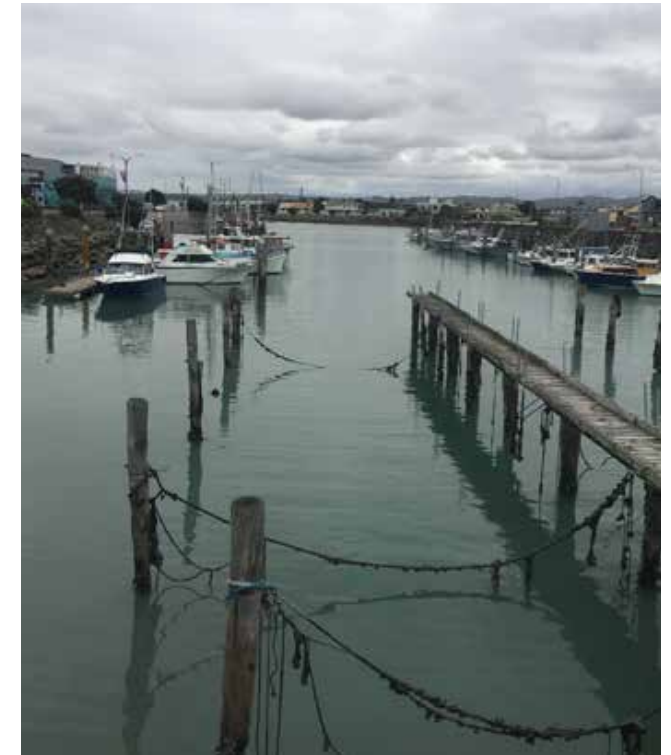
5) Napier Sailing Club	<ul style="list-style-type: none">• Facilities: Clubrooms containing restaurant, bar, kitchen, laundry, toilet facilities, contained maintenance area including dry dock, berths, moorings including pile moorings, secure boat storage, car and trailer parking, boatsheds and storage, launch ramps and walkways.• 87 berths and 40 piled moorings, of which 73 are privately owned and were installed by the Marina Society. Further 14 berths installed by NSC are privately owned. None are leased from NSC.• Most berths for monohulls. Can cater for some vessels up to 25m long.• Demand exists for larger visiting vessels, eg. superyachts.• 1020 current members. Membership is growing and includes ex-Fishing Club members. Growing numbers with trailer boats, which has overtaken senior members with moored vessels.• Six people live on vessels in the marina and utilise the bathroom and laundry facilities provided by the club.• Paddle boarders are new members, storing gear at NSC.• NSC assist with larger waka ama events, although waka not stored at NSC.• Emergency berth not possible in NSC marina currently.• Cater for many users - so are akin to 'marina managers', may be open to formalising this role going forward.• Future development. Stage 1 breastworks replacement lodged for consent. Stage 2 marina development. Pile berths replaced with pontoon moorings, with ability to cater for superyachts.
6) HB Sport Fishing Club	<ul style="list-style-type: none">• 500 members, down from 1000 since NCC took over and put a charge on ramp.• Trend to larger trailer boats.• Shortage of marinas.• Fishermen wanting to move to NSC as marina easier to get into. Easier ramp slope & access.• Space off Meeanee Quay is inefficiently developed. Meeanee and Nelson Quay need to be tidied up, and disused vessels moved on.• Nelson Quay mostly hobby fishermen, not all members of the club, one commercial. Jull Wharf works well.• All needs better lighting.• Event space works well for variety of events held. Two big and 12 smaller events annually.• Club hosts school groups for marine education.• Boat maintenance done at NSC or Meeanee Quay.• Darts and Dive club also use clubhouse.
7) Harbourmaster	<ul style="list-style-type: none">• Dredge vessel to be pest species free.• HBRC & NCC working to sort out visiting vessel berthing at West Quay.• Pontoons at the Fishing Club would free up ramp space to launch 4 vessels at a time. Ramp is slimy, needs better maintenance, pot holes need filling.• Lots of smaller vessels being launched at Meeanee Quay, causing congestion in streets.• People parking up overnight on the Discharge Wharf, and rude when asked to move on.• Waka needs custom built berth, either at end of Iron Pot or on finger wharf off Meeanee Quay.• Life rings are required within Inner Harbour.

8) Hospitality Providers	<ul style="list-style-type: none">• Wharf edge north of Lever should be hatched working area' to remove car parking and open up views.• Parking needs to be provided to rear of West Quay buildings, with metered or time-limited parking along Lever St.• Prefer to have one-way traffic along West Quay, providing additional space for pedestrians and cyclists.• Acknowledge the safety risk with working wharf and public, but seems well enough managed. People are more cautious moving around the area if not separated.• Pedestrian pathway should extend south of Lever, warehouses are ripe for redevelopment. Lots of people walking to and from apartments.• Need to 'night-scape' the waterfront - lights in trees etc.• Support idea of moving waka to Iron Pot pontoon.• Like the laneways concept, providing space is available for car parking.• Biggest issue is with security - drunken people picking fights and causing damage to property.
9) Star Fisheries	<ul style="list-style-type: none">• Operate three commercial fishing vessels, two moored at West Quay, one at Customs Quay east of Discharge Wharf.• The fleet have storage tanks for sewage. Refuelling is done via tankers.• Seabed along West Quay needs dredging, some vessels touch the bottom. Maintenance wharf needs dredging.• Discharge wharf not strong enough to take articulated trucks and needs better power facilities.• Visiting vessels do not pay for mooring, but local vessels do, even if not available due to visiting vessels.• Biggest conflict is the pedestrians and cyclists moving through the working wharf area. Remove car parks between trees.• More space created on Meeanee Quay for hobby fishermen would leave space for working wharf.• Sandwich boards on narrow footpath push pedestrians into the vehicle lane.
10) Land Owners	<ul style="list-style-type: none">• Corner West & Customs Quay, 4 storey mixed-use development proposed.• Redevelopment of nearby sites include 25 Coronation St and 48 Bridge St.• Container park land long term lease for logging truck transport hub, increasing heavy vehicle movement on Coronation Street• Mana Ahuriri Trust have recently taken ownership of site behind West Quay.
11) Coastguard	<ul style="list-style-type: none">• Manage area from Mahia to Castlepoint, providing rescue and recovery for vessels needing assistance.• Volunteers and one paid staff member.• Coastguard vessel 9.6m long with draught of 1.2m.• Building contains training rooms, a marine rescue communications centre, and is part of Civil Defence for tsunami warnings. Available for hire as training venue, for use of radio, skippers ticket, surf lifesaving etc.• Caravan stored inside building used as mobile communications centre. In process of expanding into land search and rescue LANSAR.• Need to be able to control access to the facility, ie. restrict media access due to the work carried out. Would like another launching facility between building and bridge and a helicopter landing pad would be useful.

Final Draft

Isthmus.

Site Photographs. Te Karaka & Iron Pot.



Final Draft

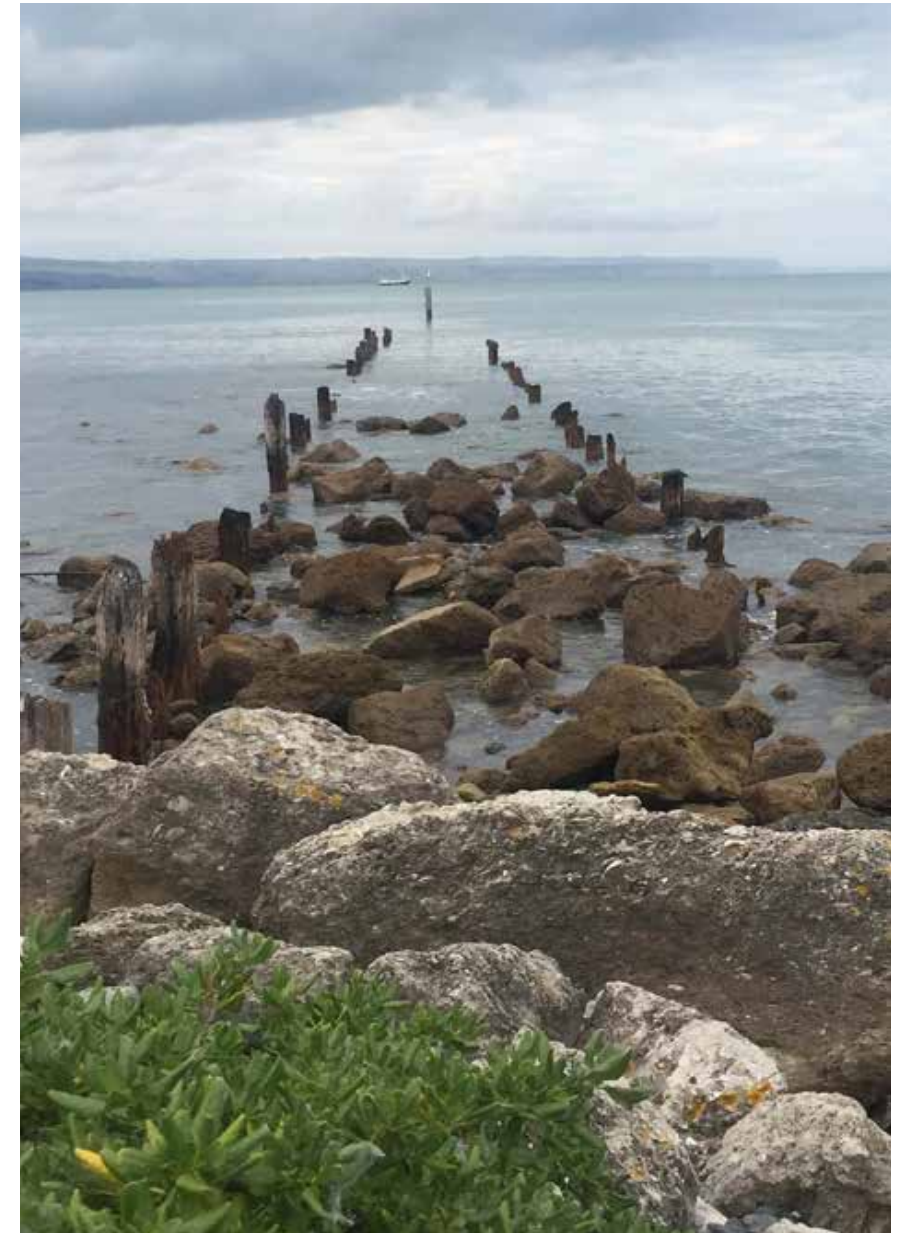
Site Photographs. West Quay & Sailing Club.



