



AHURIRI REGIONAL PARK JOINT COMMITTEE

Open Agenda

Meeting Date: Friday 5 May 2023

Time: 9.30am

Venue: Small Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Committee Members: **Chair:** Deputy Mayor Brosnan (Napier City Council)
Councillor Price (Napier City Council)
Councillor Hinewai Ormsby and Councillor Williams (HB Regional Council)
Maree Brown, Tania Eden (Deputy Chair), Joseph Reti and Chad Tareha (Mana Ahuriri Trust)
NCC Alternate: Councillor Browne
HBRC Alternate: Councillor Kirton
MAT Alternate: To be appointed

Officers Responsible: Executive Director City Strategy (Rachael Bailey)

Administration: Governance Advisor (Carolyn Hunt)

Next Ahuriri Regional Park Joint Committee meeting

Delegated Authority, Purpose and Fields of Activity of the Ahuriri Regional Park Joint Committee

(Administration through the Napier City Council)

<i>Reports to</i>	<i>Council</i>
<i>Chairperson</i>	<i>Elected by Committee</i>
<i>Deputy Chairperson</i>	<i>Elected by Committee</i>
<i>Membership</i>	<i>2 NCC Councillors (1 alternate)</i> <i>2 HBRC Councillors (1 alternate)</i> <i>4 Mana Ahuriri Trust Representatives (1 alternate)</i>
<i>Quorum</i>	<i>4</i>
<i>Meeting frequency</i>	<i>As required</i>
<i>Officer Responsible</i>	<i>Executive Director City Strategy</i>

The Ahuriri Regional Park Joint Committee has been established as a Joint Committee under clause 30A of Schedule 7 of the Local Government Act 2002.

1. Te Mana kua tukuna me te Kaupapa

Delegated Authority and Purpose and Fields of Activity

The ARP Joint Committee has responsibilities delegated by the Partner Councils to fulfil its purpose being:

- 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.
- 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.
- 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.
 - 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.
 - 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.
 - 1.6. To facilitate collaboration in planning and design for all waterways, drainage and stormwater networks where they discharge into the ARP.
 - 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.
 - 1.8. To keep each Partner Council, MAT and Te Komiti regularly updated on the ARP Joint Committees progress.

2. Ngā mana kāore e tukuna

Powers not delegated

The following powers are not delegated to the ARP Joint Committee:

- 2.1. Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 2.2. 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.
 - i. Unless expressly specified in the ToR, the ARP Joint Committee only has the power to make recommendations to Partner Councils and to MAT.

ORDER OF BUSINESS

Apologies

Nil

Conflicts of interest

Public forum

Nil

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

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

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

Announcements by the management

Confirmation of minutes

A copy of the Minutes from the meeting held on Friday, 9 December 2022 are attached on page9

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

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AGENDA ITEMS

1. ENGAGEMENT OF PROJECT MANAGER

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1634133
Reporting Officer/s & Unit:	Fleur Lincoln, Strategic Planning Lead

1.1 Purpose of Report

The purpose of this report is to seek a recommendation from the Joint Committee on the appointment of an independent project manager for the Ahuriri Regional Park masterplan.

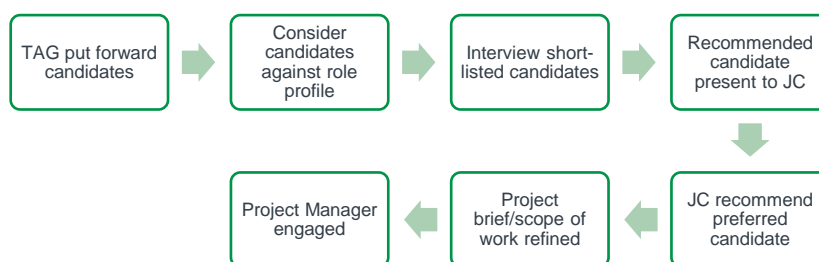
Officer’s Recommendation

The Ahuriri Regional Park Joint Committee:

- a. **Endorse** the engagement of Strategy as the lead agency that will fulfil the project manager position for the Ahuriri Regional Park masterplan.

