



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

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# FUTURE NAPIER COMMITTEE

## Open Agenda

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Meeting Date:	Thursday 22 October 2020
Time:	Following the Sustainable Napier Committee
Venue:	Napier War Memorial Centre Marine Parade Napier

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Committee Members	Mayor Wise, Deputy Mayor Brosnan (In the Chair), Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, and Wright
Officer Responsible	Director City Strategy
Administration	Governance Team

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**Next Future Napier Committee Meeting**  
**Thursday 3 December 2020**

# ORDER OF BUSINESS

## Apologies

Councillor Taylor

## Conflicts of interest

## Public forum

Nil

## Announcements by the Mayor

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

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

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

## Announcements by the management

## Confirmation of minutes

That the Minutes of the Future Napier Committee meeting held on Thursday, 10 September 2020 be taken as a true and accurate record of the meeting. ....60

## Agenda items

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

## Public Excluded

Nil

# AGENDA ITEMS

## 1. COUNCILLOR CONSENT HEARING DELEGATIONS

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	1017194
<i>Reporting Officer/s &amp; Unit:</i>	Luke Johnson, Team Leader Planning and Compliance

### 1.1 Purpose of Report

The purpose of this report is to update the current Hearings Committee Terms of Reference (**TOR**) and to introduce a set of guidance criteria that will help guide the appointment of Commissioners by the committee to hear and determine resource consent applications, in accordance with best practice.

#### Officer's Recommendation

The Future Napier Committee:

- a. Receive the Independent Report Councillor Consent Hearing Delegations attached as **Attachment A** to this report, which includes:
  - i. Annex A – Quality Planning Guidance – The use of Commissioners 2017
  - ii. Annex B – NCC Current Hearings Committee Terms of Reference
  - iii. Annex C – Guidance Criteria for Delegations to and Assignment of Commissioners
- b. Approve the changes to the Hearings Committee Terms of Reference attached as **Appendix B** to this report.

### 1.2 Background Summary

Napier City Council (**Council**) has a set of regulatory functions that include the processing of resource consent applications, some of which are publicly or limited notified and which require being heard by a Hearing Commissioner(s). At present there is no Council set or defined criteria/policy to support decisions made in appointing Hearing Commissioners. Officers therefore commissioned a review by an independent planning consultant to consider whether current practice is in line with best practice, and to recommend changes that would ensure that all future decisions to appoint Hearing Commissioners are transparent and robust. Specifically, the review sought to achieve the following outcomes:

- Set a clearly understood and transparent process for whom the decision sits with when appointing Hearing Commissioners.
- Ensure the process is robust and of sound legal standing.
- Update the Hearings Committee TOR, if required, to reflect any change in process as a result of this review.

- Consider the benefits, costs and risks of using Councillors as Hearing Commissioners.
- Consider what opportunities exist to grow the capability of Councillor Commissioners and to have them share in local decision making, while retaining the use of Independent Commissioners where warranted.
- Establish a set of criteria to be considered for every appointment that guides officers' recommendation and the final decision.

The key output of the review was the completion of an independent report which is attached as **Appendix A** and **Annexes A, B and C** to this item. That report discusses the review process undertaken and the key findings and recommended actions and should be read in conjunction with this item.

A workshop was held with Councillors on 17<sup>th</sup> October 2020 to explore the findings of the independent review. The outcomes and actions from that workshop have been considered in this item.

### 1.3 Best Practice

The review considered relevant best practice reference material and the practice of several other local authorities. The following have been identified as the key best practice measures a Council should follow when appointing Commissioners:

- Elected members or Councillors should have training and experience as hearing panel members and be able to demonstrate fulfilling the accreditation requirements of the RMA by holding a current certificate under the Making Good Decisions programme.
- Councillors nominated to be appointed as Commissioners should have no actual or perceived conflict of interest.
- Where Councillors or other elected members are regularly called upon to act as Commissioners, they need to be made fully aware of the potential workload involved and be available as required.
- Any appointment of Commissioners and delegation of functions made under s34A of the RMA should be formally recorded as a resolution of the Council. This appointment may be recorded on documentation related to a hearing (such as correspondence and order papers) to ensure that no confusion exists in regard to the authority of those persons to act as Commissioners.
- For the sake of transparency and consistency, Councils should have a clear policy or set of guidelines on the use of independent Commissioners which clearly states what circumstances are considered to warrant the use of a Commissioner, what powers are to be delegated, and what steps are to be followed in the appointment of a Commissioner. Such a policy or set of guidelines may form part of a Council's delegations manual or policy, or may constitute a separate policy.
- The skills and experience of Independent Commissioners employed should match the nature, scale and technical complexity of the issues on which a decision is being made.

In summary, officers consider the key takeaway to be the need to develop a clear set of guidance criteria to guide, inform and structure the decision-making process, so that it is clear (and clearly recorded), that they were considered when making the decision. This provides a level of robustness and demonstrates that the Hearings Committee has taken responsibility and ownership of the decision and has clearly followed the adopted practice. As part of the review, a set of guidance criteria has been developed and included in the existing TOR is attached as **Appendix B** to this item. The recommendation is for these



criteria to form part of the Hearings Committee TOR so that they are clearly referred to and referenced in any decision made.

#### 1.4 Review Findings

In addition to the best practice comments above, the review made several findings which are summarised below:

- The Resource Management Act makes it clear that the power to hear and determine resource consent applications may be delegated to staff or to Hearing Commissioners provided they are accredited to do so (by holding a current Making Good Decisions Accreditation certificate).
- The decision to appoint Hearing Commissioners, whether Independent or Councillors, to hear and determine a resource consent should sit with the Hearings Committee.
- Council has a TOR setting out that the Hearings Committee is responsible for appointing and delegating powers to Hearings Commissioners to hear and determine resource consent applications.
- Following the Planning Team's consideration of a resource consent application that requires a hearing (typically between the processing officer and their Manager), a recommendation should be made to the Hearings Committee, with the key reasons as to why (with reference to the guidance criteria), on who should be appointed to hear and determine the application.
- Consideration should be given to the approach of having a mixed Hearings Panel consisting of an experienced Independent Commissioner sitting with a Councillor (Commissioner) where the opportunity presents itself. This should be done irrespective of costs with consideration on a case by case basis for the Councillors time being absorbed by Council.
- All decisions on resource consents made by appointed Hearing Commissioners should be made by those Hearings Commissioners. Council staff (other than the Reporting Officer) may be used to assist in the writing but the decision must be that of the decision makers.
- Although Commissioners should generally write their own decision reports, there may be a professional development opportunity for Council staff/accredited Councillor Commissioners to assist in this respect. This could be considered on a case by case basis.
- The current non-financial delegations are fit for purpose with the decision to appoint Commissioners sitting with a Committee of Council. In other words, there is no additional delegation needed and therefore no amendment of the non-financial delegations is required for the purpose of this item.

Overall, the review found that the correct structure and delegations are in place to appoint Commissioners (being the Hearings Committee). What was identified was no clear process or guiding criteria which informs the decision being made. The review noted that this was not a criticism and often a function related to a Council holding a low number of hearings on an annual basis. Notwithstanding, Officers recognise that it is an opportunity to put in place a process with more rigour that empowers the decision makers giving them confidence in the decision being made.

Officers also note the review makes the point that hearing applications can be technically complex and time exhaustive, and therefore Independent Commissioners are often required and justified in their use. Having said that, more opportunities to include Councillor Commissioners should be afforded (when independence is not requested by

either the Applicant or Submitter, or where elected members can sit alongside independents) with the most favoured scenario being a hybrid panel where a Councillor Commissioner sits with an Independent Commissioner. This would assist with ensuring a technically robust decision is reached and that the workload that comes with writing a robust decision is appropriately managed. To negate the possible higher costs that would come with having two commissioners instead of one, the review suggests that the costs of using the Councillor Commissioner could be absorbed by Council as a development opportunity. This recommendation is endorsed by Officers and the decision will be made on costs by the hearings committee at the time of appointing commissioners.

### 1.5 Conclusion

Having considered the review findings it is recommended that amendments be made to the Hearings Committee TOR to include specific guidance criteria when considering the appointment of Hearing Commissioner's, and the development of a specific process whereby the recommendation by the Planning Team is documented alongside the decision being made by the Hearings Committee.

### 1.6 Issues

No Issues.

### 1.7 Significance and Engagement

There is nothing significant about this item that requires community engagement.

### 1.8 Implications

#### Financial

There are no financial implications as a result of this item.

#### Social & Policy

N/A

#### Risk

There is no significant risk associated with this matter. In fact, the recommended course of action will lessen risk through providing a more robust process for the appointment of Commissioners.

### 1.9 Options

The options available to Council are as follows:

- a. Approve the changes to the Hearings Committee Terms of Reference as set out in the attached **Appendix B**.
- b. Refuse the changes to the Hearings Committee Terms of Reference as set out in the attached **Appendix B** and continue with the current practice whereby Commissioners are appointed.

### 1.10 Development of Preferred Option

The preferred option of amending the TOR to include the best practice guidance criteria has been completed through the review work done and through the development of the guidance criteria. Should the changes to the TOR be approved and endorsed by the Committee, they will be updated at the next Council meeting and be in place for consideration when the next resource consent hearing is required.