Final Draft

Isthmus.

Site Photographs. Meeanee Quay & Whakarire.



Final Draft

Historic Map Overlays.



Left.
Map c.1890's and existing aerial overlay.
Causeway constructed from island to hill creating north and south ponds.
Contrasting street pattern of residential hill, shingle spit and reclaimed warehousing areas evident.

1948.



Left. Map c.1882 and existing aerial overlay.

Port light signal station and existing alignment of channel in place.

Iron Pot enclosed with bridge across from Railway Quay to the shingle spit and township. Nelson Quay forming the northern edge of the Iron Pot. Pier extending from Barry Street into Iron Pot area.

Causeways planned connecting between hill and islands.

Boulder Bank and pier to Westshore edge.

Historic Photographs.

Photograph Source:
Port to Port, revised edition, 2006
Don Wilkie.



Top left.
Port Ahuriri, 1873.

Top right.
Westshore Bridge, 1910.

Bottom left.
Railway Quay, 1907.

Bottom right.
Napier Port.

Photograph Source:
Port to Port, revised edition, 2006
Don Wilkie.



Top left.
Iron Pot, 1928.

Top right.
Inner harbour area & causeways.

Bottom left.
Port Ahuriri pre 1931. Rail, bridge and Bridge Street alignment clearly shown behind warehouses. East and west piers, including factory located at Westshore.

Bottom Right.
Iron Pot - post 1931 earthquake.

Ahuriri Estuary Masterplan.

The preparation of an Inner Harbour Development Plan delivers on one of the initiatives within the Ahuriri Estuary and Coastal Edge Masterplan (AECM) 2018.

A number of initiatives were recommended within the AECM to plan for the future of the estuary and inner harbour environment, and to feed into a wider Regional Council study.

Overarching the Masterplan and the Inner Harbour Development Plan is the City Vision Framework that sets principles, objectives and goals for the wider city.

City Vision.



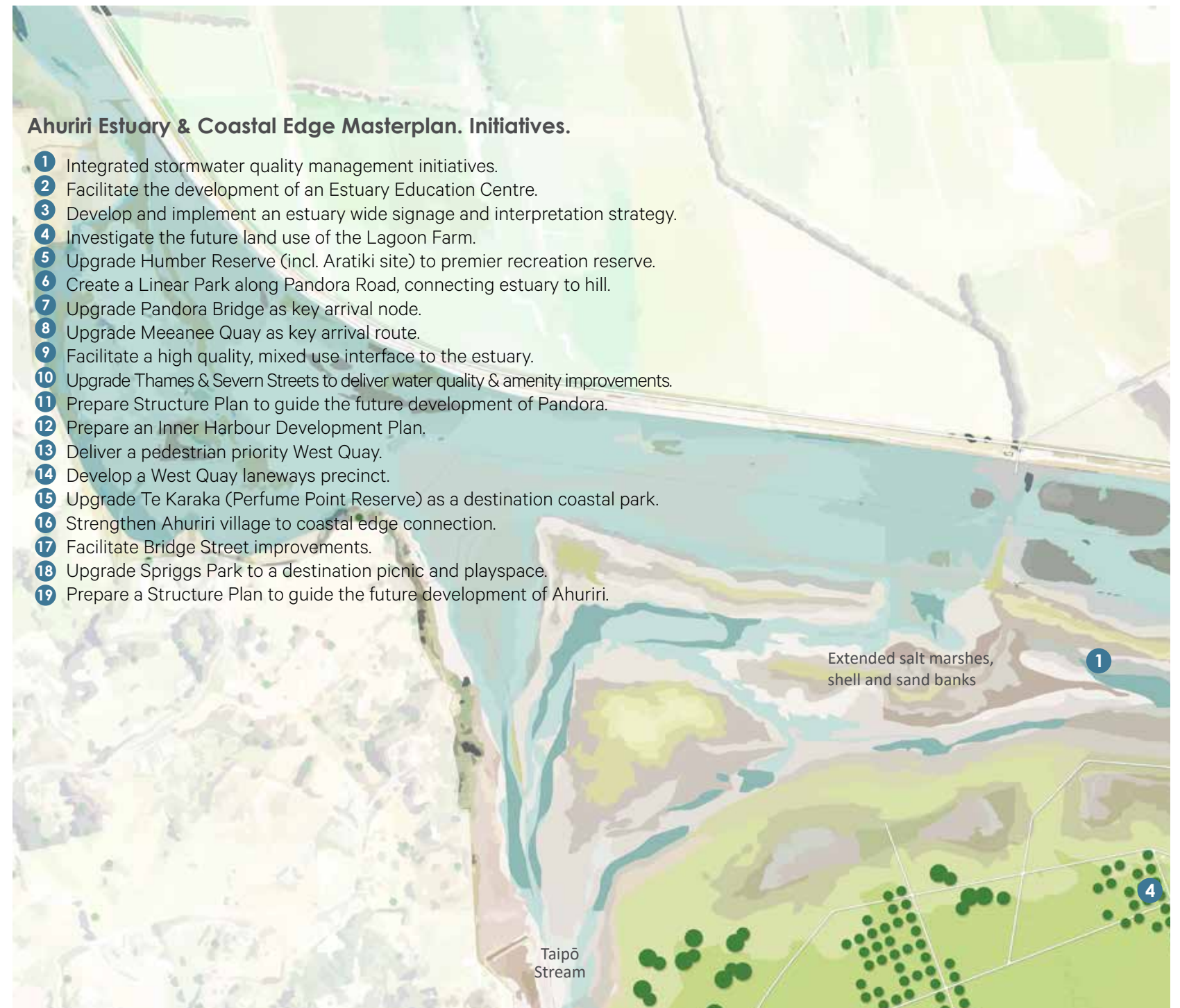
Ahuriri Estuary and Coastal Edge Masterplan.

A thriving, healthy & resilient Ahuriri estuary & coastal edge.



Ahuriri Estuary & Coastal Edge Masterplan. Initiatives.

- 1 Integrated stormwater quality management initiatives.
- 2 Facilitate the development of an Estuary Education Centre.
- 3 Develop and implement an estuary wide signage and interpretation strategy.
- 4 Investigate the future land use of the Lagoon Farm.
- 5 Upgrade Humber Reserve (incl. Aratiki site) to premier recreation reserve.
- 6 Create a Linear Park along Pandora Road, connecting estuary to hill.
- 7 Upgrade Pandora Bridge as key arrival node.
- 8 Upgrade Meeanee Quay as key arrival route.
- 9 Facilitate a high quality, mixed use interface to the estuary.
- 10 Upgrade Thames & Severn Streets to deliver water quality & amenity improvements.
- 11 Prepare Structure Plan to guide the future development of Pandora.
- 12 Prepare an Inner Harbour Development Plan.
- 13 Deliver a pedestrian priority West Quay.
- 14 Develop a West Quay laneways precinct.
- 15 Upgrade Te Karaka (Perfume Point Reserve) as a destination coastal park.
- 16 Strengthen Ahuriri village to coastal edge connection.
- 17 Facilitate Bridge Street improvements.
- 18 Upgrade Spriggs Park to a destination picnic and playspace.
- 19 Prepare a Structure Plan to guide the future development of Ahuriri.



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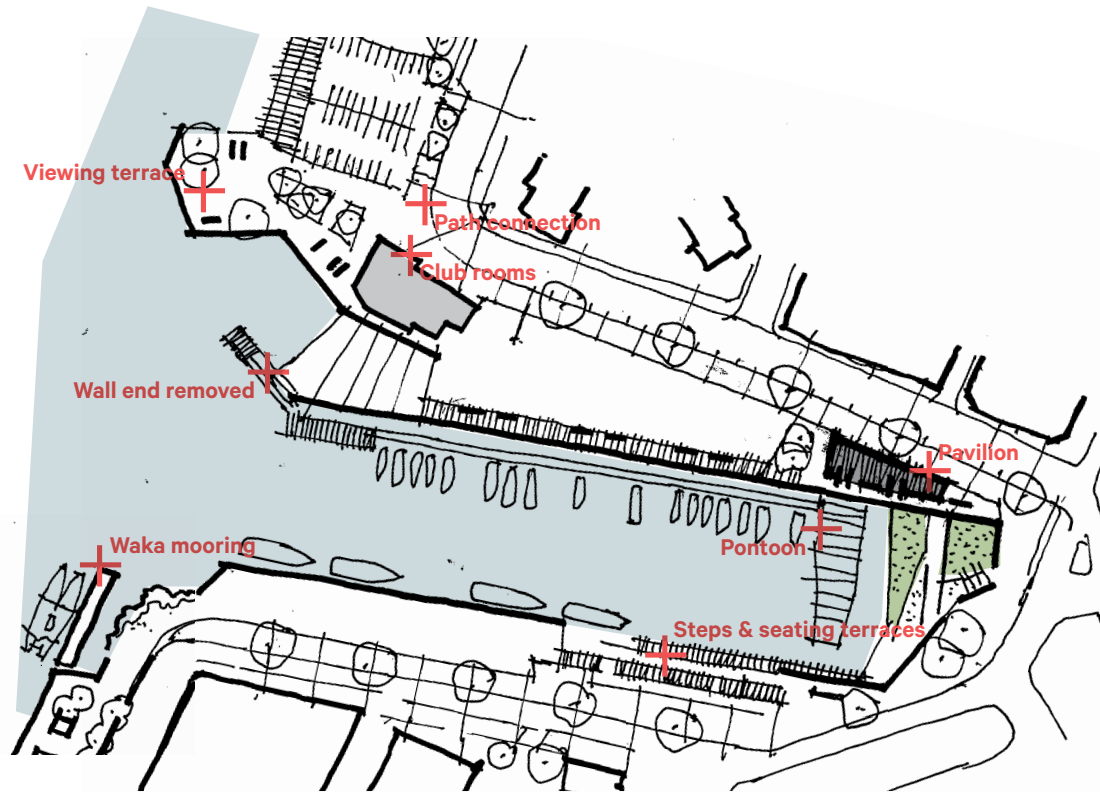
Iron Pot Options Study.

Option A. Minimum.

