

# NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE)

## Open Agenda

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Meeting Date: Friday 31 January 2025

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Time: 9.15 AM

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Venue: Large Exhibition Hall  
War Memorial Centre  
Marine Parade  
Napier

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*Livestreamed via Council's Facebook page*

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Committee Members

**Acting Chair:** Mayor Kirsten Wise  
Council Kaumātua / Committee Chair (Vacant)  
Mana Ahuriri Trust (Evelyn Ratima)  
Maungaharuru-Tangitū Trust (Mara Andrews)  
Moteo Marae (Maureen Box)  
Petane Marae (Shyann Raihania)  
Pukemokimoki Marae (Tiwana Aranui)  
Tangoio Marae (Krystal Haimona)  
Timikara Marae (Kirk Leonard)  
Waiohiki Marae (Vacant)  
Wharerangi Marae (Beverley Kemp-Harmer)  
Deputy Mayor Annette Brosnan  
Councillor Keith Price  
Councillor Sally Crown  
Councillor Richard McGrath

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Officer Responsible Pou Whakarae (Mōrehu Te Tomo)

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Administration Governance Team

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**Next Ngā Mānukanuka o te Iwi (Māori Committee) Meeting**

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## Friday 14 March 2025

### 2022-2025 TERMS OF REFERENCE - NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE)

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<i>Reports to:</i>	<i>Council</i>
<i>Chairperson</i>	<i>Kaumātua or Mana Whenua Representative</i>
<i>Deputy Chairperson</i>	<i>Elected Member</i>
<i>Membership</i>	<i>Mayor of Napier</i> <i>Chair off Future Napier Committee</i> <i>Chair of Sustainable Napier Committee</i> <i>Chair of Napier People &amp; Places Committee</i> <i>Chair of Prosperous Napier Committee</i> <i>Petane Marae Representative</i> <i>Waiohiki Marae Representative</i> <i>Moteo Marae Representative</i> <i>Timikara Marae Representative</i> <i>Tangoio Marae Representative</i> <i>Wharerangi Marae Representative</i> <i>Pukemokimoki Marae Representative</i> <i>Mana Ahuriri Trust Representative</i> <i>Maungaharuru-Tangitū Trust Representative</i>
<i>Quorum</i>	<i>8 (to be made up of no less than 5 mana whenua representatives and 3 Councillors)</i>
<i>Meeting frequency</i>	<i>Quarterly</i>
<i>Officer responsible</i>	<i>Te Pou Whakarae</i>

#### **Ngā Mānukanuka o te Iwi (Definition)**

The anxiousness of people. The Committee deals with people and projects that strive towards their aspirations, and deal with all types of anxieties of deadlines, spreadsheets, correct data, research, all these elements they bring to the table as well as the knowledge or matauranga gained through the process.

#### **Membership**

- Mana whenua representatives will be appointed by mana whenua entity.
- Elected Committee Members:
  - Mayor of Napier,
  - Chair of the Future Napier Committee,
  - Chair of the Sustainable Napier Committee,
  - Chair of the Napier People & Places Committee,
  - Chair of the Prosperous Napier Committee.

- The Council Kaumātua will be offered the Chair post at the start of the triennium. If the Kaumātua declines, the Chair will be elected from the mana whenua representatives appointed to the Committee.
- The Deputy Chair will be elected from the Elected Members of the Committee at the beginning of the triennium.

### **Moemoeā (Vision)**

#### *Whakataukī / Whakatauākī*

The Ngā Mānukanuka o te Iwi Committee has been established by Council to continue the development of strategic and sustainable relationships with Ahuriri Māori. Council shall meet the intent and spirit of the Council's obligations set out in the legislation more particularly the obligations of the Local Government Act 2002;

- Towards establishing and maintaining processes that provide opportunities for Māori to contribute to the decision processes of Council.
- Fostering the development of Māori capacity to contribute to these processes.
- The provision of information to assist Māori contribution to Council's activities.

The Council wishes the Committee to reflect a spirit of partnership between the Council and Hapori Māori, to contribute effectively to the Council's activities. The Council will require the Committee to assist with the development of an integrated policy framework (based on Te Tiriti o Waitangi Principles) for the Council aimed at delivering effective governance, engagement and service delivery for Council's Māori Communities.

### **Whaingā (Purpose)**

The purpose of the Ngā Mānukanuka o te Iwi Committee is to:

- Advocate on behalf of Mana/Tangata whenua to local, regional and national bodies as appropriate. This is in addition to Council's responsibility to engage directly with Mana/Tangata whenua;
- Consider governance issues relating to Council obligations to tangata whenua;
- Investigate and report to the Council on any issues that the Ngā Mānukanuka o te Iwi Committee considers necessary that may have an implication for tangata whenua.
- To nominate from among its members representatives whom it considers appropriate for the Council to appoint as voting members on the:
  - Napier People and Places Committee
  - Prosperous Napier Committee
  - Sustainable Napier Committee
  - Future Napier Committee.
  - Audit and Risk Committee