1.2 Background Summary

At the Ahuriri Regional Park Joint Committee meeting held on Friday 9 December 2022, the committee approved the Project Manager role profile, along with a process by which the Project Manager is to appointed. The process approved is outlined below:



Initially three companies were considered for the role, and after considering their experience and capabilities against the approved role profile, this was reduced to two. A small group of Technical Advisory Group (TAG) members (Fleur Lincoln, Chris Dolley, Richard Munneke and Maree Brown) was formed to interview the candidates. Although not all members were able to attend both interviews, the questions raised reflected the interests of all parties, and the reporting back process enabled a robust recommendation on TAG’s preferred candidate to be made.

TAG recommends the appointment of Cameron Drury of Strategy to the Project Manager role. Cameron has suggested that his position as project manager be supported by a small team, including from his own company Strategy, and Beca, on an as required basis. Cameron will be presenting to the Joint Committee at today’s meeting; sharing his relevant experience and what skills he and his team can bring to the project. He will also be

presenting a proposed methodology, which can be further refined through discussion had at the meeting.

Following this, the Joint Committee will recommend to Officers whether to proceed with the engagement of Stradegy, or whether alternative providers are to be sought.

1.3 Issues

No issues

1.4 Significance and Engagement

The direct procurement of this role is consistent with both the Napier City Council and Hawke's Bay Regional Council procurement strategies. This is a procedural matter, with consultation with the wider public not required.

1.5 Implications

Financial

The funding allocated from Hawke's Bay Regional Council for this financial year is secure. Due to the considerable cost of repair work required as a result of Cyclone Gabrielle, the funding allocated for this project beyond this financial year is uncertain. Council is currently exploring using some of the money approved from the Better Off Fund for the Ahuriri Regional Park project. The project aligns with the criteria and purpose of this fund, and some initial conversations relating to this change have been had with the Ministry of Business, Innovation and Enterprise (MBIE) have been positive. A paper relating to changes to the project makeup for this fund will be coming to Council for consideration shortly.

Project management fee yet to be confirmed, but will be fair and reasonable and within the budget allocated.

Social & Policy

As noted above, the direct procurement of this role is consistent with both the Napier City Council and Hawke's Bay Regional Council procurement strategies. The process by which this role is to be procured is also in accordance with the resolution made at the Ahuriri Regional Park Joint Committee meeting held on the 9 December 2022.

Risk

The scope, methodology, delivery milestones and fees will be further defined in the approved proposal to be prepared following the meeting. Contract procurement will be undertaken in accordance with Council's procurement policies. Risk will be minimised by following the relevant policies and best practice, and by taking the guidance of the joint committee.

1.6 Options

The options available to Council are as follows:

- a. Recommend to Officers to engage Stradegy for the Project Manager role for the Ahuriri Regional Park masterplan
- b. Recommend to Officers to source an alternative provider for the Project Manager role for the Ahuriri Regional Park masterplan

1.7 Development of Preferred Option

Officers have been through a robust process, approved by the Joint Committee, to source a high quality candidate for the Project Manager role for this project. Cameron Drury has put together an experienced support team to ensure a high level of skill and an appropriate

level of focus can be dedicated to all aspects of the position. Cameron recognises the significance of this legacy project, is excited by the unique opportunity to work alongside mana whenua, and is committed to the delivery of a masterplan that is visionary, realistic, and strategic.

1.8 Attachments

Nil

PUBLIC EXCLUDED ITEMS

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

AGENDA ITEMS

1. Land Purchase Update

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) to the passing of this resolution.
1. Land Purchase Update	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

AHURIRI REGIONAL PARK JOINT COMMITTEE Open Minutes

Meeting Date: Friday 9 December 2022

Time: 10.00am – 11.02am

Venue The Ocean Suite
East Pier Hotel
50 Nelson Quay
Napier

Present: **Chair:** Deputy Mayor Brosnan
Members:
Councillor Price (NCC)
Councillor Ormsby and Williams (HBRC)
Maree Brown, Tania Eden (Deputy Chair), Joseph Reti and
Chad Tareha (Mana Ahuriri Trust)

In Attendance: Acting Executive Director City Strategy (Rachel Bailey) (NCC)
Strategic Planning Lead (Fleur Lincoln) (NCC)
Regional Asset Manager (James Feary) (HBRC)
Chief Executive Officer, Mana Ahuriri Trust (Parris Greening)

Administration Governance Advisor (Annelie Roets, HBRC)

Karakia

The meeting was opened by the Acting Executive Director City Strategy, Ms Bailey in the Chair, pending the election of the Chair of the Ahuriri Regional Park Joint Committee.