#### 1.4 Attachments

- A Independent Report Councillor Consent Hearing Delegations (*Under Separate Cover*) [⇒](#)
- B Annex A - Quality Planning Guidance - The use of Commissioners 2017 (*Under Separate Cover*) [⇒](#)
- C Annex B - NCC Current Hearings Committee Terms of Reference (first draft version) (*Under Separate Cover*) [⇒](#)
- D Annex C - Guidance Criteria for Delegations to and Assignment of Commissioners (*Under Separate Cover*) [⇒](#)
- E Amended Hearings Committee Terms of Reference [↓](#)

**HEARINGS – Terms of Reference**

<i>Chairperson</i>	<i>Deputy Mayor Annette Brosnan</i>
<i>Deputy Chairperson</i>	<i>Councillor Graeme Taylor</i>
<i>Membership</i>	<i>Her Worship the Mayor Kirsten Wise</i>
	<i>Councillor Nigel Simpson</i>
	<i>Councillor Hayley Browne</i>
	<i>Councillor Apiata Tapine</i>
	<i>Representative of Napier City Councils Māori Committee</i>
<i>Quorum</i>	<i>3</i>
<i>Meeting frequency</i>	<i>As required</i>
<i>Officer in Charge</i>	<i>Director City Strategy and Director Infrastructure Services</i>

**Role**

To conduct fair and effective Hearings and make determinations on a range of the Council's quasi-judicial functions under legislation (and other matters as referred to the Committee) and to make decisions on the appointment of Commissioners (both elected members and Independent Commissioners) to hear and determine Applications under the Resource Management Act.1991

**Delegations**

The Hearings Committee is granted responsibility and full delegated authority of the Council to make final decisions of Council in line with its mandate and in accordance with legislative requirements. The Committee may decide to refer a matter to Council accompanied by recommendations where it deems the significance of the decision or its implications warrant it.

The Hearings Committee will hear and make determination on statutory and or regulatory matters under relevant legislation unless otherwise delegated by statute or Council, including (but without limitation):

- District Plan
  - Hear and make determination on submissions and objections to the Napier City District Plan Review and any changes or variations proposed to that Plan.
  - The Committee may decide to refer the matter to Council accompanied by recommendations, in a situation where:
    - the District Plan will be significantly altered as a result of submissions,
    - any decision on the District Plan will have a significant impact outside the District Plan on other Council policies, particularly rating levels or fees and charges, and
    - the Council will need to consider making a variation or change to the District Plan.
- Tenders

- Consider and decide tenders for the supply of goods and services to the Council, where tenders exceed the Chief Executive's delegated authority or are of a scale and significance to be of interest to Council as identified in the notes section of these TOR .
- Hear and make decisions on challenges to decisions made under delegated authority where legislation allows
- Hear and decide Objections under the Dog Control Act
- Hear and decide matters regarding drainage and works on private land under the Local Government Act 2002.
- Hear and decide matters under the Resource Management Act, specifically:
  - Hear and determine notified resource consent applications where a hearing is required
  - Hear and decide any objections against certain decisions under s357 of the Act
  - Make decisions on the appointment of Commissioners (both Elected Members and Independent Commissioners) to hear and determine applications for Resource Consent in accordance with the guidance criteria in these terms of reference.
  - Make recommendations as to where commissioner costs may fall at the time of appointment, having considered s36 of the Act

#### **GUIDANCE CRITERIA FOR DELEGATIONS TO AND APPOINTMENT OF COMMISSIONERS**

Each member of the Hearings Committee that is responsible for Resource Management Act 1991 matters shall, if that member is accredited under this Act, be deemed for the purposes of this delegation to be a Hearings Commissioner.

#### **Guidance for appointment of Commissioners**

1. The Hearing Committee may appoint one or more Hearings Commissioners, or elected members, to a hearings panel, and may delegate in accordance with section 34A of this Act the functions, powers and duties of the Council, in determining any matter, to that individual or panel.
2. The assignment shall be made having considered the relevant legislative guidance in section 34A of The Act.
3. The assignment shall be made having considered the General Criteria for Appointment of independent Hearings Commissioner(s) below.
4. The assignment shall be made having considered the recommendation by the Chairperson and the Director City Strategy or her/his nominee, in particular the skillset required to hear and decide the specific hearing issue(s).
5. The Hearings Committee shall meet to hear the appointment recommendations, decide and appoint commissioners. The committee will formalise the delegation of powers and functions under the Act in a formal decision of the committee at this time.
6. When appointing consideration should be given to any elected members experience and competency in relation to the hearing matter and may choose to pair an elected member with an independent commissioner to build skills and experience.

**General Criteria for Appointment of independent Hearings Commissioner(s)**

One or more independent Hearings Commissioners shall be recommended to consider any matter or to exercise the functions, powers and duties of the Council under the Resource Management Act 1991 in accordance with section 34A of this Act, when one or more of the following applies:

- a) The Council is the applicant.
- b) The organisation (applicant) is one in which the Council has a significant and/or pecuniary interest.
- c) The project (application) is one in which the Council has a significant and/or pecuniary interest.
- d) A valid request has been made under the Resource Management Act 1991 for a Commissioner to hear and determine the matter.
- e) In the view of either the Council or the Chairperson or Deputy Chairperson of the Hearings Committee the subject of the hearing is highly political and elected members' objectivity in hearing or determining the matter would be compromised due to previous political and community debate.
- f) In the view of either the Council or the Chairperson or Deputy Chairperson of the Hearings Committee, the highly complex and technical nature of the issues to be addressed in the hearing requires specific expertise. (Care is needed in this regard, as technical issues should always be discussed at the hearing in a manner that is understandable to the layperson.)
- g) In the view of either the Council or the Chairperson or Deputy Chairperson of the Hearings Committee, the Hearings Committee has insufficient resources and/or time to hear the matter in a timely manner.

**Note for Tenders.** Work must be identified in a Long Term Plan [LTP] (or an Annual Plan [AP] update to the LTP) in order to be considered for progress at any given time.

Typically the Hearings Committee will consider tenders for works included in the LTP or an AP that are above the financial delegation to the Chief Executive.

However, there may be instances where a tender may be brought to the Committee for consideration even when the monetary value is within the existing CE delegation.

For example, this would take place where specifically requested by resolution of Council or where the work relates to a bespoke project of significant interest to Council.

## 2. CIVIC PRECINCT FRAMEWORK

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	984587
<i>Reporting Officer/s &amp; Unit:</i>	Fleur Lincoln, Strategic Planning Lead

### 2.1 Purpose of Report

The purpose of this report is to seek Council endorsement of the Civic Precinct Framework.

#### Officer's Recommendation

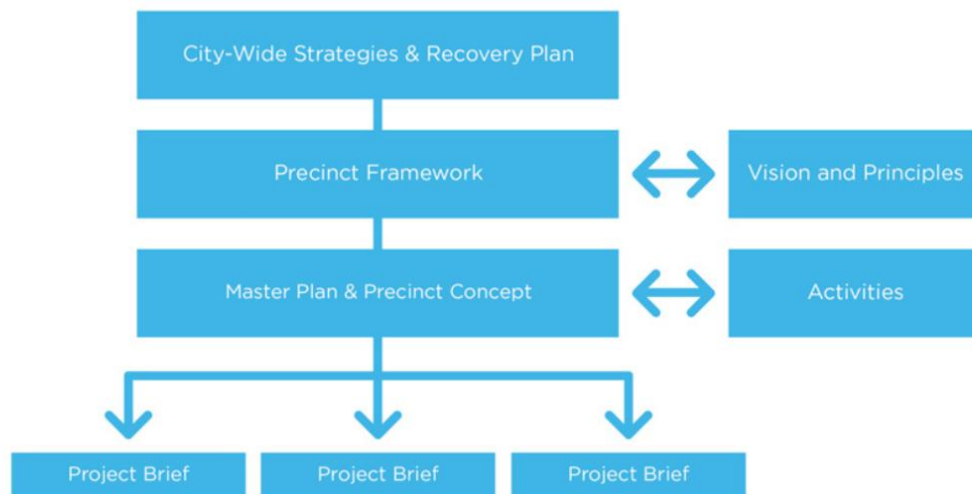
The Future Napier Committee:

- a. Endorse the Civic Precinct Framework

### 2.2 Background Summary

Since 2017, Council has been investigating various options for Office accommodation, governance facilities, and a new Library. In December 2017 Council approved a Statement of Proposal which would have allowed the sale of the Civic site (on the corner of Station and Hastings Streets) for a commercial use. Negotiations with an international hotel provider for the purchase of this site have now closed following a change in circumstances due to Covid-19. A site selection process for the new Library also concluded, with Council resolving to establish new library facilities on the Station Street site in 2019. Preliminary investigations into the options for Council accommodation and governance facilities have also concluded, awaiting a decision on the siting and delivery of a new Library.

With the civic site and surrounds being the subject of a number of complex decisions and staged delivery, as well as it being a key focus for community use and Council administrative services and governance, a new Civic Precinct Steering Group was established to oversee its vision, options exploration, and design. The first phase in the delivery of this project is the creation of a Civic Precinct Framework (the Framework), which sets the vision and principles in order to guide the development of the Masterplan (the spatial plan for the site and surrounds).



The Framework Vision and Themes are:

- Destination
- Connections
- Inclusive
- Leadership
- Activation

The Values and Principles are:

- Expression or outstanding design that compliments the City
- Expression of Māori heritage and presence
- Expression of art
- Expression of community leadership
- Establishing a safe and inclusive place for all
- Physical connectivity, multi-modal transport and arrival requirements
- Flexible spaces that foster collaboration and cohabitation
- Enhancing social connection
- Economic stimulus

The Principles will ensure decisions made over time are consistent and values-based, and take full advantage of the once in a generation opportunity to create a community hub that both serves the needs of our community, and is an engaging destination.