Quay wall retained in part with ongoing repairs. Western end of wall removed. Fishing club rooms retained, with streetscape improvement works to create path connection around existing fishing club building.

New pavilion building at east end of car park. Steps and seating terraces facing north to pavilion building and new public pontoon and planted water quality filtration at end of iron pot.

Waka moored at south west corner of iron pot.



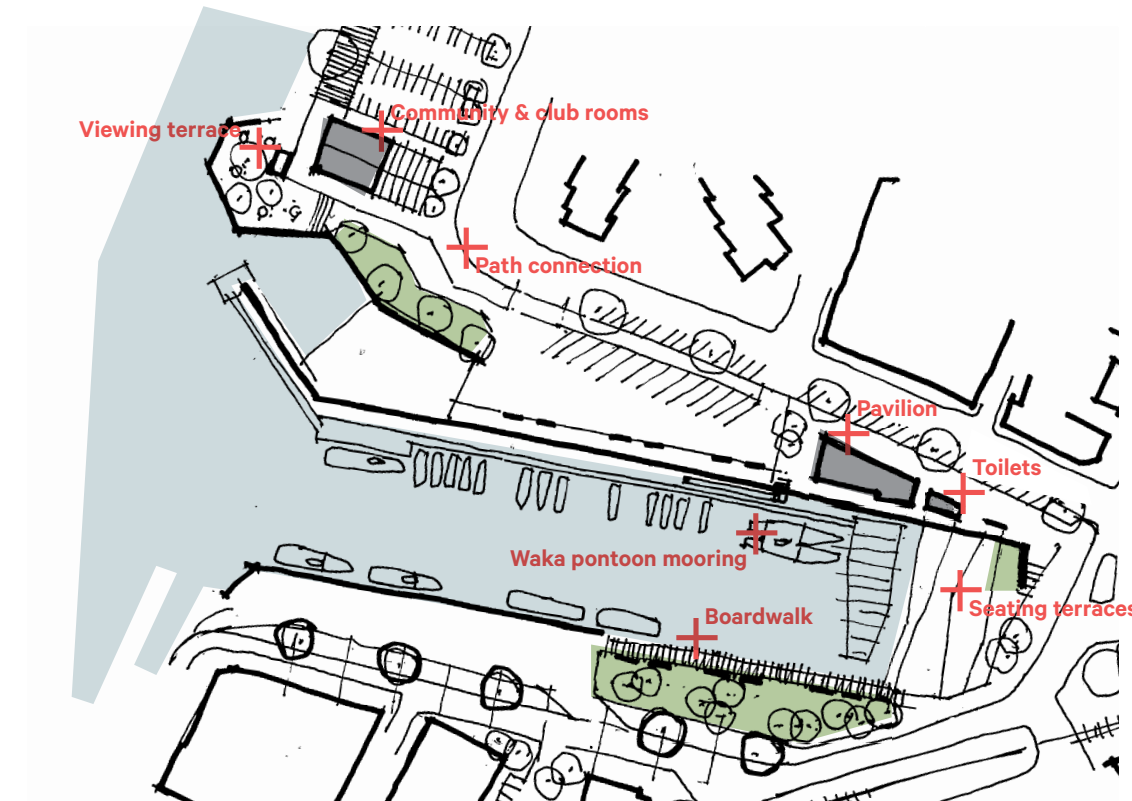
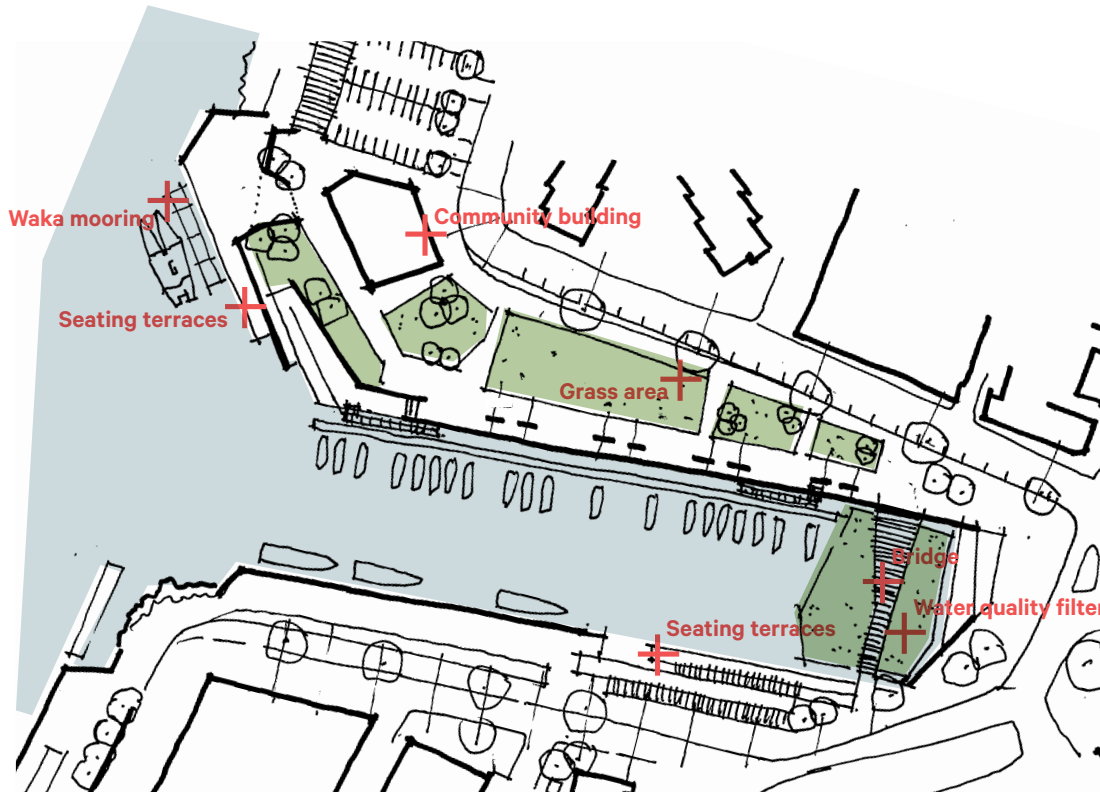
Option C. Medium.

Sea wall cut back, boat ramp and fishing club building and car parking removed.

Waka moored at north-west corner of iron pot on floating pontoon. Forming part of new water access and seating terraces. Public access and shared path enabled along the water and quay edge. New community building located land-side.

Car & trailer parking areas replaced with lawn and planting areas.

Bridge access across the end of the iron pot, spanning over planted stormwater quality filters.



Option B. Medium.

Quay wall retained in full with ongoing repairs. Fishing club rooms removed and replaced with shared community and club facility within existing car parking area to north.

Waka moored at end of iron pot at new pontoon, with a new pavilion and toilet building at quay level.

Steps and seating terraces at end of the iron pot address the pontoon and waka, connecting around south side with new boardwalk at wharf level and planting up to street level.

Option D. Maximum.

Iron Pot declaimed, increasing the available water space, removing existing seawall, fishing club building and boat ramp.

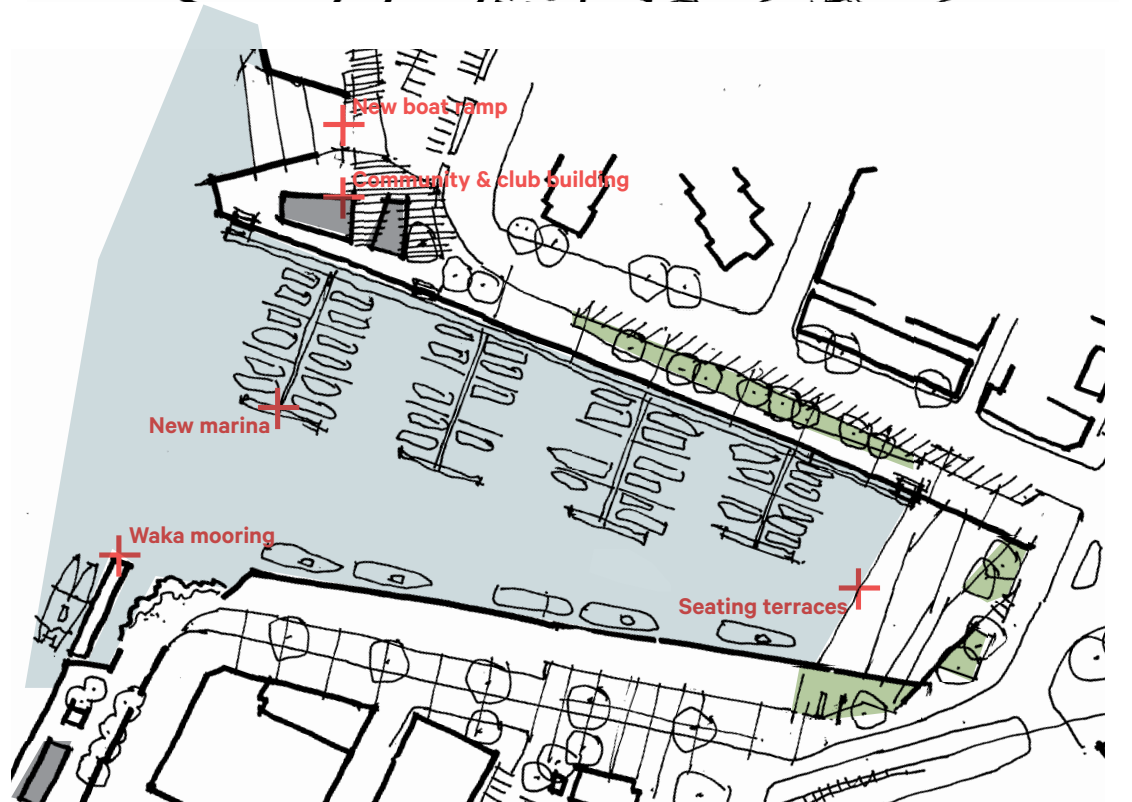
New seawall (sheet piled) along Nelson Quay alignment.

Extended marina and commercial fishing vessel moorings.

Fishing club facility including community facilities relocated with new boat ramp, or to Meeanee Quay.

Seating terraces at end of iron pot.

Waka moored at south west corner of iron pot with land-side facilities to the south.



1:2000 @ A3



Option E.

Waka mooring within Iron Pot, with public boat ramp, car and trailer parking retained at Nelson Quay.