Councillor Ormsby (HBRC) led the group with a karakia.

Apologies

Deputy Mayor Brosnan / Councillor Ormsby

That the apology from Mayor Wise and Councillor Brown (NCC) be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Chairperson

Nil

Announcements by the management

Nil

Confirmation of minutes – There were no minutes to confirm.

AGENDA ITEMS

1. ELECTION OF CHAIR AND DEPUTY CHAIR

Type of Report: Procedural

Legal Reference: Local Government Act 2002

Document ID: 1489511

Reporting Officer/s & Unit: Fleur Lincoln, Strategic Planning Lead

1.1 Purpose of Report

The purpose of this report is to draw the Committee's attention to the need to elect a Chair and Deputy Chair for the Ahuriri Regional Park Joint Committee.

At the meeting

The Acting Executive Director City Strategy, Ms Bailey having assumed the role of Chair at the commencement of the meeting called for nominations for the position of Chair of the Ahuriri Regional Park Joint Committee.

Election of Chair

Deputy Mayor Annette Brosnan was nominated as Chair by Tania Eden and seconded by Councillor Ormsby.

Deputy Mayor Brosnan accepted the appointment as Chair of the Ahuriri Regional Park Joint Committee on the terms that the Chairmanship be shared amongst the partner organisations on a rolling rotation and note that there is an intention to review this arrangement annually.

There being no other nominations, Deputy Mayor Brosnan was duly elected unopposed as Chair.

Deputy Mayor Brosnan assumed the role of Chair at 10.20am

Election of Deputy Chair

The newly appointed Chair called for nominations for the position of Deputy Chair of the Ahuriri Regional Park Joint Committee.

Tania Eden was nominated as Deputy Chair by Councillor Ormsby and seconded by Deputy Mayor Brosnan. There being no other nominations, Tania Eden was duly elected unopposed as Deputy Chair.

COMMITTEE Deputy Mayor Brosnan / Maree Browne

RESOLUTION The Ahuriri Regional Park Joint Committee:

- a) **Approve** Deputy Mayor Brosnan (Napier City Council) to be appointed as Chair of the Ahuriri Regional Park Joint Committee.
- b) **Noted** that Deputy Mayor Annette Brosnan accepted the appointment as Chair of the Ahuriri Regional Park Joint Committee on the terms that the Chairmanship be shared amongst the partner organisations on a rolling rotation and note that there is an intention to review this arrangement annually.

Carried

COMMITTEE Deputy Mayor Brosnan/Councillor Ormsby

RESOLUTION c) **Approve** Tania Eden (Mana Ahuriri Trust) be appointed as Deputy Chair of the Ahuriri Regional Park Joint Committee.

- d) **Note** the Terms of Reference (*Doc Id 1471630*) were adopted by Mana Ahuriri Trust (30 June 2022), Hawke's Bay Regional Council (27 July 2022) and Napier City Council (14 July 2022).

Carried

2. AHURIRI REGIONAL PARK JOINT COMMITTEE - MEETING #2

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 1615340

Reporting Officer/s & Unit: Fleur Lincoln, Strategic Planning Lead

2.1 Purpose of Report

The purpose of this report is to:

1. Reconfirm the Joint Committee membership.
2. Present and approve the Project Manager role profile for the masterplan phase of the Ahuriri Regional Park project;
3. Present a proposed project team structure, to be confirmed and agreed by the Project Manager.
4. Note the Terms of Reference Quick Reference.

At the meeting

The Strategic Planning Lead, Ms Lincoln introduced the report which was taken as read. Discussions noted:

- The paper sought the Committee's approval to confirm the membership for the Committee as set out in Section 2.1a in the report
- It also presented the role profile for the Project Manager for this project as well as the prospected attributed this person must possess
- The appointment of this role is technically made by the Technical Advisory Group (TAG), however the role is heavily influenced by the Ahuriri Regional Park Joint Committee to ensure that the right selection is made.
- The paper presented a proposed Governance Structure for the Ahuriri Regional Park project and it is expected that the structure will be reviewed once the project manager is appointed.
- The procurement approach, to be determined through TAG, offers a number of options, from direct appointment through to a full and open tender process. Each option presents different risks to the project, and to the Partner organisations.
- Direct procurement approach preferred by the committee.