The extent of the Precinct has blurred edges, with influence cast beyond the Civic site, to nearby properties and streets. Council has engaged with other organisations including the Hawke's Bay Regional Council and Ministry of Justice, to ensure thinking around shared services and facilities, and spatial design considers our neighbours and their needs.

Finally, the Civic Precinct is a working title and will likely change through the Masterplan process to one that better encapsulates its community and governance function, and reflects our culture.



### 2.3 Issues

No issues.

### 2.4 Significance and Engagement

The endorsement of the Civic Precinct Framework does not trigger any special consultative procedure requirements under the Significance and Engagement Policy. Engagement in this phase of the project is through the Project Steering Group. It is not intended to consult more broadly on this Framework. It is expected that further consultation on later phases of this project including the Masterplan, and component designs will be carried out.

### 2.5 Implications

#### Financial

NA

#### Social & Policy

The Principles of the Civic Precinct Framework are consistent with a number of existing strategies and plans including the City Vision, District Plan Review, Library Strategy, Covid Recovery Plan, and Long Term Plan.

#### Risk

NA

### 2.6 Options

The options available to Council are as follows:

- a. Endorse the Civic Precinct Framework
- b. Do not endorse the Civic Precinct Framework

### 2.7 Development of Preferred Option

The endorsement of the Civic Precinct Framework by Council is the first phase in the re-imagining and redevelopment of this site and its surrounds. It is the vital first step toward forming the project brief for the Masterplan/Spatial Plan, and establishes a set of underlying principles that guide the sites design and function for the future phases of the project.

The Framework has been developed by the Project Steering Group, with all members supporting its content.

### 2.8 Attachments

- A Civic Precinct Framework [↓](#)



# Civic Precinct Framework

OCTOBER 2020



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



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## NGĀ KUPU WHAKATAKI – MESSAGE FROM STEERING GROUP CHAIR

A cities Civic Precinct takes on many important roles within a community. Through connectivity, leadership, activation, celebration and accessibility it becomes an important destination, a focus of civic pride and most importantly for its community, a sense of place and belonging.

In Napier a series of events in 2017, culminating with a seismic report finding both the Station Street and Library buildings earthquake-prone, created huge disruption for the Napier public and Council alike. With our civic and library functions disbursing throughout the CBD, the discussion around bringing them back together has been varied with many options and issues.

As with all big challenges there also comes big opportunities, in this moment, a once in a generation opportunity to re-imagine Napier's Civic Precinct has presented itself. One that serves not only the administrative, functional and governance needs of our citizens, but also becomes a destination in itself. We have an opportunity to design and build the library of our future that promotes a sense of community and inclusion, provides spaces for partnerships, collaboration and reflection, and inspires people of all ages to learn and explore.

This Framework establishes a Vision for the Civic Precinct, with supporting Principles that will guide the future design and development of this key space and ensure every element of it is well-considered and works in harmony over the development years. I acknowledge the work of the Civic Precinct Steering Group and our partners who together, have brought diversity of opinion, leadership and passion to this pivotal project.

Ngā mihi

**Annette Brosnan (Deputy Mayor and Chair of Civic Precinct Steering Group)**



## INTRODUCTION

*The Civic Precinct Framework establishes the Vision, Values, and Principles for how the Civic Precinct will be redeveloped and what the community needs the precinct to provide.*

The redevelopment of the Civic Precinct is influenced by a number of city-wide strategies and studies that already exist to set direction for the city and communities as a whole, and aligns with and contributes to broader city-wide principles. The Framework also recognises the key role the precinct redevelopment process can play in stimulating economic activity in the area, creating employment opportunities and contributing to broader city resilience.

In addition, a lot of work on the component parts of the precinct has already been completed. This work has contributed to a better understanding of the issues Council and the community are facing with this site, and the opportunities it presents.



Fig. 1: Contributing strategies and plans

The Civic Precinct Framework was prepared by the Steering Group, convened to provide guidance to Council in identifying the role of the precinct both in a functional and intangible sense. The approach the Steering Group took was to identify the values and principles that they felt that should govern future development of the precinct. These were then grouped into themes, which in-turn informed the overarching vision statement and the precinct's identity.

The Framework will be used to inform the completion of a detailed spatial plan for the precinct and remain as an enduring reference document for measuring the appropriateness of future development proposals into the future.

The Framework intends to establish a set of performance outcomes and is not intended to provide specific design requirements or define development sites. This will be established during the next stage of the process when a spatial plan is prepared. The spatial plan will in-turn inform project briefs for each of the developments and public spaces over time.



Fig. 2: Timeline of projects contributing to Project Trifecta (Council site only)

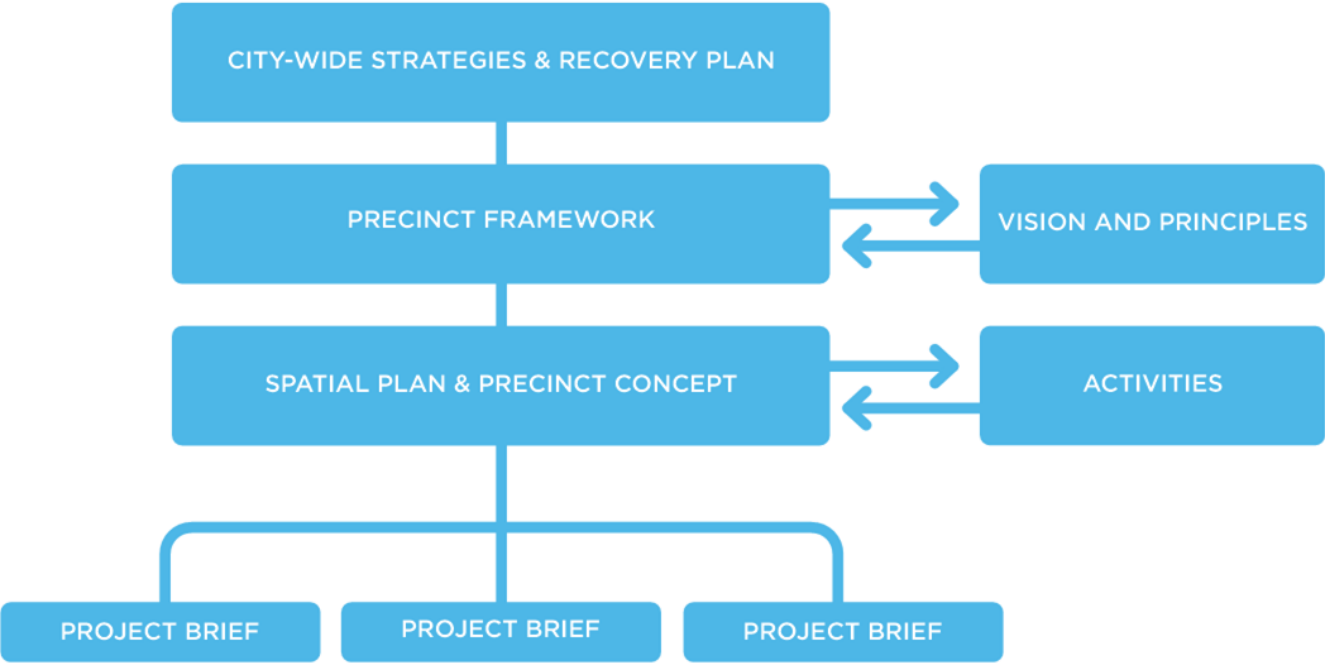


Fig. 3: Relationship of Civic Precinct components & purpose of each task



## PRECINCT BOUNDARY

The Civic Precinct incorporates a number of sites that serve a civic function, as well as nearby buildings and spaces where opportunities for further development and supporting activities reside. Sites that are within the control of Napier City Council (NCC) include the NCC-owned Station Street site, previously occupied by the Council administrative offices, governance facilities and Napier Library, as well as all the streets. Outside of these areas, the interface with other buildings, spaces and activities is important, and consideration needs to be made to how NCC can influence the design and operation of these neighbouring spaces/buildings.



Fig. 4: Civic Precinct extent and sphere of influence

## SITE CONTEXT

The site we see today is much changed from that which existed 170 years ago. The precinct lay on a gravel spit, its western edge lapped by waters of a tidal lagoon. When Europeans arrived, the Māori population was small, and the area now covered by the city centre was not permanently occupied. Earliest Pākehā occupation of the site shows it developed as a sawmill. Records show the site currently occupied by the former Library and Council administrative offices being used or owned for a variety of civic purposes including railway, post and telegraph services, and for commercial purposes.

Napier City Council has occupied this site since the 1960's, and the Library site since the 1980's. A seismic assessment on the Civic and Library Buildings in 2017 found these two buildings to be earthquake-prone, kickstarting a series of events that saw all staff relocated to alternative offices. The opportunity this presents is not one that comes around too often. There is now an opportunity to design a space that provides for a new approach to working – one that is collaborative and flexible; and a space that is an expression of us and our aspirations.

The Civic Precinct project presents the chance to strategically consider the site and its connections with the waterfront, wider Napier City and transportation providers, as well as other social and community service providers. The precinct will accommodate a new Napier Library, Council offices, and governance services, with the potential to share facilities with other government organisations, and to collaborate with partner organisations and businesses.



Fig. 5: Dept of Lands and Survey Map 1865; red star is the approximate location of site (taken from G Carter's Archaeological Report of the Civic Site)

Buildings surrounding the proposed Civic Precinct are generally human scale. Recent development of the Police Station reflects a lower intensity of development, similar in scale to the Art Deco buildings located on Emerson Street.