Recreational mooring retained within Iron Pot.



Option F.

Waka Hub and additional commercial fishing vessel moorings within Iron Pot. Pontoon waka mooring.

Boat ramp retained as part of new Nelson Quay public open space. Water access terrace created to south of ramp.

West Quay Options Study.



Existing.

Working wharf separated from vehicle lanes by line of Pōhutukawa.
Two-way vehicle traffic, with 90 deg parking between trees.
Entertainment precinct north of Lever Street.
Complicated 'peanut' junction.

One-way shared quay north of Lever Street.

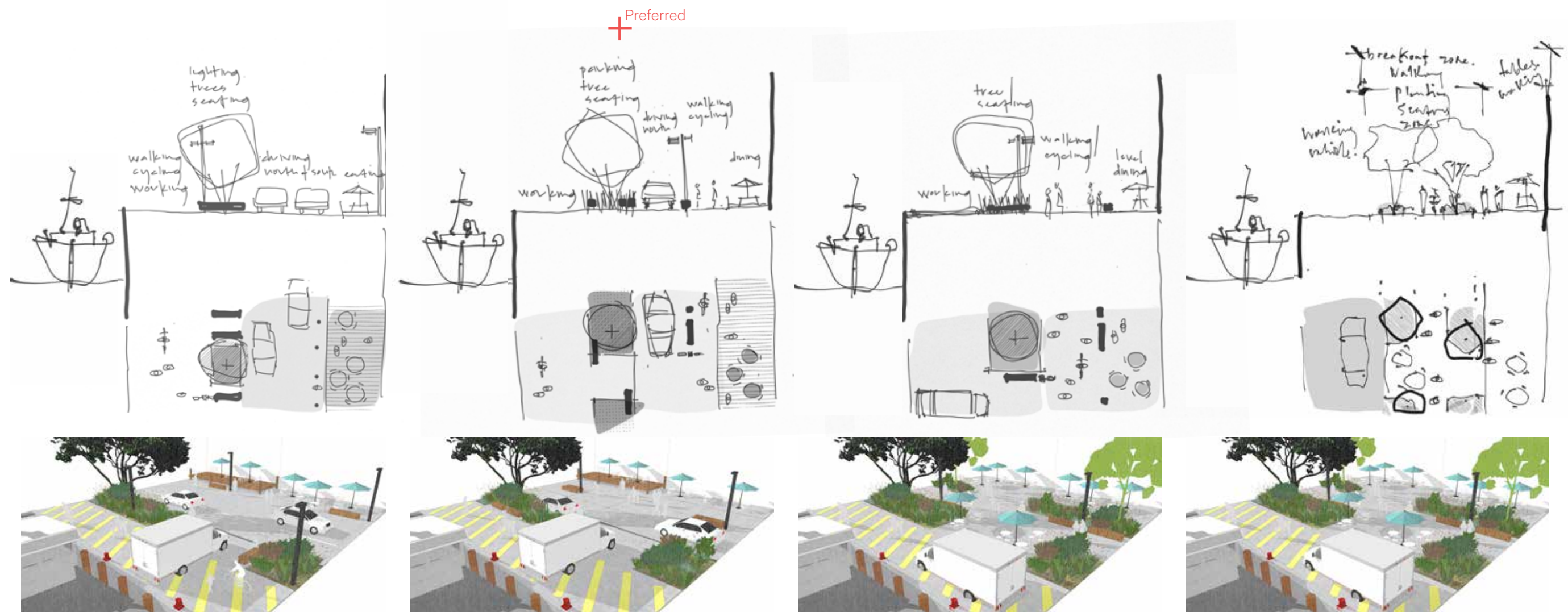
Shared one-way street north of Lever Street, including Customs Quay.
Working wharf and Pōhutukawa tree line maintained.
Raingardens incorporated for stormwater treatment.
Two-way Lever Street
Laneways precinct to east activating rear of existing warehouses.
Entertainment precinct concentrated north of Lever Street.

Extended one-way shared quay and entertainment precinct.

Shared one-way street north of Riddell Street
Working wharf and Pōhutukawa tree line maintained.
Raingardens incorporated for stormwater treatment.
Extended mixed-use entertainment precinct to full length of remaining warehouses.
Riddell Street extended through to West Quay, requiring additional rail crossing.
Laneways precinct to east activating rear of existing warehouses.

Pedestrianised quay north of Lever Street.

Working wharf access maintained north of Lever Street.
Control required to access of Discharge Wharf.
Pōhutukawa tree line, underplanting extended.
Raingardens incorporated for stormwater treatment.
Extended mixed-use entertainment precinct to full length of remaining warehouses.
One-way West Quay north of Riddell Street to Lever Street
Riddell Street extended through to West Quay, requiring additional rail crossing.
Two-way south of Riddell Street.



A. Two-way, no car parking.

Maintain working wharf at quay edge.
Retain Pōhutukawa and single Rata.
Retain two-way traffic, removing chicanes, to restore linear quay arrangement.
Remove / reduce car parking.
Introduce seating and planting to former car parking areas. Introduce seating and planting to former car parking areas to increase public amenity.
Improve lighting and signage.

B. One-way north.

Maintain working wharf at quay edge.
Retain Pōhutukawa and single Rata.
Reduce vehicle access to one-way north bound.
Walking and cycling zone replaces south bound vehicle lane.
Seating and plantings replace car parking with small number of parallel car parks.
Lighting and seating separate vehicle and pedestrian zones - creating a shared space street.
Encourage outdoor dining at quay level to restore relationship between warehouse and quay.

C. Pedestrianised, with service access only.

Maintain working wharf at quay edge.
Retain Pōhutukawa and single Rata.
Remove private vehicle access to West Quay from Lever Street north.
Walking and cycling zone replaces vehicle lanes.
Seating, lighting and plantings replace car parking.
Encourage outdoor dining at quay level to restore relationship between warehouse and quay.

D. Extended public space.

Service vehicles to wharf edge only.
Working wharf vehicles only.
Maintain working wharf at quay edge.
Retain Pōhutukawa and single Rata.
Remove private vehicle access to West Quay.
Walking and cycling zone replaces vehicle lanes.
Expand outdoor dining area to within existing Pōhutukawa tree zone.

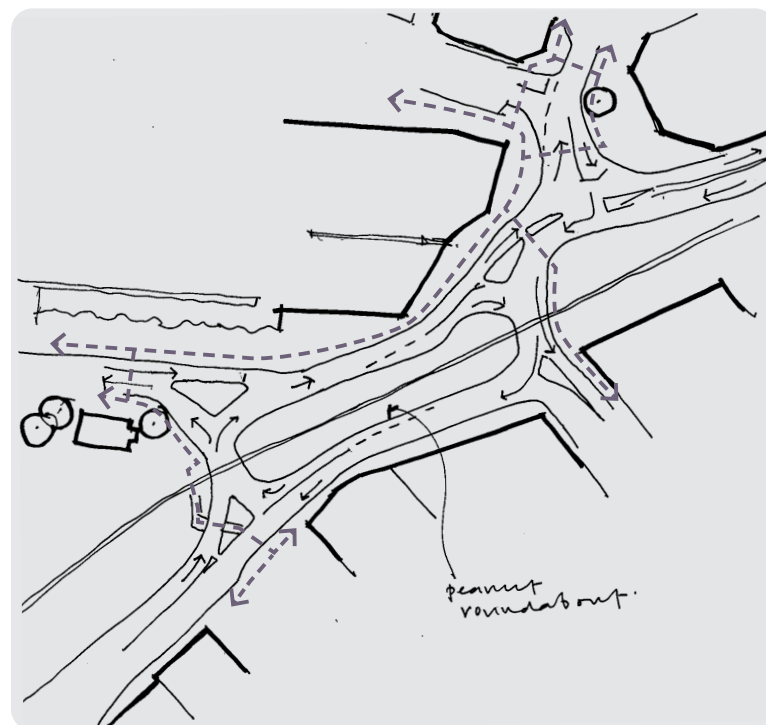
Bridge Street Options Study.

Existing Condition

Peanut and multiple splitter islands.

- Complex roading arrangement.
- Rail line crossing from northern side of Bridge Street to southern side of Bridge Street / Port route.
- Junction of five streets
- Very difficult to navigate as a pedestrian
- Very difficult to navigate as a cyclist.
- Left turn out of Coronation Street, left and right turn in via 'peanut' roundabout arrangement
- Convoluted pedestrian crossing arrangements

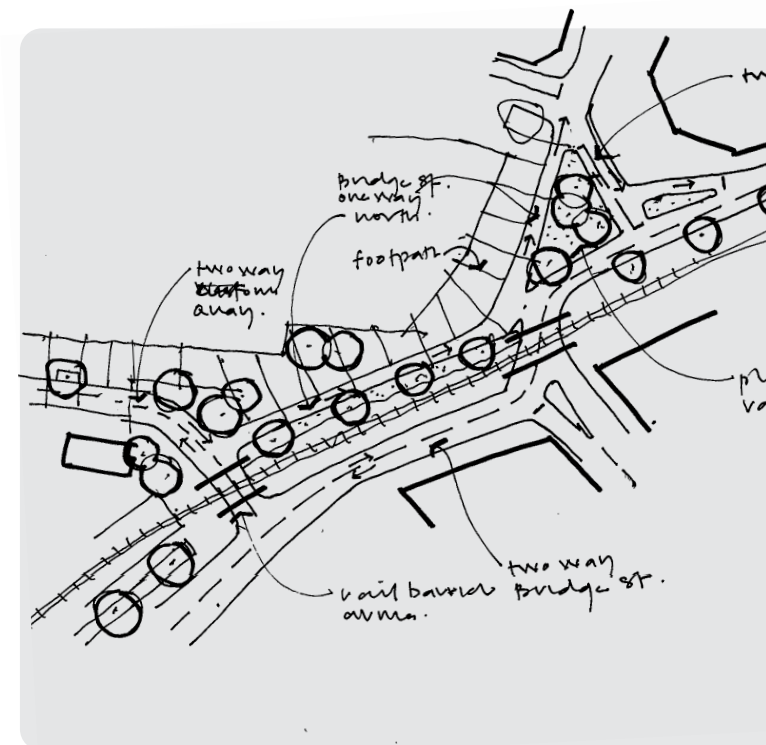
Pedestrian routes ←-----→



Option A.