Maree Brown left the meeting at 10.45am.

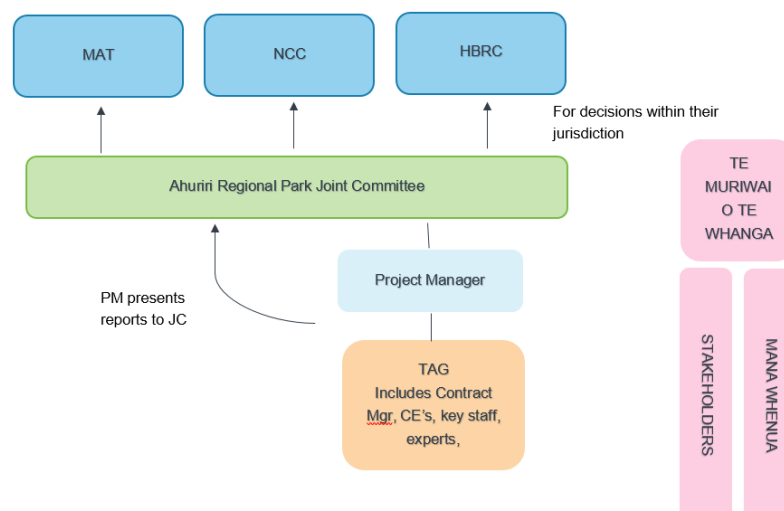
COMMITTEE Councillor Ormsby / TK Eden

RESOLUTION

The Ahuriri Regional Park Joint Committee:

- a) **Note** the appointment and reappointment of the following members of the Ahuriri Regional Park Joint Committee in accordance with Clause 30A(6)(a), Schedule 7 of the Local Government Act 2002:
 - Tania Eden (Mana Ahuriri Trust)
 - Maree Brown (Mana Ahuriri Trust)
 - Chad Tareha (Mana Ahuriri Trust)
 - Joseph Reti (Mana Ahuriri Trust)
 - Yet to be appointed (Mana Ahuriri Trust alternate)
 - Annette Brosnan (Napier City Council)
 - Keith Price (Napier City Council)
 - Hayley Browne (Napier City Council Alternate)
 - Hinewai Ormsby (Hawke's Bay Regional Council)
 - Martin Williams ((Hawke's Bay Regional Council)
 - Neil Kirton ((Hawke's Bay Regional Council alternate)
- b) **Approve** the Project Manager role profile as outlined below:
 1. Programme management - development and maintenance of the project programme and driving the project to deliver in accordance with the agreed programme milestones
 2. Technical Management - including chairing and administration of fortnightly technical team meetings, specific workshops, Advisory Group workshops, and end-user and subject matter expert sessions such as planning
 3. Consultant management
 4. Risk management

5. Governance Support and Reporting at Joint Committee meetings
 6. Budget management
 7. Development of consenting strategies for resource consents and building consents
 8. Development of a robust project plan, including the scope of works and risk analysis, resulting in a programme
 9. Enable the timely development of the masterplan
 10. Management of time and cost
 11. Monitoring requirements
 12. Management of risk and change
 13. Management of legislative frameworks
 14. Management of stakeholder engagement and engagement with our mana whenua partners
 15. Possibility to stage project over the life of Regional Park development eg first phase – masterplan.
 16. High level of cultural competency, local knowledge and investment in the outcome; alongside the confidence of the three partners; and sufficient availability and support for this significant legacy project.
- c) **Endorse** the convening of TAG in accordance with the list which was provided of page 7 of the agenda with the addition of Maree Brown as the Mana Ahuriri Board Member.
- d) **Endorse** a direct procurement approach for the project manager led by TAG as the preferred procurement option.
- e) **Note** a presentation of the reversed brief by the successful project manager will be made to this Committee with an opportunity for feedback prior to any appointment being confirmed.
- c) **Receive** the proposed Ahuriri Regional Park governance structure as below:



d) **Note** the Terms of Reference Quick Reference (*Doc Id 1613793*)

Carried

The meeting closed with a karakia at 11.02am

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

Chairperson

Date of approval