Government organisations extend along Dalton Street from Station to Vautier Streets, however, only the Police and HBRC have entrances onto this area. The street design of Dalton Street is basic and doesn't highlight the area as a special precinct.

The Civic Administration Building is a comparatively large site and its buildings are an expression of civic values from the postwar modernist period. Unfortunately, this type of architecture has proven world-wide to be deficient for creating good urbanism or for capturing citizens' hearts or spurring imagination.

The original library building is a single storey pavilion / annex attached to 4-storey building. The entrance to the old library building is positioned mid-block on Station Street, with pedestrian access via an expansive forecourt area. The annex offers a complex facade onto both Dalton Street and the Station Street edge. There is no dedicated car parking for library visitors. Off-street library staff parking and time-limited parking is located to the rear of the library building, and accessed from Dalton Street. Large leafy mature trees differentiate Station Street from the rest of the city centre streets.



Fig. 6: Civic Precinct sphere of influence



Within the Precinct is the city's main public transport hub, situated on Dalton Street. This has good connectivity to the CBD shopping precinct and to the waterfront.

Dalton House to the south has a very large building footprint, however the finished floor level is set 1.5m above the street and as such it provides a poor, inactive interface with Vautier and Dalton Streets. The configuration of the built form of Dalton House offers good pedestrian connectivity mid-block between Hastings Street and Civic Court, however there is no hospitality activity / vibrancy in this area after standard business hours.

The Courthouse is positioned in the middle of the proposed Civic Precinct, and has its entrance is situated on Hastings Street. Intimidating anti-social behaviour in front of the Courthouse occurs at times, and therefore good urban design principles is essential around this site in order to increase the feeling of comfort for people passing through this space, and to discourage anti-social behaviour.

The Hawke's Bay Regional Council (HBRC) building is a modern, architecturally designed building situated on the western edge of the proposed Civic Precinct.

A small public green space is located to the south of the HBRC building, while large areas of off-street parking are situated to the west and south of the HBRC building.

Civic Court is a pedestrianised space accessed via Station Street (opposite the old library and NCC Council building) or from Dickens Street via a covered walkway connection beneath Tourism House. Civic Court offers an important pedestrian connection to the city's retail sector which then links up to Ocean Boulevard and then Emerson Street.

Civic Court lends itself to becoming a future food hub for the city, due to the wrap-around nature of the buildings surrounding the space, and it's proximity to the proposed Civic Precinct and surrounding offices / professional services sector



# Civic Precinct Vision and Themes

*The Precinct Steering Group identified a series of interlinking themes. The themes reflect the crucial characteristics of the Precinct that must be achieved to define and connect the future buildings and open spaces in a coherent way.*

## DESTINATION

A place of outstanding architecture and a high amenity urban environment, that creates a sense of place and celebrates the cities cultural values and unique history. A place that weaves together stories from our Māori and contemporary history, and provides a destination that attracts locals and tourists alike. A place of ceremony, local pride and belonging, firmly anchored in our unique local geography.



## CONNECTIONS

The Precinct prioritises high levels of connectivity to other parts of the city. The Precinct facilitates easy access for active modes of transport and high-quality pedestrian environments. There is good proximity to public transport and good access for private vehicles. The site fosters an environment that enables people from all aspects of the community to interact as equals without prejudice.



## INCLUSIVE

Precinct spaces are welcoming, inclusive, accessible, and safe. Spaces are designed without the need for adaptation, modification, assistive devices or specialised solutions, by all persons of all abilities.



## LEADERSHIP

The Precinct embraces a visible leadership role in both civic and environmental sustainability. Leadership is shown through the use of environmentally sustainable practices and innovative and collaborative approaches are embraced.



## ACTIVATION

An environment that fosters innovation in our community and social enterprise. A vibrant place where community groups and businesses of all sizes are supported with sustainable foot-traffic. Infrastructure and technology such as meeting spaces, collaboration hubs are enabled in a flexible, safe, supportive and reliable environment.







# Values and Principles

Each of the Values and Principles identifies the role the Civic Precinct must play in our community, and subsequently what these spaces need to deliver once redeveloped. The Values and Principles set the tone for the spatial plan and the project briefs for each component part of the Precinct.





## EXPRESSION OF OUTSTANDING DESIGN THAT COMPLIMENTS THE CITY

*A Civic Precinct that celebrates our community through iconic architecture and high quality, well connected public spaces. A place where our cities culture, history, and aspirations are interpreted and reflected in the architecture, arrangement and materiality of the buildings, and the design of the urban realm.*

### PRINCIPLES:

- Buildings and spaces that stand the tests of time and evoke civic pride.
- Opportunity to create iconic buildings that become a landmark and a point of discussion for the community and visitors.
- Design that challenges and potentially contrasts the existing urban framework/expressions.
- Design excellence - positive architectural offerings that signify the importance of this Precinct to the city.
- Incorporation of Te Aranga Design Principles.







## EXPRESSION OF MĀORI HERITAGE AND PRESENCE

*Māori as mana whenua have a long connection with the wider area and the waterfront, and this continues today. Māori art and Māori culture are tightly woven together, and cultural history and connection to the area is reflected throughout the design and form of the Precinct.*

### PRINCIPLES:

- Ahuriri Māori cultural heritage and tikanga will be woven into the fabric of the Precinct through spatial design, building and public realm design, use of materials, and storytelling.
- Ahuriri Māori are engaged through the development process, and their voice is heard and reflected in the design of spaces.
- Cultural values, artwork, and the history of our people in the region are integrated into the Precinct.







## EXPRESSION OF ART

*Art is the tangible expression of a culture's identity, and prominent public spaces offer opportunities to express that identity. In Napier, artist expression is highly valued by our community and is integral to the buildings and public spaces designed for this Precinct. Artistic interpretation is used to express our unique character, diversity, the region's history, and our stories and is integrated into the design process from the outset.*

### PRINCIPLES:

- Artwork is integrated into the Precinct through a range of methods from small details that can be discovered over time to large installations.
- Space and opportunity is provided for temporary art installations that keep the spaces fresh and provide a sense of discovery.
- Art is used to engage with audiences of all ages and abilities and to evoke a sense of civic pride.
- Art is used to illustrate our diverse and vibrant community.
- Art is used to tell the story of the region and the significant events in our history.





## EXPRESSION OF COMMUNITY LEADERSHIP

*The Civic Precinct is the home of the city's elected leaders and community governance. The Precinct is a visible example of government organisations leading by example and supporting the governments and community's broader wellbeing outcomes.*

### PRINCIPLES:

- The built environment is constructed and operates to high standards of environmental sustainability and is a flagship example of what can be achieved.
- Buildings have enduring qualities and whole-of-life costs taken into consideration at design stage.
- Public spending on redevelopment delivers value for money
- The buildings within the Precinct are resilient to the effects of natural hazards and climate change.
- The built environment establishes a high quality work and/or living environment for employees and residents in the Precinct including, flexible working models, diversity/quality and technology.







## ESTABLISHING A SAFE AND INCLUSIVE PLACE FOR ALL

*The Civic Precinct is developed with safety as a crucial requirement and remains at the forefront of all design processes. The Precinct is an environment where all of our community and visitors feel safe; a place for all ages and abilities. The Precinct encourages diversity of activity at different times of the day and night, and safety concerns are not a barrier to achieving this.*

### PRINCIPLES:

- Building and public spaces are designed in ways that discourage anti-social behavior, create areas that are well proportioned, allowing for safe movement, and provide clear signals about the behaviors expected in the Precinct.
- Buildings and public spaces meet national accessibility standards, with no barriers to those with physical or visual impairments using the Precinct safely.
- Building orientations, access and surveillance strategies allow safe use at all times of the day and night.
- Buildings are designed to enable safe and easy maintenance over the life of the buildings.





## PHYSICAL CONNECTIVITY, MULTI-MODAL TRANSPORT AND ARRIVAL REQUIREMENTS

*The Civic Precinct is well connected to our city fabric, the waterfront, and the outer residential and commercial areas. All modes of movement to and within the Precinct are well catered for, and the Precinct feels safe, is easy to find, and easy to move around in. Public spaces respond to changes in the way we get around and our changing needs through the provision of technology and flexible spaces.*

### PRINCIPLES:

- The Precinct has a vital role as a central hub connecting to the suburbs and satellite community services.
- A place where the community can come for a range of central, regional and local government administrative services.
- The Precinct has good visual and physical connections to the waterfront, Civic Court, and the retail heart of the city.
- Facilities and services that provide for shared and active modes of movement are prioritised within the Precinct space, and users are made to feel as equals with users of other modes of transport.
- Prioritisation of movement of people (over vehicles), shared spaces, child friendly, barrier free.
- Accommodating functional needs of all modes of transport and an easy arrival experience (parking, taxis, service vehicles, bike racks).
- Responding to future changes in technology, the environment and policy, and shifts in culture which affect how we move about.







## FLEXIBLE SPACES THAT FOSTER COLLABORATION AND COHABITATION

*The Precinct offers an exciting opportunity to explore how the City Council, Regional Council and our community service providers could share resources, facilities, and provide the community with an integrated customer service experience. All buildings and spaces are flexible and allow them to cater for a range of uses and activities during the week and, over time. A philosophy that promotes ease of access is reflected in the design of the spaces, inside and out. The creation of spaces without the need for adaptation, modification, assistive devices or specialised solutions, by people of all abilities.*

### PRINCIPLES :

- Consolidating civic functions and facilities where this makes sense, maximising a finite resource.
- Enabling our partners to achieve their community outcomes and functional duties in spaces that foster strong collaborative relationships.
- A 'no wrong door' approach to customer services across the precinct.
- Enabling community support services clinics to occur on a routine basis within the Precinct.
- Flexible spaces that enable activity into the evenings and weekends.
- Bookable spaces that can be used at different times of the day for public or business activities.
- Flexibility and adaption over time continues to accommodate enduring functions and rituals (reading books, ceremonies).
- A customer service culture is established where the community can receive service and direction that meets their needs.
- Not duplicating facilities provided elsewhere in the city where this may result in a reduced demand for this facility.