Adjustments to existing layout to improve amenity. Two-way southern edge of 'peanut'.

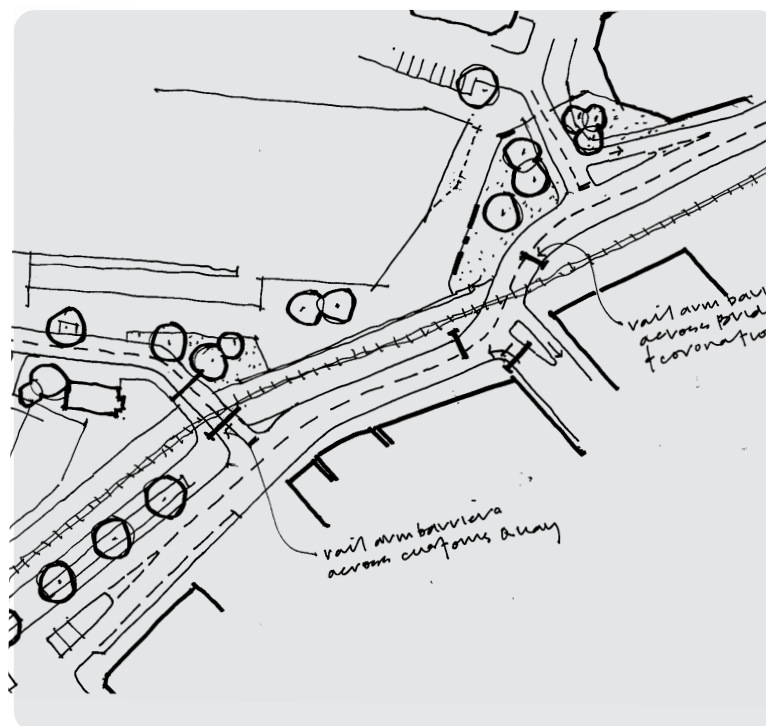
- Two-way Customs Quay, with entry off Bridge Street, exit onto Bridge Street heading east and west.
- One-way private vehicle exit from Customs Quay onto Bridge Street heading north to village adjacent to Iron Pot end - detail as a slow street integral to the upgrade of the footpaths around Iron Pot.
- Larger planted 'island' at end of Iron Pot, improves amenity and contains Iron Pot space.
- Port route (truck and trailer) follows southern alignment, in both north-east and south-west direction.



Option B.

Removal of northern half of peanut roadway. Area absorbed into streetscape / landscape of Iron Pot.

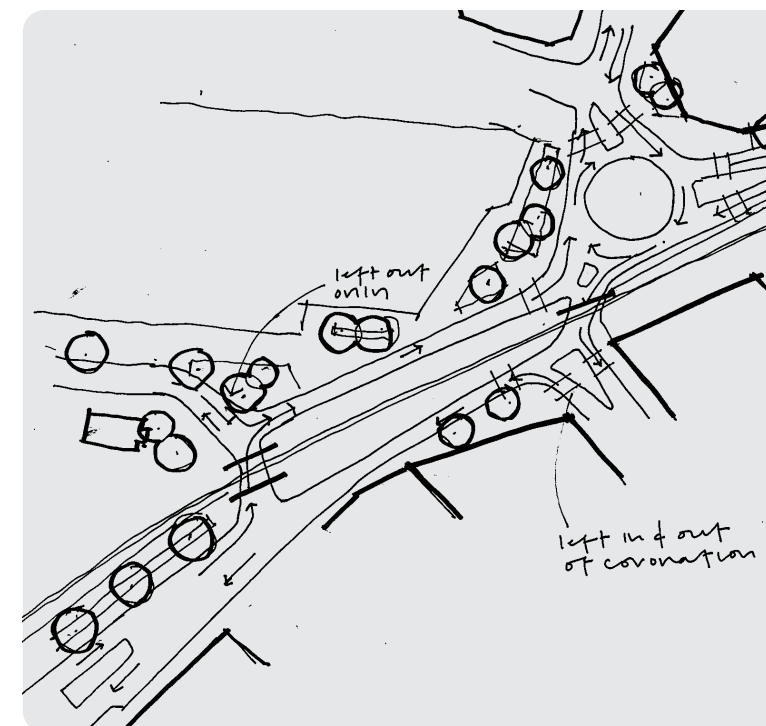
- Two-way Customs Quay, with entry off Bridge Street, exit onto Bridge Street heading east and west.
- Larger planted' at end of Iron Pot, improves amenity and contains Iron Pot space.
- Port route (truck and trailer) follows southern alignment, in both north-east and south-west direction.
- Two sets of barrier arms. One at end of Customs Quay, the other comprising of 3 separate arms located on Bridge Street either side of Coronation Street, and at exit from Coronation Street.
- Left turn in & out of Coronation Street only.
- Simple layout, increasing pedestrian amenity, while catering for heavy vehicle movement.



Option C.

One-way 'Peanut' plus roundabout to end of Iron Pot.

- Two-way Customs Quay, with entry off Bridge Street, and exit onto Peanut heading north-east.
- Planted new roundabout island
- Port route (truck and trailer) heading to port follows northern edge of 'peanut' and around new roundabout, heading from Port follows new roundabout and southern edge of 'peanut'.
- Two sets of barrier arms. One at end of Customs Quay, one single arm opposite end of Coronation Street.
- Left turn in & out of Coronation Street only.
- A second roundabout tends to increase vehicle dominance of the space.
- Pedestrian crossing difficult on roundabout type arrangement.





One-way Customs Quay (east bound), enable a reduction in length of the 'peanut' roundabout. Simplification of kerb alignment approaching Coronation Street, including amalgamation of splitter islands at end of Iron Pot to create large planted island.

- One way West Quay and Customs Quay (north and east bound), creating more pedestrian space and removing one turning movement from peanut roundabout.
- Peanut roundabout retained, reduced in length and simplified in kerb alignment.
- Two sets of barrier arms. at either end of peanut.
- One-way movement north toward town centre along end of Iron Pot, recognises former bridge alignment of Bridge St. Detailed as 'slow-street', visually extending footpath width at end of Iron Pot.
- One way movement south from town centre to east side of new (planted) 'island'. Detailed as 'slow-street'. Planting visually contains Iron Pot space.
- North-west kerb edge of Bridge Street realigned (occupying some of former weighstation land, enabling tree planting and new central refuge islands to facilitate easier pedestrian crossing either side of Ossian St.
- Left turn in and out of Coronation St, right turn out enabled by peanut roundabout.
- Laneway one-way (south bound) implemented behind sheds, enabling vehicular circulation to and from car parking area.



One-way Customs Quay (east bound), enable a reduction in length of the 'peanut' roundabout. Simplification of kerb alignment approaching Coronation Street. Planted island incorporated into footpath space at end of Iron Pot.

- One way West Quay and Customs Quay (north and east bound), creating more pedestrian space and removing one turning movement from peanut roundabout.
- Peanut roundabout retained, reduced in length and simplified in kerb alignment.
- Two sets of barrier arms. at either end of peanut.
- Planted island incorporated into footpath space at end of Iron Pot, with former bridge expressed through design detail. Two-way movement accessing town centre.
- One way movement south from town centre to east side of new (planted) 'island'. Detailed as 'slow-street'. Planting visually contains Iron Pot space.
- North-west kerb edge of Bridge Street realigned (occupying some of former weighstation land, enabling tree planting and new central refuge islands to facilitate easier pedestrian crossing either side of Ossian St.
- Left turn in and out of Coronation St, right turn out enabled by peanut roundabout.
- Laneway one-way (south bound) implemented behind sheds, enabling vehicular circulation to and from car parking area.

Land.
People.
Culture.
Isthmus.

**Tāmaki Makaurau
Auckland**
43 Sale Street
Freemans Bay
PO Box 90 366
Victoria Street West

+64 9 309 9442

**Pōneke
Wellington**
Level 5
56 Victoria Street
PO Box 24116
Wellington

+64 4 499 9832

**Ōtautahi
Christchurch**
227a High Street
Central City
PO Box 1153
Chistchurch 8140

+64 27 55 33 495

5. RESOURCE CONSENT ACTIVITY UPDATE

Type of Report:	Enter Significance of Report
Legal Reference:	Enter Legal Reference
Document ID:	1467576
Reporting Officer/s & Unit:	Luke Johnson, Team Leader Planning and Compliance

5.1 Purpose of Report

This report provides an update on recent resource consenting activity. The report is provided for information purposes only, so that there is visibility of major projects and an opportunity for Elected Members to understand the process.

Applications are assessed by delegation through the Resource Management Act (RMA); it is not intended to have application outcome discussions as part of this paper.

This report only contains information which is lodged with Council and is publicly available.

Councillors Brosnan / Tapine

The Future Napier Committee:

- a. **Note** the resource consent activity update for period 6 May 2022 to 24 May 2022.

Carried

5.2 Background Summary

The following is an outline of recent activity regarding applications received by Council for consenting pursuant to the RMA.

Since the May update, the submission of resource consent applications were slightly lower in comparison to the same period last year. However it is noted that a significant increase in the submission of subdivision certificate applications (the last step in the subdivision process being the creation of the lots) has been experienced, being an increase of 150% (equating to 16 compared to 8 received in the previous period of 2021).

The table below outlines the current resource consenting activities in Napier and the status of these for information purposes. Whilst this is not an entire list of all applications currently being assessed or having been determined, they are significant or noteworthy applications of which details are being provided in this report.

Summary Table

42 Marine Parade, Napier	Redevelopment of the Napier War Memorial	Under Assessment	Previously reported to Future Napier Committee. No further update
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156 Gloucester Street, Taradale	Extension of a non-residential activity	Under Assessment	Previously reported to Future Napier Committee. No further update
115 Carlyle Street, Napier	Expansion of the Existing Car Sales Operation	Section 95 Report issued. Applicant has requested notification.	Previously reported to Future Napier Committee.
113 Fryer Road, Napier	One Lot into Two Lot Subdivision	S357 Objection to Decision	Previously reported to Future Napier Committee. No further update
16 and 38 Willowbank Avenue, Meeanee	Proposed lifestyle village	Consent Order issued	Consent Order issued

At the meeting

The Executive Director City Strategy, Mr Munneke spoke to the report and advised that the Carlyle Street expansion of the existing car sales operation would be notified on 22 June 2022 with the submission period ending on 21 July 2022.

5.3 Attachments

Nil

6. PROPOSED DISTRICT PLAN NOTIFICATION

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	1467624
<i>Reporting Officer/s & Unit:</i>	Paulina Wilhelm, Manager City Development

6.1 Purpose of Report

For Council to confirm the new notification date of the Proposed District Plan.

To endorse the proposed notification date of May 2023, noting some delays in the work programme necessary to support the notification.

To inform Council on how NCC is meeting the legal requirements of the National Policy Statement Urban Development (NPSUD) for intensification (Policy 5).

Councillors Tapine / Wright

The Future Napier Committee:

- a. **Endorse** the public notification date of May 2023 of the Proposed District Plan under Schedule 1, Part 1 section 5 of the Resource Management Act 1991.
- b. **Note** the update on how Napier is giving effect to the National Policy Statement Urban Development (NPSUD), specifically Policy 5.

Carried

6.2 Background Summary

Resource Management Act Reform

At the 11 November 2021 Future Napier Committee Meeting, Council endorsed the public notification of the Proposed District Plan by June 2022 noting the work programme necessary to support the notification, specifically in relation to the development of structure plans and the imminent RMA reforms.

The release of the Natural and Built Environments Act (NBA) was due in mid-2022 and the Spatial Planning Act (SPA) was scheduled for release promptly after the NBA. This created the urgency to notify the Proposed Plan by June 2022 so that the new policy framework in the Draft Plan and Spatial Picture, rather than the Operative Plan, were considered when determining the future land use pattern for Napier.

The delays experienced in the RMA reform work programme by Central Government has eased the urgency to notify the Proposed Plan in June 2022.

Spatial Picture Work Programme

At the same meeting of the 11 November 2021, Council also endorsed the recommended next steps that needed to be undertaken after the Spatial Picture. These included structure

planning, multi criteria analysis on growth areas and potential rezoning in the Proposed District Plan.

In order to commit to a long term growth strategy, Council needs to understand and comparatively assess all growth options based on opportunities, constraints, ability to meet outcomes, provide services, mitigate adverse effects and ensure financial feasibility for all relevant stakeholders. The structure plans for the intensification and greenfield areas will allow Council to determine the feasibility and appropriateness of the form, density and type of development in each of the indicative growth areas within the spatial picture.

Structure planning provides an opportunity to look in further detail at issues that require mitigation and infrastructure upgrades needed to facilitate quality development in each area. Structure planning also identifies the key infrastructure to service growth and its indicative costs, allowing Council to consider how and when the infrastructure will be funded. For these reasons, it is essential to complete the structure plan work programme before notifying the Proposed Plan.

6.3 Issues

NPSUD legislative requirement for tier 2 local authorities

Under the NPSUD, tier 2 authorities need to demonstrate they meet intensification requirements by providing accessible and well-functioning urban environments (Policy 5). This legal requirement is due by August 2022. NCC developed the Spatial Picture to meet these requirements, and once structure plans are completed, they will inform the intensification zonings in the Proposed District Plan.

Interruptions experienced in the appointment and delivery of the 3 water structure plans, and recent changes to staffing levels within the policy team, resulted in delays with the planned notification of the Proposed Plan by June. The structure plans are due for completion by November 2022, consequently pushing the proposed plan notification date to May 2023. Officers therefore have looked into the current Operative Plan to make sure NCC is still able to meet the NPSUD requirements for tier 2 authorities by August.

NCC can confirm that the operative plan together with the Housing Assessment Capacity report meets the requirements of Policy 5 of the NPSUD. The reasons being:

- The Operative Plan does not have density requirements, effectively enabling multi-unit developments in all residential areas.
- The Marine Parade Character area is considered a “medium density zone” enabling one dwelling per 150m² and heights of up to 12 meters (3 storey buildings).
- The operative plan enables different housing typologies, which improves affordability (enables multi-unit developments).
- The Mixed Use Zone enables residential development with no density requirements and heights of up to 12 meters.
- The Inner City Commercial Zone permits residential activities, with no car parking requirements.
- The Housing Assessment Capacity report, recently completed, states Napier has sufficient development capacity over the short, medium and long term to meet expected demand.
- NCC Financial Contribution Policy provide incentives for multi-unit residential developments within the inner city and surrounding commercial areas.

Mana Ahuriri engagement

Mana Ahuriri has recently settled, and appointed a new board and CEO. Additional time is required to enable engagement between NCC and Mana Ahuriri to inform growth planning. Officers are currently seeking Mana Ahuriri further feedback into the proposed growth areas and structure plans.

6.4 Significance and Engagement

The Proposed Draft Plan is a statutory document, which provides the opportunity for the public to lodge a formal submission. The district plan affects, directly or indirectly, every person, business and property owner in Napier. The current District Plan is dated, as it has not been reviewed in more than 15-years. The proposed plan incorporates current strategic thinking, future growth areas and aims to contribute to the implementation of Council's outcomes. It allows the public to reflect on these outcomes and participate in shaping the future of Napier in terms of growth, connectivity, amenity, transport and the cultural and natural environment.

Through the Spatial Picture consultation and Draft District Plan consultation the community has been taken along the journey from the beginning. Mana whenua engagement has occurred since the start of the plan review.

6.5 Implications

Financial

There is currently sufficient budget set aside for the notification of the proposed district plan and the work program associated with the development of structure plans.

Social & Policy

N/A

Risk

There are no risks associated with the notification of the Proposed Plan in May 2023. The urgency to notify the plan this year is not there anymore due to delays in the RMA reform work programme. Napier is no longer in a vulnerable situation as the wave of legislative changes has eased.

The interruptions to the delivery of the structure plans posed risks to the notification of the plan by June 2022 as these are an essential part of integrated land use and infrastructure planning. The next year notification date mitigates these risks, and enable the necessary work to be completed and to support the intensification zones in the Proposed Plan.

Officers are currently progressing the sites of significance to maori and designations chapters, which were not included in the Draft Plan. These are complex issues which require more time to be resolved. The June 2022 notification date was not going to give enough time to be able to include these in the plan. The proposed May 2023 notification date increases the chance of including these topics in the plan.

The risk with the Spatial Picture lies in not following through on the next steps. The spatial picture is a key component of developing a future urban growth strategy, which is a mandatory requirement under the NPSUD.

6.6 Options

The options available to Council are:

- a. Release the Proposed District Plan in May 2023 for the purpose of engaging with the community and receiving submissions.
- b. Not to endorse the release of the Proposed District Plan and place the review of the District Plan on hold until the new legislation replacing the RMA is in force.

- c. Continue without a proposed District Plan notification date target.

6.7 Development of Preferred Option

The preferred option is for Council to confirm the notification of the Proposed District Plan for May 2023 for the purposes of undertaking public engagement with the Napier community and continue progressing engagement with mana whenua including Mana Ahuriri new governance team.

To put Napier in a strong position to be able to influence the development of a Regional Spatial Plan when the new Spatial Planning Act is released.

At the meeting

The Manager City Development, Ms Wilhelm spoke to the report which was to confirm the new notification date of the Proposed District Plan of 23 May 2023. Delays experienced in the Resource Management Act reform work programme by Central Government has reduced the urgency for the District Plan notification. Structure planning for intensification and greenfields will provide opportunity to identify areas of growth.

It was noted that there were now no parking requirements and this had been removed from the operative District Plan as was part of the National Policy Statement Urban Development (NPSUD), specifically to encourage other forms of transport to be used.

6.8 Attachments

Nil

NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) Open Minutes

Meeting Date: Friday 20 May 2022

Time: 9.00am – 10.33am

Venue Large Exhibition Hall
Napier War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook site

Present Ngāti Pārau Hapū Trust – Chad Tareha (Chair)
Maungaharuru-Tangitū Trust – Robbie Paul
Maraenui & Districts Māori Committee – Waitiria Greeks
Māngai ā-Hapori – Rapihana Te Kaha Hawaikirangi
Mayor Kirsten Wise
Deputy Mayor Annette Brosnan
Councillor Maxine Boag
Councillor Keith Price

In Attendance Pou Whakarae (Mōrehu Te Tomo)
Director of Corporate Services (Adele Henderson)
Acting Director of Community Services (Darran Gillies)
Director of City Strategy (Richard Munneke)
Communications and Marketing Manager (Julia Aktinson)
Acting Director Programme Delivery (Jamie Goodsir)
i-Site/Par2 Manager (Jane Libby)
Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori (Beverley Kemp-Harmer)
Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori (Hilary Prentice)
Te Waka Rangapū Kaiāwhina (Wai Tupaea)
Manager Environmental Solutions (Cameron Burton)
Team Leader Planning & Compliance (Luke Johnson)

Administration Governance Advisor (Anna Eady)

Karakia and Waiata

Pou Whakarae, Mōrehu Te Tomo opened the meeting with a karakia, which was followed with a waiata by all attendees.

Apologies

Councillor Price / Dep. Mayor Brosnan

That the apology from Robbie Paul be accepted.

Kua Mana

Conflicts of interest

Nil

Announcements by the Chairperson

Nil

Announcements by the management

Nil

Confirmation of minutes

W Greeks / Councillor Boag

That the Minutes of the meeting held on 8 April 2022 were taken as a true and accurate record of the meeting.

Kua Mana

Attachments

1 Proposal for New Waka Berth in Ahuriri Harbour (Doc Id 1467385)

Updates from Partner Entities

Ngāti Pārau Hapū Trust – Chad Tareha

- Matariki a hapū – There is going to be a Matariki kaupapa held at Waiohiki marae in June. The Iwi and Napier City Council (NCC) are supporting this event. It will bring hapū and the community together, acknowledging the significance of Matariki through maori games, workshops, and presentations. It will run 24 – 29 June and will finish at Mataruahou (Bluff hill) on 30 June in conjunction with NCC. Everyone is welcome.
- Next week Ngāti Pārau have High Court hearings at the Napier Courthouse in regards to the marine and coastal areas, specifically on the Takutai Moana Act. Te Kaha leading that on behalf of the hapū.

Maraenui and Districts Māori Committee – Waitiria Greeks

- The new splash pad project is progressing and car parks are due to be installed next week.
- Kainga Ora are going to put up displays in the community of their planned housing developments.