## ENHANCING SOCIAL CONNECTION

*The Civic Precinct is a welcoming place where visitors and residents alike can go for social interaction and support. A place where our community will choose to gather and where our formal celebrations take place. The Civic Precinct is a destination celebrated by our community and which our visitors are drawn to.*

### PRINCIPLES:

- A place for gathering and informal community interaction, where everyone feels comfortable spending time, taking part, listening or merely observing others going about their daily routines.
- A special place for formal ceremonial events, celebrations and Civic rituals.
- The Precinct has immediate appeal to a broad range of people, including for residential purposes, and is a place that people enjoy and want to return to again and again.
- The Precinct is a focal point for people to meet at the start of their central city experience as they journey into the city from around the region.







## ECONOMIC STIMULUS

*The Precinct will play an important role in stimulating economic activity in this area of the city. A high-quality redevelopment and the return of Council facilities and the Library will be a catalyst for activating new business growth in the Precinct and in the surrounding area, and will instil a sense of confidence in the City.*

### PRINCIPLES:

- The Precinct has a role in investing in and empowering our people, growing their knowledge and expertise to be ready for the future, and providing the right environment for them to thrive. Building leadership and knowledge expertise within, that can be leveraged in our community. Working alongside business support agencies to provide facilities and services that support positive economic outcomes.
- Spaces and environments are created that fosters innovation in our community and social enterprise. The Precinct has a role in supporting business growth with foot-traffic of 1000 plus people choosing Napier Libraries daily as a destination.
- A place for small and medium sized enterprises (SMEs) and not for profit businesses, providing low cost or free infrastructure and technology such as desk space, meeting spaces, collaboration hubs and the latest digital tools in a safe, supportive and reliable environment.
- Exploration of mixed uses including residential, commercial, transportation and regulatory.
- The redevelopment of the Precinct will play an important role in the Covid pandemic recovery, creating employment and stimulating the economy in the region through the construction industry and supplier chains.



## GOVERNANCE OF THE PRECINCT DEVELOPMENT

For the future implementation of the Civic Precinct Spatial Plan, the Steering Group is currently exploring ways to ensure future developments within the Precinct will give effect to the framework and spatial plan over time. The Steering Group consists of Council staff and representatives from external organisations and stakeholders, as well as three NCC Councillors including:

- NCC Māori Committee
- Hawke's Bay Regional Council
- Friends of the Library
- Deputy Mayor Annette Brosnan, Group Chair
- Councillor Tania Wright
- Councillor Ronda Chrystal

Membership of this Group is variable and new members will be added as necessary throughout the life of this project.





## PRECINCT SPATIAL PLAN

Following the adoption of this Framework by the City Council, a Spatial Plan will be commissioned. The Spatial Plan will establish the spatial layout for the Precinct taking into consideration;

- Scale and location of building sites
- The network of open spaces that complement and connect the buildings and the Precinct to other areas in the CBD,
- The location of the Library within the Precinct
- The form of the Council administrative offices and governance spaces
- How the neighbouring buildings such as Regional Council, District Court, and Dalton House are integrated,
- How the movement of pedestrians, public transport, service vehicles, private vehicles will occur.

This Framework will be an integral part of the spatial plan design brief. The vision, themes, values and principles established in this Framework is what will ensure that the Civic Precinct has its own identity, is authentic, and becomes an extraordinary place that is uniquely Napier.







# Appendix 1

## CITY VISION FRAMEWORK

The City Vision Framework establishes a set of 6 Principles that guide the Napier City Council in its priorities and operations across the City.

*These 6 Principles are:*



## LIBRARY STRATEGY

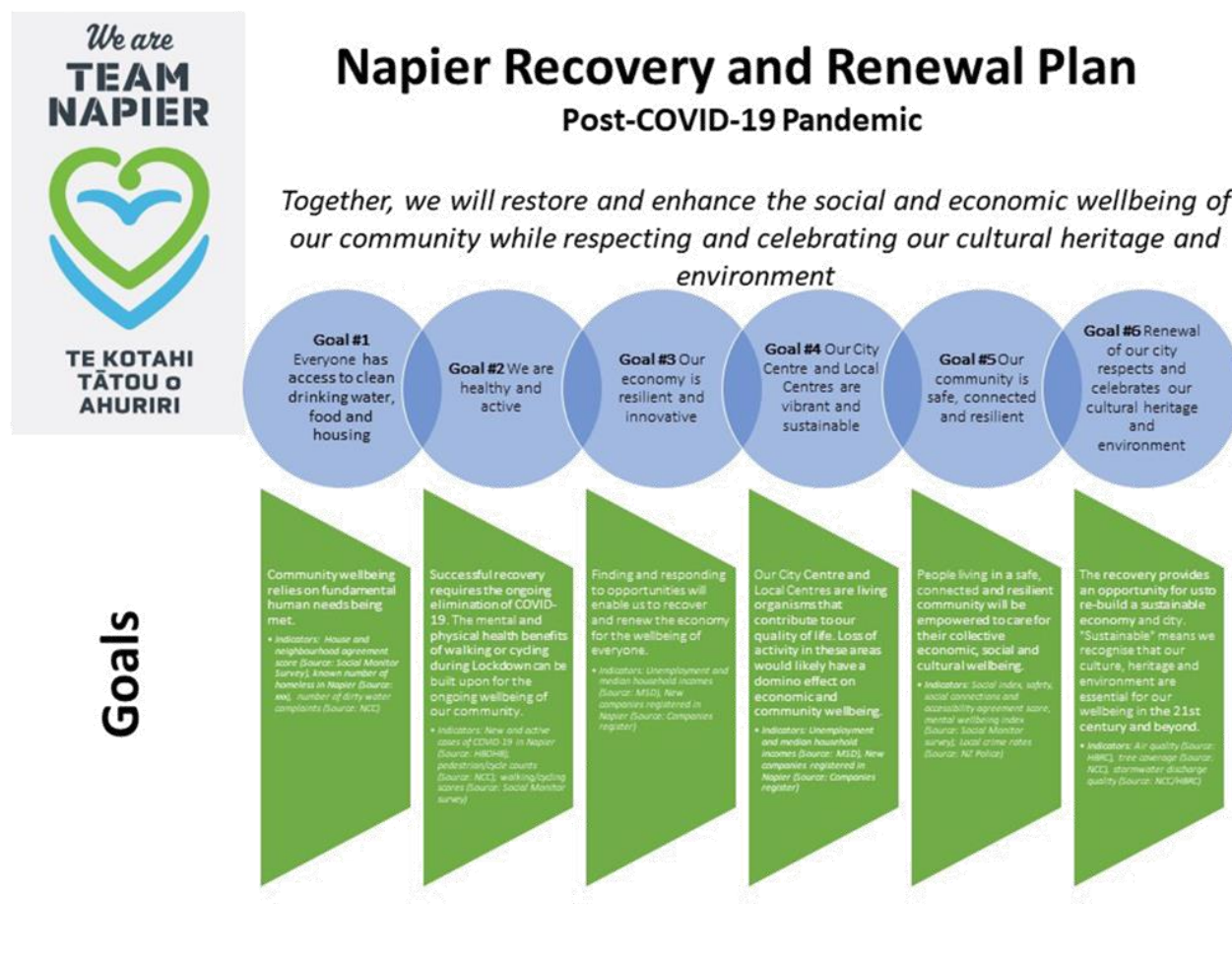
The Napier Library Strategy was adopted by Council in 2018. It's Customer and Community Service Values are outlined below:





## NAPIER RECOVERY AND RENEWAL PLAN

The Napier Recovery and Renewal Plan was prepared to address the medium to long-term impacts of the Covid-19 global pandemic on business and the community. It sets a vision for recovery and establishes 5 pillars of action. These are shown below:







## SITE HISTORY

Prior to European occupation Napier's geography was very different to what it is today. Napier Hill (Mataruahou or Scinde Island) was essentially an island, while to the south lay a series of gravel spits, bars and islets. Further south and east was the Te Whanganui-a-Maraenui swamp. The sea lay closer inland and Marine Parade and surrounds was a large gravel bar.

Ahuriri and the wider Heretaunga Plains were heavily occupied by Māori prior to European settlement, with the early and strategic pā of Ōtātara and Heipipi, several pā on Mataruahou, and Te Pakake. The tidal estuaries and lagoons were sources of food and served as highways for waka.

Seven hāpu (Ngāti Tū, Ngāti Matepu, Ngāti Hinepare, Ngāti Mahu, Ngāti Pārau, Ngāti Ruruku, and Ngāti Tawao) all gathered kaimoana from Te Whanganui-a-Orotu, the inland lagoon further to the north-west.

When Europeans first made contact in 1834, the Māori population was small, having only just started to recover from the battle at Te Pakake ten years earlier. Although Westshore was initially established the settlement focus, the establishment of a small town shifted to the south side of Mataruahou in later years, requiring an ongoing programme of reclamation to ensure sufficient land for development and to address health issues.

The earliest plan that identifies the land on the corner of Station and Hastings Streets is Dommett 1855, where it is identified as being on the edge of the swamp. Station Street does not exist at this time. Bowmans 1880's maps show a number of buildings on this site, including a sawmill (Station Street still does not exist). Bristed's 1887 map show Station Street as formed, and the sawmill still located on this site.



Fig. 1: Dept of Lands and Survey Map 1865; red star is the approximate location of site (taken from G Carter's Archaeological Report of the Civic Site)



Aerials show the site occupied by a number of buildings up until the late 1960's when the Civic Building was constructed, and until the mid 1980's when the Library Building was built.

Acquisition history records the sites being previously acquired by the Crown for a number of purposes including for a post office (line store and garage), for Railway Purposes, for post and telegraph services, and owned by private individuals for commercial automotive services.

In June 2017, a seismic assessment on the Civic and Library Buildings found these two buildings to be earthquake-prone, achieving 10% and 15% NBS respectively. From September, the Library and Council administrative offices, were relocated to alternative premises across Napier City. A Statement of Proposal in November gave Council the option to divest the Civic site. In mid-2018, Council began engaging with hotel providers to develop an international hotel on the Civic site. Following the Covid-19 global pandemic, the preferred suppliers withdrew their proposal for this site.

In 2018, Council prepared a Library Strategy to guide the operation and future development of the Napier Library. The strategy's objectives guided Council in the selection of a new permanent site, signaling needs such as space requirements, access to the outdoors, enabling access, and the opportunity to collaborate with other community providers. A site selection process followed, initially identifying 16 possible sites before short-listing these to three, and finally the preferred site, within the Civic Precinct at Station Street, Napier.

Parallel to this work, Officers have been working on options for the use and development of the former Library Building and site.

The Civic Precinct project wraps up all these studies and this work, and presents the opportunity to strategically consider the site and its connections with the waterfront, wider Napier City and transportation providers, as well as other social and Community service providers. The Council-owned site will accommodate a new Napier Library, Council Offices, and Governance services, with the potential to share facilities with other Government organisations, and to collaborate with partner organisations and businesses.



Fig. 2: Excerpt from Bristed 1887 showing sawmill extending over the wider site (taken from G Carter's Archaeological Report of the Civic Site)



Fig. 3: Excerpt from 1951 aerial showing footprint of the current buildings (taken from G Carter's Archaeological Report of the Civic Site)

### 3. WAIAPU CATHEDRAL MARKET

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1251060
<i>Reporting Officer/s &amp; Unit:</i>	Stephanie Kennard, Planning Projects Facilitator

#### 3.1 Purpose of Report

The purpose of this report is to approve a Market Day on Saturday, 21<sup>st</sup> November 2020 within Cathedral Lane which will include the selling of goods and services within a public space. Approval from Council is required as we have a Trading in Public Places Bylaw 2014 that prohibits the selling of goods and services within a defined city centre boundary without approval from Council. Permission is being sought by on behalf of Anglican Diocese of Waiapu who will be operating the market.

#### Officer's Recommendation

The Future Napier Committee:

- a. Approve Anglican Diocese of Waiapu to operate a market within Cathedral Lane on Saturday, 21<sup>st</sup> November 2020, where the trading of goods and services will occur.
- b. That a **DECISION OF COUNCIL** is required urgently as the market is two days after the next Council meeting on the 19<sup>th</sup> of November 2020.

#### 3.2 Background Summary

The St John's Cathedral is located on the corner of Browning Streets and Cathedral Lane. Members of the Cathedral approached Steph Kennard, Planning Projects Facilitator to discuss the potential of holding a market in Cathedral Lane on Saturday, 21<sup>st</sup> November 2020 between the hours of 10am and 3pm. The market will include craft stalls, food carts and childrens' activities. No alcohol will be served at this market. The Waiapu Cathedral market is a free-to-attend event and will appeal to all ages. With a particularly difficult year almost behind us, this is an opportunity for our local residents to come and enjoy themselves amongst an anchor point for the CBD.

This is an inaugural event for the Anglican Diocese of Waiapu. If successful, they would plan to hold this event annually in the same location.

If this were to occur, an exemption to the Trading In a Public Place ByLaw 2014 would be required on each occasion. Anglican Diocese of Waiapu has written a letter outlining their request (attached to this report).

#### 3.3 Issues

Without the exemption, Anglican Diocese of Waiapu will not be able to hold their event. This is planned to be a significant contributor to their fundraising efforts for this year.

As this is a Saturday, one month prior to Christmas, parking will be at a premium. This road closure would mean Cathedral Lane will not be available for parking for the day.

Some CBD retailers may not support this market.

### **3.4 Significance and Engagement**

This matter does not meet the criteria in the Significance and Engagement Policy as a significant matter, and therefore does not require engagement with the community. The Anglican Diocese of Waiapu has consulted retailers and other businesses in the northern end of Hastings Street, who are all very supportive of the event.

### **3.5 Implications**

#### **Financial**

Council may wish to waive the TMP costs of the road closure.

#### **Social & Policy**

This exemption request is required under our Trading and Public Places Bylaw 2014.

The market is consistent with the City Vision Framework which seeks to bring people into the city centre through the flexible use of public spaces and multiple activities. The market is also consistent with the Napier Recovery Plan.

Anglican Diocese of Waiapu have applied for funding for this market from the Recovery Fund and a decision had not been made at the time of this report.

Due to COVID-19, we have not had many events based in the CBD that are available to our residents to enjoy. This is a great opportunity to bring people in to our CBD to support the Cathedral with their fundraising efforts. This is a community event that plans to provide entertainment for children and families but also will appeal to our older community, many of whom would enjoy a market of this style and format.

#### **Risk**

Risks associated with activities operating on a street can be mitigated through a road closure which will be sought for this market.

There is potential risk for retailers to not support this event.

There will also be the loss of carparking for one day one month prior to Christmas.

### **3.6 Options**

The options available to Council are as follows:

- a. Approve the exemption request by the Anglican Diocese of Waiapu to hold a market in Cathedral Lane, Napier on Saturday, 21<sup>st</sup> November in Cathedral Lane
- b. Do not approve the exemption request by the Anglican Diocese of Waiapu to hold a market in Cathedral Lane, Napier on Saturday, 21<sup>st</sup> November 2020.

### **3.7 Development of Preferred Option**

That Council approve the exemption to the Trading in Public Places Bylaw 2014 for the Anglican Diocese of Waiapu for Saturday, 21<sup>st</sup> November 2020. This is for the purpose of running a Market in Cathedral Lane.

This market will have a broad appeal across our wider community. The market will include locally made crafts and foods. Entertainment will be family friendly with bouncy castles and other child-focused activities. Proceeds from the sale of items at this market are for the purposes of fundraising for the Diocese. The CBD has had a reduced number of events over the past 6 months and this is an opportunity for people to come in to town

to enjoy themselves for the day. Local retailers and hospitality providers will benefit from the increased number of people.

The Anglican Diocese of Waiapu has already commenced advertising, providing a good lead in time for people to know an event will be planned on that day. Napier City Business Inc. will also support the market through communicating with their membership and assisting with advertising of the event.

The road closure will be supported by a traffic management plan, health & safety plan and regular marketing and communication to the community of the market.

### 3.8 Attachments

- A Waiapu Cathedral - request for exemption to Trading in Public Places Bylaw - Sat, 21st November 2020 [↓](#)

**Request Letter to Napier City Council to allow Cathedral Christmas Fair**

Dear Sir/Madam

Re: Permission Request - Napier Cathedral Christmas Fair – Browning Street 21 November 2020

Napier Cathedral is planning a Street Fair on 21 November 2020. The purpose is to allow a community celebration of our successful Covid-19 response and Christmas. Browning Street will be closed to all traffic, from its junction with Hastings Street, down Cathedral Lane to Tennyson Street. This creates an ideal space for the fair to run from Cathedral Lane to the Hastings Street junction. It will enable the public to enjoy at leisure all the stalls, games and food court that the fair has to offer, as well as Napier CBD, on one of the last weekend shopping days before Christmas.

There will be art and craft stalls, children's games, a bouncy castle, food stalls, games of chance, street entertainment, music, and a range of other activities for families to enjoy. The event will run from 10 am until 3 pm. The event will be widely marketed on social media and conventional advertising, to attract visitors from around Hawkes Bay and beyond, ensuring a large crowd for CBD shop owners in the surrounding area.

Napier Cathedral is seeking an exemption to the NCC licensing requirements for street trading, which limits activities of street vendors.

For a public event on City streets such as this, the organizers will ensure required liability insurance is in place, as well as a health and safety plan for the event. There will be a first aid station. The road will be closed from early morning until early evening, to allow set-up and take down by stall holders.

The proceeds from this event are designated to the Cathedral earthquake strengthening fund.

The Fundraising Committee is grateful for your support in this matter.

Yours truly

Peter F Meyer

Vestry Member and Fundraising Committee Member

## 4. REPORT - RESOURCE CONSENT ACTIVITY

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1254856
<i>Reporting Officer/s &amp; Unit:</i>	Luke Johnson, Team Leader Planning and Compliance

### 4.1 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.

### Officer's Recommendation

The Future Napier Committee:

- a. Note the resource consent activity update.

### 4.2 Background Summary

The Resource Consent team have seen a steady number of RMA applications being lodged since the last Committee meeting.

While the number of resource consent applications has been steady over this recent period, the team have been able to prioritise processing applications and addressing other relevant planning matters. Further, timeframes continue to be achieved in accordance with the legislated requirements.