Napier City Council – Mayor Kirsten Wise

- There is a public information campaign in regards to the 3 waters reform model being launched soon. Central Government's Select Committee process is due to start in the next month. NCC is ready to share information with the public about Government's proposed model, and the alternative regional model. This campaign will also detail how the community can engage in the Select Committee process and how they can make a submission. NCC will be advertising to the Community how to access the information campaign. There will be a number of platforms used for this, including some public meetings.
- NCC had the housing review hearing this week. This process has been underway for four years. The decision of Council was to retain the Council housing portfolio, and for a sustainable funding model to be introduced with an 80 (rent) / 20 (rates) split. The rates increase proposal will need to go out to the community as part of consultation for the 2023 Annual Plan. Council Officers have been tasked with creating a Housing Strategy which will have the main focus on Council housing, but will also look at housing across the city to give a good strategic plan.
- Yesterday Councillors had an update from the Working Group on the new library and community hub. The project is progressing well and there will be a paper coming to this Committee in the next meeting round on the concept design for the project.

Updates from Māngai-ā-Hapori

Rapihana Te Kaha Hawaikirangi

- A letter was sent to the Committee with a proposed solution for the Te Matau a Māui Waka berth in Ahuriri Harbour. This is part of a submission to the NCC Annual Plan 2022. It highlights the current berth's health and safety concerns. A short term solution to these concerns is desired until the redevelopment of the area is underway. Elected Members are unable to talk to this proposal at this stage due to it coming to the AP for consideration, but the rest of the Committee are supportive of the proposed solution (*letter attached to minutes*).
- Matariki celebrations – Te Ātea-a-Rangi Trust are running events 20 – 24 June at the Waitangi Regional Park for Matariki. All welcome.
- Waiohiki Marae – The new playground was opened last week. Thanks to NCC for facilitating this.
- Te Wai Mauri Trust have put its first plants on Otatara Pa on the EIT side and established pest control traps over the pa.

Updates from Pou Whakarae

Mōrehu Te Tomo

- Te Waka Rangapū (TWR) have been working on a number of projects, including the library and civic precinct. Engaging with mana whenua through this project has shown what can be achieved together.
- TWR are looking at a cultural narrative for the Marine Parade.
- There is going to be a realignment of Puketitiri Road so the TWR team are involved to look into whether there are sites of significance affected by the project.
- They are working on reinstating the pre-settlement placenames across the city.
- They are also involved in the Dog Control Bylaw review being carried out by NCC currently.
- The way this Committee sits in the Council's governance structure is still under review. It is hoped that an agreeable option will be reached prior to the local elections so it can be put to the new triennium's Mayor. TWR are going to consult with Māori about what they think is appropriate. TWR are also still working with Mana Ahuriri and Te Taiwhenua a Te Whanganui-a-Orotū to get them around the table.

REPORTS FROM STANDING COMMITTEES

NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) RECOMMENDATION

That the Ngā Mānukanuka o te Iwi (Māori Committee) Recommendations arising from the discussion of the Committee reports be submitted to the Council meeting for consideration.

REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 28 APRIL 2022

1. VISITOR INFORMATION CENTRE S17A REVIEW

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	1423323
Reporting Officer/s & Unit:	Steve Gregory, Manager Business & Tourism

1.1 Purpose of Report

The purpose of this report is to receive the recommendations of the S17A service delivery review of the Napier Visitor Information Centre and Par2 Mini Golf, and to approve to proceed with the development of a business case investigating development options for a Tier 1 Visitor Information Centre and Tourism Hub for consideration in the 2024/25 Long Term Plan.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Acting Director of Community Services and the iSite and Par2 Manager spoke to the report noting, there has been an announcement made in the last few days by the Government about a visitor levy. NCC should know in next week if it will get some of this funding.

In response to questions from the Committee it was clarified:

- The model for the new tourism hub is a regional approach with the main tourism centre being within the central city.
- The Manager Business & Tourism and Council's Chief Executive have been contacting Liz Munroe, Chief Executive of Mana Ahuriri, about Conservation House. Conservation House was not with Mana Ahuriri when this review was first started.
- Council's preferred site is the current iSite location, however Conservation House is another option put before stakeholders. A business case will challenge which is the best location for the intended purpose.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

RTK Hawaikirangi / W Greeks

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

Kua Mana

Committee recommendation

Mayor Wise / Councillor Simpson

The Napier People and Places Committee:

- a. Approve the S17A i-SITE service delivery review and recommendations
- b. Approve the development of a business case for a Tier 1 Visitor Information Centre for consideration in the 2024/25 Long Term Plan
- c. Approve investigation of building options to accommodate a Tier 1 Visitor Information Centre (remediate, redevelop or new build) for consideration in the 2024/25 Long Term Plan.

Carried

2. WELCOMING COMMUNITIES ACCREDITATION APPLICATION

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1448861
Reporting Officer/s & Unit:	Rebecca Peterson, Senior Advisor Policy

2.1 Purpose of Report

To seek Council agreement to proceed with the Welcoming Communities - Te Waharoa ki ngā Hapori accreditation application.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Committee gave its support to the Decision of Council made at the Napier People and Places Committee held on 28 April 2022.

COUNCIL RESOLUTION

Councillors Brosnan / Tapine

The Napier People and Places Committee:

- a. Make a **DECISION OF COUNCIL** under delegated authority to meet the Welcoming Communities application deadline.
- b. Approve that an application is made to the Welcoming Communities - Te Waharoa ki ngā Hapori accreditation programme.

Carried

3. NAPIER WAR MEMORIAL RESTORATION PROJECT UPDATE

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1453973
<i>Reporting Officer/s & Unit:</i>	Drew Brown, Senior Project Manager

3.1 Purpose of Report

This report is to provide an update on progress made, and next steps for the Napier War Memorial restoration project.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read and there was no discussion by the Committee on this item.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Councillor Boag / Councillor Price

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

Kua Mana

Committee recommendation

Mayor Wise / Councillor Crown

The Napier People and Places Committee:

- Receive the update provided on the Napier War Memorial restoration project

Carried

4. UPDATE ON CIVIC BUILDING DEMOLITION

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1442072
<i>Reporting Officer/s & Unit:</i>	Darran Gillies, Community Services Programme Manager

4.1 Purpose of Report

To inform the Council of the progress on the Civic building demolition ahead of the development of the new library and community spaces in accordance with the Library and Civic Area Plan.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

This report was taken as read. In response to questions from the Committee it was clarified:

- The Chair of this Committee has been part of the discussions on the Civic Precinct and this is a part of that project.
- There will be display boards around the construction site to tell the story of the concept of the new build, and also any other stories from the same area. The purpose of the boards will be to bring the Community along on the journey of the project.
- There was a lot of interest in the demolition work when the tender went out. Tenders close 5pm today and the team are expecting five to six tenderers. There will be a two week period of tender assessment, independently chaired by a representative of the Ministry of Business, Innovation and Employment. A decision should be made on the preferred tender in about three weeks.
- Council is looking for a new temporary home for the mural on the side of the existing Civic Building. It needs to face east and have a sea view.

It was noted that an idea for mana whenua to tell their story as part of the boards was in keeping with the co-design approach of the project. Mana whenua will also be asked to do a karakia before the project begins.

Ngā Mānukanuka o te Iwi (Māori Committee) Amended Recommendation

RTK Hawaikirangi / Dep. Mayor Brosnan

The Ngā Mānukanuka o te Iwi Committee:

- Recommend that the Council resolve that the Napier People and Places Committee recommendation be adopted, and
- Recommend that the Council project team make space on the temporary fencing around the Civic Precinct construction site for mana whenua to tell their story.

Kua Mana

Committee recommendation

Councillors Chrystal / Brosnan

The Napier People and Places Committee:

- Receive the report titled "Update on Civic Building Demolition".

Carried

5. NAPIER LIBRARIES WINTER AND SUMMER READING PROGRAMMES 2022-23

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1444047
<i>Reporting Officer/s & Unit:</i>	Belinda McLeod, Community Funding Advisor

DECISION OF COUNCIL

5.1 Purpose of Report

To seek approval to apply for external funding from Eastern & Central Community Trust (ECCT), to support the Napier Libraries 2022/23 Winter and Summer Reading Programme.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read. The Acting Director of Community Services, Mr Gillies was not aware of a response to the application being received yet but would follow up with Libraries Manager.

Council	Councillors Crown / McGrath
Resolution	<p>The Napier People and Places Committee:</p> <p>a. Make a DECISION OF COUNCIL under delegated authority to enable the funding application to Eastern & Central Community Trust be submitted and processed this financial year.</p> <p>b. Approve the external funding application of \$19,000 to Eastern & Central Community Trust for the Napier Libraries 2022/23 Winter and Summer Reading Programmes</p>
	Carried

REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 28 APRIL 2022

1. HEALTH AND SAFETY REPORT - QUARTER 2 YTD

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1457871
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services Michelle Warren, Health and Safety Lead

1.1 Purpose of Report

The purpose of this paper is to provide Council with an overview of Health & Safety activity for the period Quarter 2 FY22.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Officer spoke to this report noting that these reports have been moved from the Audit & Risk Committee to the Prosperous Napier Committee to provide greater visibility of their content for the community.

There has been a second wave of Covid cases over the last week.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

RTK Hawaikirangi / Councillor Price

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

Kua Mana

Committee recommendation

Councillors Chrystal / Mawson

The Prosperous Napier Committee:

- a. Receive the Health and Safety report.

Carried

2. HAWKE'S BAY MUSEUMS TRUST DRAFT STATEMENT OF INTENT AND FINANCIAL REPORTING

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 1442352

Reporting Officer/s & Unit: Jaimie McIvor, Finance Accountant

2.1 Purpose of Report

To receive the Hawke's Bay Museums Trust Financial Report for the six months ended 31 December 2021 and draft Statement of Intent 2022/23.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Director corporate Services, Ms Henderson spoke to the report. In response to questions from the Committee it was noted:

Funding for the move of museum pieces is still being applied for, once this is confirmed a timeline for the move can be put in place. The team are working through some value engineering at the moment to bring the cost of the move down.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

W Greeks / Dep. Mayor Brosnan

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

Kua Mana

Committee recommendation

Councillors Tapine / Chrystal

The Prosperous Napier Committee:

- a. Receive the Hawke's Bay Museums Trust Financial Report for the six months ended 31 December 2021.
- b. Receive the Hawke's Bay Museums Trust draft Statement of Intent 2022/23 and provide any feedback to the Trust prior to the Statement of Intent being brought back to Council for adoption.