The following is an outline of recent activity regarding applications received by Council for consenting pursuant to the RMA. This list does not detail all RMA applications under assessment or having been determined, rather provides detail around significant or noteworthy applications.

**Summary Table\***

Address	Proposal	Current Status	Update
<b>121 Battery Road, Ahuriri</b>	Demolish existing Group 3A Heritage Building, proposed earthworks and multi units (10 residential dwellings) and one into 11 Lot subdivision in Mixed Used Zone and Coronation Street Area Zone	Under assessment S92 Further Information Request issued	Detail provided below
<b>262 Emerson Street, Napier</b>	Proposed alterations and additions to Provincial Hotel in Fringe Commercial Zone	Application suspended	Additional detail provided below
<b>72 West Quay, Ahuriri</b>	Mixed Use development, Demolition of Group 1 Heritage Building and Ancillary earthworks in West Quay Waterfront Zone	Under assessment	Previously reported for Future Napier Committee Additional detail provided below
<b>16 and 38 Willowbank Avenue, Meeanee</b>	Proposed lifestyle village	Publicly notified Submissions closed 16 September 2020 3 submissions received	Previously reported to Future Napier Committee. Additional detail provided below
<b>62 Raffles Street, Napier</b>	Additions and alterations to an existing building and establish multi-unit development (30 residential apartments) in Fringe Commercial Zone	Approved	Additional detail provided below
<b>Kāinga Ora Homes and Communities</b>			
<b>16-18 McLaren Crescent, Onekawa</b>	Proposed subdivision and five new dwellings	Approved	Application approved

\* Current as at time of report being published to Agenda



**121 Battery Road, Ahuriri – Mixed Use Development, Demolition of Group 1 Heritage Building and Ancillary Earthworks**

The resource consent application continues to be assessed. Internal and external referral responses have been provided and an information request under s92 of the Act was issued. The applicant is currently engaging with Council officers and external experts to address all matters raised within the information request.



**Figure 1:** Artist impression of subject development (Coronation Street frontage)





**Figure 2:** Artist impression of subject development (Battery Road frontage)



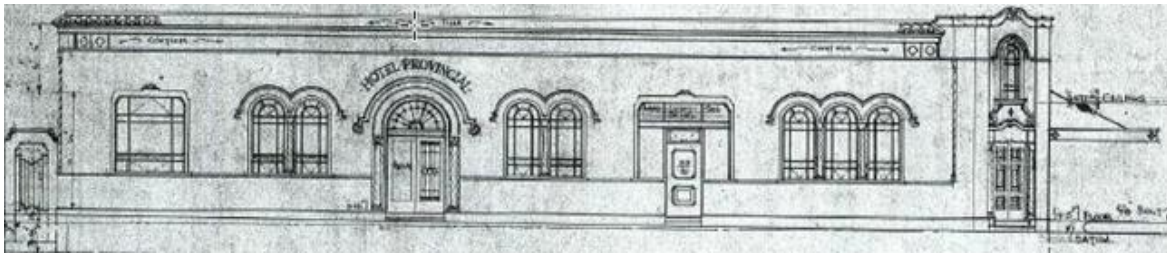
**Figure 3:** Subject site

### **262 Emerson Street, Napier – Proposed alterations and additions to Provincial Hotel in Fringe Commercial Zone**

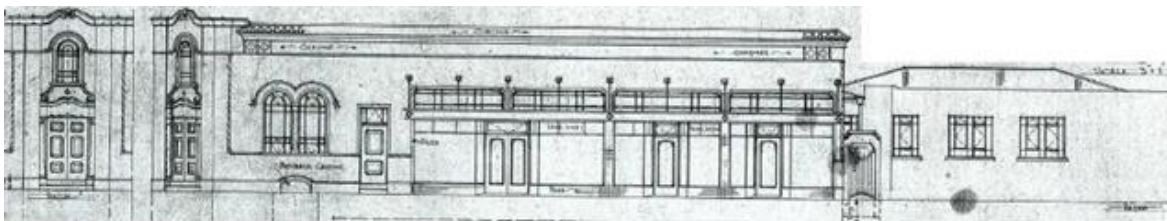
The Provincial Hotel building is identified as a Group 1 Heritage Item. Accordingly, the applicant has engaged with a heritage architect to provide direction with regard to the proposed alterations and additions. The application details the redevelopment of the Provincial Hotel to enable a continuation of hospitality activities. The intent is to refurbish the existing building, creating two tenancies to be established as a bar and restaurant respectively.



At the request of the applicant, the assessment of the application has been suspended to allow them time to engage with Heritage New Zealand.



**Figure 4:** Historic eastern elevation



**Figure 5:** Historic northern elevation



**Figure 6:** Proposed internal layout

### **72 West Quay, Ahuriri – Mixed use development, demolition of Group 1 Heritage Building and ancillary earthworks**

The resource consent application continues to be assessed. Internal and external referrals were received and an information request under s92 of the Act was issued. The applicant is currently engaging with Council officers and external experts to address all matters raised within the information request.

### **16 and 38 Willowbank Avenue, Meeanee – Proposed lifestyle village**

The notification period has now closed. Council is in receipt of three submissions relating to the proposed development. One submission is opposed to the proposal and two submissions are neutral. A request for further information has been issued under s92 of the RMA. The applicant has requested the application be placed on hold whilst they engage with submitters.

### **62 Raffles Street, Napier – Additions and alterations to an existing building and establish multi-unit development (30 residential apartments) in Fringe Commercial Zone**

The subject site has an area of 1268m<sup>2</sup> and is bound by Raffles Street to the north, a Council service lane to the south and established commercial activities to the east and west.



**Figure 7:** Approved northern elevation

The existing structure is to be retained, and through alterations and additions, will permit the site to accommodate 30 residential units and the provision of 25 off street vehicle parking spaces. The development will remove the formal vehicle accesses from Raffles Street. Vehicle access and egress for the site will be exclusively via Council's service lane (to the rear of the site). Pedestrian access will be retained from Raffles Street.





**Figure 8:** *Approved southern elevation*

#### 4.3 Attachments

Nil

## 5. MINUTES HERETAUNGA PLAINS URBAN DEVELOPMENT STRATEGY IMPLEMENTATION WORKING GROUP (HPUDS IWG) - 14 SEPTEMBER 2020

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	1249788
<i>Reporting Officer/s &amp; Unit:</i>	Anna Eady, Personal Assistant to the Mayor

### 5.1 Purpose of Report

To receive the confirmed minutes of the Heretaunga Plains Urban Development Strategy Implementation Working Group meeting held on 14 September 2020.

#### Officer's Recommendation

The Future Napier Committee:

- a. Receive the confirmed minutes of the Heretaunga Plains Urban Development Strategy Implementation Working Group meeting held on 14 September 2020.

### 5.2 Background Summary

The Heretaunga Plains Urban Development Strategy Implementation Working Group met on 14 September 2020 – the confirmed minutes of this meeting are **attached**.

### 5.3 Issues

N/A

### 5.4 Significance and Engagement

N/A

### 5.5 Implications

#### Financial

N/A

#### Social & Policy

N/A

#### Risk

N/A

### 5.6 Options

The options available to Council are as follows:

- a. To receive the confirmed minutes of the Heretaunga Plains Urban Development Strategy Implementation Working Group meeting.

### 5.7 Development of Preferred Option

N/A

## 5.8 Attachments

- A Minutes Heretaunga Plains Urban Development Strategy Implementation Working Group [↓](#)



## Minutes of a Meeting of the Heretaunga Plains Urban Development Strategy Implementation Working Group (HPUDS IWG)

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**Date:** Monday 14 September 2020

**Time:** 1:00pm

**Venue:** Council Chamber  
Hastings District Council  
207 Lyndon Road East  
HASTINGS

**Present:** Mayor S Hazlehurst (HDC)  
Cr T Kerr (HDC)  
Cr A Corban (HDC)  
Mr N Bickle (HDC)  
Mayor K Wise (NCC)  
Cr S Crown (NCC) (via audio visual link)  
Cr R Chrystal (NCC) (via audio visual link)  
Cr R Graham (HBRC)  
Cr M Williams (HBRC)  
Cr J van Beek (HBRC)

**In attendance:** G Ide – HBRC Manager Policy and Planning  
A Bradbury – HBRC Senior Policy Planner  
C Edmunds – Strategic Planning, Acting Group Manager  
M Clews – HDC Principal Advisor District Development  
J O'Shaughnessy HDC Group Manager, Planning & Regulatory  
R Wallis – HDC Environmental Policy Manager  
C Scott – HDC Senior Environmental Planner  
R Munneke – NCC Director City Strategy  
G Ide – HBRC Principal Advisor Strategic Planning  
L Cox – HDC Democracy & Governance Advisor

CG-16-23-00002



**Welcome/Apologies**

Mr Nigel Bickle, Chief Executive, Hastings District Council, welcomed everyone to the meeting.

That the apologies for absence from James Palmer, HBRC Chief Executive, Tom Skerman, HBRC Strategic Planning Group Manager, Dean Moriarity, NCC Team Leader Policy Planning, Keith Marshall, NCC Interim Chief Executive be accepted.

A general discussion was held around the potential scope of HPUDS and how that might relate to the impending RMA reforms, wider Local Government Functions such as 3 Waters and potential Regional Spatial Planning.

It was agreed to adjourn this meeting until after the Regional Leaders Forum the following week.

The meeting closed at 2.35pm on Monday, 14 September 2020.

# FUTURE NAPIER COMMITTEE

## Open Minutes

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Meeting Date: Thursday 10 September 2020

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Time: 10.22am-11.36am

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Venue Large Exhibition Hall  
War Memorial Centre  
Marine Parade  
Napier

Livestreamed via Zoom to Council's Facebook page

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

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In Attendance Interim Chief Executive, Director Corporate Services, Director Community Services, Director City Strategy, Manager Asset Strategy, Manager Communications and Marketing, Chief Financial Officer, Team Leader Policy Planning, Team Leader Planning & Compliance, Policy Planner

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Administration Governance Team

## **Apologies**

Nil

## **Conflicts of interest**

Nil

## **Public forum**

Nil

## **Announcements by the Mayor**

Nil

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

Nil

## **Announcements by the management**

Nil

## **Confirmation of minutes**

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Councillors Mawson / Taylor

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That the Minutes of the meeting held on 30 July 2020 were taken as a true and accurate record of the meeting.

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Carried

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# AGENDA ITEMS

## 1. DISTRICT PLAN REVIEW - POLICY APPROACH OF DRAFT DISTRICT PLAN

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	957626
<i>Reporting Officer/s &amp; Unit:</i>	Dean Moriarity, Team Leader Policy Planning

### 1.1 Purpose of Report

- a. The purpose of this report is to follow up on the recent seminars held with Council between July 20<sup>th</sup> and August 20<sup>th</sup> regarding the review of the District Plan; and
- b. For Council to approve the recommended policy approach for specific chapters so that officers can draft plan provisions within an agreed framework.

### At the Meeting

The Team Leader Policy Planning spoke to the report noting that the report follows a number of Councillor seminars held this year. The specific topics addressed in this report include Heritage, Character Precincts, Potential rezoning in Ahuriri, Landscapes and Greenfield growth in the hills. An overview of each topic, including the recommendations, was provided.

In response to questions from Councillors, the following points were clarified:

- The new sensitive activities condition for the mixed use zone around Coronation Street, Ahuriri, would likely be applied to a special control area within the specific risk contour. The risk contours would set the limitations of where any specific provisions would apply.
- High impact, low probability events are one in a million statistical events.
- Significant Natural Areas (SNA's) and Landscapes are their own specific overlays.
- SNA's relate to indigenous biodiversity. There is a National Policy Statement currently in draft form, and expected to be passed into a Final Policy Statement next year, which is about raising the bar in terms of requiring Council's to identify and protect significant natural areas. There are ongoing discussions with affected parties in relation to SNA's and this topic has been pushed out to be dealt with at a later date.
- Heritage classification is a matter of national importance and identifies individual buildings and groups of buildings. Character Precincts is a layer below that and best practice has been to try to preserve those areas and maintain them. This topic will likely be raised and discussed as the Draft District Plan progresses through to the final District Plan.
- The National Policy Statement requires Council to remove all minimum car parking requirements within the next 18 months in order to assist in breaking



down the barriers to providing housing in the centre of town as well as encouraging the use of public transport. This will feed into the District Plan.

- The Draft District Plan consultation period has been delayed due to Covid-19 but the intention was to have a Draft District Plan notified by around November this year. This may be impacted further as each stage relies on the previous workstream being completed. Council officers will be looking for a consultation window that is not already occupied by other projects and is cognisant of the LTP demands.
- Council officers advised that it would be unwise to delay the District Plan process due to possible changes to the Resource Management Act, as it could be years before District Plans are replaced altogether. The work that is being done through the District Plan process is still important for Council and the community to consider. At this time, there is still a legal requirement to have a District Plan.
- Oil facilities have health and safety requirements to manage a risk on site but they cannot prepare for everything. Council is required to understand the risks, how they work, and to convey that information to stakeholders that are impacted by it. This work is still in progress.

#### **Committee's recommendation**

Councillors Browne / Tapine

The Future Napier Committee:

- Endorse the recommended policy approach in the report, for preparing the Draft District Plan for the purposes of undertaking consultation and engagement with the Napier community.

Carried

## **2. TERMS OF REFERENCE FOR AHURIRI REGIONAL PARK WORKING GROUP**

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	957082
<i>Reporting Officer/s &amp; Unit:</i>	Yvonne Legarth, Policy Planner

### **2.1 Purpose of Report**

To enable appropriate awareness, questions about implications and feedback about the Napier City Council and Hawkes Bay Regional Council Joint Working Group that focuses

in the main on the land administered by the organisations that is adjacent to Te Whanganui-ā-Orotu.

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### **At the Meeting**

Deputy Mayor Brosnan invited Hawke's Bay Regional Councillor Hinewai Ormsby to join her in speaking to this report, as a fellow chair of the Ahuriri Regional Park Working Group, noting that the intention of the Joint Working Group is to strengthen collaboration between Napier City Council (NCC) and Hawke's Bay Regional Council (HBRC) and also to bring about the step change following on from the Ahuriri Estuary and Coastal Edge Masterplan that was created and endorsed in 2018.

In response to questions from Councillors the following points were clarified:

- Councillor Ormsby confirmed that HBRC officers are following the direction set by elected members. It was noted that the terms of reference provide a really wide scope to bring issues back to both Councils.
- It was confirmed that co-chairs have been appointed to the Joint Working Group.

**ACTION:** Council officers to consider opportunities for Mana Ahuriri to present to Council regarding their settlement.

### **Officer's Recommendation**

The Future Napier Committee:

- a. That the information be noted.

### **SUBSTITUTE MOTION**

#### **Committee's recommendation**

Councillors Brosnan / Crown

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The Future Napier Committee:

- a. Receives and endorses the terms of reference for the Joint Working Group.
- b. Note there may be changes to the terms of reference as it is presented to the other partners in the group including:
  1. Hawke's Bay Regional Council
  2. Mana Ahuriri
  3. Te Komiti
  4. Napier City Council Māori Committee

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Carried

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### 3. INTERNAL PRACTICE NOTE FOR FINANCIAL CONTRIBUTIONS

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	947060
<i>Reporting Officer/s &amp; Unit:</i>	Fleur Lincoln, Strategic Planning Lead

#### 3.1 Purpose of Report

The purpose of this report is to obtain an endorsement for a new Internal Practice Note to provide guidance to Resource Consent Planners preparing conditions relating to Financial Contributions.

##### At the Meeting

The Director City Strategy spoke to the report noting that the principle would only apply to existing buildings that are being repurposed for residential. The application of a practice note would guide decision making for officers in situations where it might be appropriate to waive financial contributions.

A number of Councillors requested that other areas of Napier also be considered for inclusion. It was agreed that officers would consider what other areas may be appropriate and bring these back to the full Council meeting for possible inclusion.

In response to questions from Councillors, the following points were clarified:

- It was noted that following the full Council meeting where this matter will be double debated, the practice note would not come back to Council. Council officers will develop the practice note in accordance with the principles set by Council.
- Another instance where a practice note has been developed is for pre-application meetings. This was done in order to formalise Council's legal responsibilities where a proposed development requires the collaboration of multiple areas of Council.
- The practice note recognises that a ratepayer has already paid for an existing development. In some instances, the services to that property are not being increased therefore it may be appropriate to waive financial contributions.

##### Officer's Recommendation

The Future Napier Committee:

- a. Endorse the development of an Internal Practice Note for Planners that will provide additional guidance in the assessment and application of Financial Contribution conditions on resource consents applying to residential developments in the city centre.

#### SUBSTITUTE MOTION



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**Committee's recommendation**

Mayor Wise / Councillor Price

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The Future Napier Committee:

- a. Endorse the development of an Internal Practice Note for Planners that will provide additional guidance in the assessment and application of Financial Contribution conditions on resource consents applying to residential developments in the city centre.
- b. Note that consideration will be given to other areas of Napier before the final resolution is brought back to Council.

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Carried

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## 4. RESOURCE CONSENT ACTIVITY REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	951718
<i>Reporting Officer/s &amp; Unit:</i>	Luke Johnson, Team Leader Planning and Compliance

### 4.1 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 Meeting

The Team Leader Planning and Compliance spoke to the report, providing a brief overview and noted that there has been an increase in applications received in comparison to the same time last year.

In response to questions from Councillors, the following points were clarified:

- The design panel were engaged in relation to West Quay due to the zoning and location, being the waterfront area of Ahuriri. The architects that form the design panel are Jacob Scott and Chris Ainsworth.
- The application for West Quay included archaeological assessments in relation to the cultural significance of that site. This is currently being assessed. Heritage New Zealand also provided comment and proposed conditions to the applicant.
- The variation to the Hospital Hill site was non-notified.

### Committee's recommendation

Councillors Crown / Price

The Future Napier Committee:

- a. Note the resource consent activity update

Carried

## 5. UNCONFIRMED MINUTES HAWKE'S BAY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP - 8 JUNE 2020

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	960285
<i>Reporting Officer/s &amp; Unit:</i>	Anna Eady, Personal Assistant to the Mayor

### 5.1 Purpose of Report

To receive the unconfirmed minutes of the Hawke's Bay Civil Defence Emergency Management Group meeting held on 8 June 2020.

#### At the Meeting

In response to questions from Councillors, the Mayor confirmed that the local civil defence groups were consolidated two years ago under Hawke's Bay Regional Council and Hawke's Bay Regional Council has a targeted rate to fund the group.

#### Committee's recommendation

Councillor Simpson / Mayor Wise

The Future Napier Committee:

- a. Receive the unconfirmed minutes of the Hawke's Bay Civil Defence Emergency Management Group meeting held on 8 June 2020.

Carried

The meeting closed at 11.36pm.

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

Chairperson .....

Date of approval .....