Carried

3. FINANCIAL FORECAST TO 30 JUNE 2022

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1449843
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer Talía Foster, Accounting Manager

3.1 Purpose of Report

To provide the Committee with Council's financial forecast to 30 June 2022.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Director of Corporate Services, Ms Henderson spoke to the report. There was no discussion by the Committee.

It was noted by the Committee that the Pou Tokomanawa was returned to Waiohiki Marae where it will be looked after well. They have Jane Hadfield who is a specialist in caring for taonga there.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Mayor Wise / M Boag

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

Kua Mana

Committee recommendation

Mayor Wise / Councillor Crown

That the Committee:

- Receive the financial forecast to 30 June 2022.
- Approve the 2021/22 financial forecast to 30 June 2022.
- Approve funding the year end deficit for the Parking activity from the Parking reserve.
- Note the forecast deficit rates position will be finalised at year end.
- Note that the full list of timing impacted projects for 2021/22 will be brought back to Council in a separate report for inclusion in the 2022/23 final Annual Plan.

Carried

4. HAWKE'S BAY MUSEUMS TRUST ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2021

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	1421308
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer Talia Foster, Accounting Manager

4.1 Purpose of Report

To provide Napier City Council with the Hawke's Bay Museums Trust Annual Report for the year ended 30 June 2021.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read. There was no discussion by the Committee on this item.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / W Greeks

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

Kua Mana

Committee recommendation

Councillors Brosnan / Chrystal

The Prosperous Napier Committee:

- Receive the 30 June 2021 Annual Report of the Hawke's Bay Museums Trust.

Carried

Councillor Boag left the meeting at 9.57am

REPORTS FROM SUSTAINABLE NAPIER COMMITTEE HELD 5 MAY 2022

1. DISSOLUTION OF THE NAPIER ROTARY PATHWAYS TRUST

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1455707
Reporting Officer/s & Unit:	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 Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read. The Committee acknowledged the work the Rotary Pathways Trust accomplished for the residents of Napier, and thanked them for it.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Councillor Price / Dep. Mayor Brosnan

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

Kua Mana

Committee recommendation

Councillors Boag / Chrystal

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 Ngā Mānukanuka o te Iwi (Māori Committee) meeting

That the report was taken as read and there was no discussion by the Committee on this item.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / Councillor Price

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

Kua Mana

Committee recommendation

Councillors McGrath / Mawson

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.

Carried

3. PROPOSED MACRAE FIELD TOILET

Type of Report: Operational and Procedural

Legal Reference: Local Government Act 2002

Document ID: 1454528

Reporting Officer/s & Unit: 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 Ngā Mānukanuka o te Iwi (Māori Committee) meeting

This report was taken as read and there was no discussion by the Committee on this item. discussion by the Committee on this item.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / Mayor Wise

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

Kua Mana

Committee recommendation

Councillors Taylor / McGrath

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.

Carried

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

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1455019
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.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read and there was no discussion by the Committee on this item.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

RTK Hawaikirangi / Councillor Price

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

Kua Mana

Committee recommendation

Councillors Simpson / Mawson

The Sustainable Napier Committee:

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

Carried

5. REPORT ON THREE WATERS REFORM PROGRAMME

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1456775
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.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read. The Mayor gave an update in regards to the 3 waters reform programme. All of the funding that was given to NCC has now been committed so none of it will need to be paid back to Central Government.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / Mayor Wise

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

Kua Mana

Committee recommendation

Councillor Simpson / Mayor Wise

The Sustainable Napier Committee:

- a. 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 Ngā Mānukanuka o te Iwi (Māori Committee) meeting

Water quality is light and biodiversity in this doc. It would have been good to add some of that in there.

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

- The Code of Practice is a document which sits under the District Plan. Cultural aspects, such as cultural impact assessments and sites of significance are covered

off in the District Plan. An application to Council for a project would have to pass the District Plan approval process first and then would go through the Code of Practice process at the more detailed design phase.

- The Code is reviewed annually so is able to be updated regularly.

The Committee noted the Code is light on such things as water quality, native species and biodiversity. These comments will be taken back to the Council Officers who update the Code. It was noted that the separate Hawke's Bay Regional Council process applicants have to go through picks up on a lot of those things.

It was also noted that mana whenua were upset with NCC and land owners because of a development in Ahuriri which found middens but did not consult with mana whenua about them. Nothing appeared to get triggered in the District Plan about this.

The Chair is happy to be part of a further discussion around these issues.

Ngā Mānukanuka o te Iwi (Māori Committee) Amended Recommendation

C Tareha / RTK Hawaikirangi

That Ngā Mānukanuka o te Iwi (Māori Committee):

- Note the key changes to the Code of Practice for Land Development and Subdivision Infrastructure.
- Recommends that Council Officers investigate incorporating water quality and biodiversity outcomes into The Code of Practice for Land Development and Subdivision Infrastructure prior to the adoption of the proofread document by Council.

Kua Mana

Committee recommendation

Councillors Simpson / Browne

The Sustainable Napier Committee:

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

Carried

7. CAPITAL PROGRAMME DELIVERY

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1453428
<i>Reporting Officer/s & Unit:</i>	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.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Officer took the report as read noting there were no updates to projects since this paper was presented at the Sustainable Napier Committee. It was also noted that due to delivery, supply chain, and contractor constraints NCC will not be able to deliver the full Capital Programme for the year. Council officers are currently investigating which projects can be reprioritised and they will bring a report back through the Committee and Council meetings for consideration. The Officer had no updates since this paper was presented at the Sustainable Committee.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Mayor Wise / Councillor Price

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

Carried

Committee recommendation

Councillors Simpson / Chrystal

The Sustainable Napier Committee:

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

Carried

8. BETTER OFF FUNDING

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1459320
<i>Reporting Officer/s & 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 Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Officer spoke to the report. In response to questions from the Committee it was clarified:

- Council has opened a conversation with the Department of Internal Affairs (DIA) about the conditions on the Better Off funding. A verbal reply has been received from the DIA indicating that NCC can still apply for the funding despite it challenging the Central Government 3 waters proposal. Council officers will continue looking at what projects

this funding could be utilised for until NCC receives written confirmation of DIA's stance.

- The Councils 4 Local Democracy group also has the same concern and is looking at engaging with the DIA about it.
- Mana whenua engagement will be part of any NCC application process or funding agreement with the DIA.
- The allocation of the Better Off funding is based on the areas demographics and deprivation index.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / Councillor Price

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

Kua Mana

Committee recommendation

Mayor Wise / Councillor Simpson

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.

Carried

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

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

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 Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read and it was noted that this report and agenda item 11 are linked to NCC's new bore fields and the resolution of Napier's dirty water issues. ok the report as read.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Dep. Mayor Brosnan / Councillor Price

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

Kua Mana

Committee recommendation

Councillors Mawson / Chrystal

The Sustainable Napier Committee:

- a) Consents to road stopping under Section 116 of the Public Works Act 1981 of approximately 2,187m² 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

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	1447530
<i>Reporting Officer/s & Unit:</i>	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.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

No discussion by the Committee on this item.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / W Greeks

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

Kua Mana

Committee recommendation

Councillors Browne / Wright

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.

Carried

11. 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>	1455595
<i>Reporting Officer/s & 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 Ngā Mānukanuka o te Iwi (Māori Committee) meeting

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

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Mayor Wise / Councillor Price

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

Kua Mana

Committee recommendation

Mayor Wise / Councillor Simpson

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

REPORTS FROM FUTURE NAPIER COMMITTEE HELD 5 MAY 2022

1. RESOURCE CONSENT ACTIVITY UPDATE

Type of Report:	Enter Significance of Report
Legal Reference:	Enter Legal Reference
Document ID:	1454220
Reporting Officer/s & Unit:	Luke Johnson, Team Leader Planning and Compliance

1.1 Purpose of Report

This report provides an update on recent resource consenting activity. The report is provided for information purposes only, so that there is visibility of major projects and an opportunity for Elected Members to understand the process.

Applications are assessed by delegation through the Resource Management Act (RMA); it is not intended to have application outcome discussions as part of this paper.

This report only contains information which is lodged with Council and is publicly available.

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Officer spoke to the report noting an update on the newly formed key account managers team. This team is an initial point of contact for proposed substantial

developments and will ensure advice and feedback can be given reasonably quickly to the developers. TWR will be involved in this process and will liaise with mana whenua as part of the process.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Dep. Mayor Brosnan / RTK Hawaikirangi

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

Kua Mana

Committee recommendation

Councillors Crown / Chrystal

The Future Napier Committee:

- a. Note the resource consent activity update for period 21 October 2021 to 18 January 2022

Carried

2. PROPOSAL FROM ART DECO TRUST - WOMEN'S REST ROOMS MEMORIAL SQUARE

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Reserves Act 1977, Napier Borough Endowments Act 1876, Napier District Plan.
<i>Document ID:</i>	1455858
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property

2.1 Purpose of Report

To consider the Art Deco Trust's proposal to partner with Council to strengthen, restore and lease the Memorial Square Community Rooms (Women's Rest).

At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

This report was taken as read and it was noted by the Mayor that the Art Deco Trust are highly motivated to move this project forward. The Committee will be kept up-to-date on the partnership development and the Memorandum of Understanding will be shared once it is ready, prior to it going through a Council meeting for consideration.

Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Mayor Wise / RTK Hawaikirangi

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

Kua Mana

Committee recommendation

Mayor Wise / Councillor Wright

The Future Napier Committee:

- a. Resolve to agree in principle to partner with the Art Deco Trust to restore, strengthen, refurbish and lease to the Trust the Memorial Square Community Rooms (Women's Rest).
- b. Resolve to enter into a Memorandum of Understanding, which will set out the terms and requirements of how the parties will work collaboratively and in good faith towards the above initiative and negotiate lease terms acceptable to both parties.
- c. Resolve that a draft Memorandum of Understanding be brought back to Council for final approval on 2 June 2022.

Carried

General business

Tamatea High School are going to plant a whole football field on their site in native bush to create a space similar to Friend's Bush in Jerviotown. The turning of the turf event will be held 7am, Thursday 23 June.

Whakamutunga Karakia

Pou Whakarae, Mōrehu Te Tomo closed the meeting with a karakia.

The meeting closed with a karakia at 10.33am

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

Chairperson

Date of approval