### **Pou (Objectives)**

1. Ensure that every decision in relation to Council activities takes into consideration the relationship to Māori culture and traditions (refer Local Government Act 2002 and Resource Management Act 1991)
  - a. Works with Council and officers to ensure appropriate and timely opportunities to contribute are consistently provided to the Committee, including through review and recommendations on formal reports, informal discussions at wānanga or working with officers at a project level
  - b. Works with officers to ensure that clear appropriate processes are developed and implemented that facilitate the Committee being able to meet its mandate.
2. Raise and make recommendations to Council on matters of importance to the Māori residents of Ahuriri
3. Provide feedback to Council on ways that relationship and capability to engage on Council-related matters can be built with and within the Māori communities of Napier.
  - a. Works with Council and officers in developing Māori capacity to contribute to Council activities

### **Notes**

As well as specific hui and wānanga of this Committee, members will be invited to attend Council workshops, standing committee meetings and Council meetings.

The Ngā Mānukanuka o te Iwi Committee can nominate independent advisors to the Committee as required. Advisors have no voting rights.

# ORDER OF BUSINESS

## Karakia

## Apologies

Councillor McGrath

## Conflicts of interest

## Public forum

## Announcements by the Chairperson

## Announcements by the management

## Confirmation of minutes

That the Minutes of the Ngā Mānukanuka o te Iwi (Māori Committee) meeting held on Wednesday, 13 November 2024 be taken as a true and accurate record of the meeting. ....20

## Agenda items

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| 1 | Update on Reimagine Facilities Review.....    | 5  |
| 2 | Local Water Done Well - Progress Update ..... | 9  |
| 3 | Appointment of Council's Kaumātua .....       | 18 |

## Updates from Committee Representatives

## Updates from Pou Whakarae

## General business

## Recommendation to Exclude the Public

## Karakia Whakamutunga

# AGENDA ITEMS

## 1. UPDATE ON REIMAGINE FACILITIES REVIEW

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1805771
<i>Reporting Officer/s &amp; Unit:</i>	Steve Gregory, Manager Business & Tourism

### 1.1 Purpose of Report

The purpose of this report is to update the Ngā Mānukanuka o te Iwi committee on the progress of the Reimagine Facilities Review carried out by the Community Services Directorate.

### Officer's Recommendation

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a) **Receive** the report titled "Update on Reimagine Facilities Review" dated 31 January 2025.

### 1.2 Background Summary

The Community Services Directorate back in May 2023 kicked off a Business Review of all its revenue generating facilities. The stated objective of this review was to make recommendations on how Napier City Council (NCC) could "look for efficiencies and models of operations to improve financial performance and determine the best strategic direction for financial sustainability". NCC was looking for a model that would help to keep rates down and return surplus.

This review had to be more than just financial. It needed to consider the backdrop of the Council's recent strategic objectives and city vision – its intent for the future of Napier and the community's needs – as well as honouring existing legislative and policy commitments such as for the Napier War Memorial.

The review included all 11 revenue generating business activities within the Community Services Directorate:

- i. Kennedy Park Resort,
- ii. McLean Park,
- iii. National Aquarium of New Zealand,
- iv. Napier Conferences & Events (at the War Memorial),
- v. Napier i-SITE,
- vi. Par2 MiniGolf,

- vii. Napier Municipal Theatre,
- viii. Ocean Spa,
- ix. Bay Skate, and
- x. Napier Aquatic Centre.
- xi. Faraday Centre

The Business Review was broken into three phases; Phase One to assess the commercial viability of the facilities and develop appropriate groupings of the Community Services facilities, Phase Two was to then develop options and then finally Phase Three will be to develop the business case to adopt the recommended model(s).

Through the process of Phase One a high-level current state assessment of the 11 identified business activities within the Community Services Directorate was carried out, identifying performance of all business activities and their viability to be genuine commercial businesses. As a result these facilities were grouped in the following manner:

<b>Business Activity</b>	<b>Categorisation</b>
<b>Napier Municipal Theatre</b>	Community
<b>Bay Skate</b>	Community
<b>McLean Park</b>	Reimagine
<b>Napier Aquatic Centre</b>	Reimagine
<b>Napier isite &amp; Par2 Mini Golf</b>	Reimagine
<b>National Aquarium NZ</b>	Reimagine
<b>Faraday Centre</b>	Reimagine
<b>Napier Conferences &amp; Events</b>	Commercial
<b>Kennedy Park Resort</b>	Commercial
<b>Ocean Spa</b>	Commercial

Note: The Faraday Centre was included at a late stage so it would benefit from the reimaging process.

The two ‘community’ facilities Napier Municipal Theatre and Bay Skate were transferred into the new portfolio ‘Arts, Culture and Heritage’ in May 2024.

The three commercial facilities, Kennedy Park Resort, Ocean Spa and Napier Conferences & Events (operating inside the Napier War Memorial Centre) were then unleashed and Council staff started modelling and preparing these facilities to formally go commercial from 1 July 2024.

The reimagine facilities reviews commenced in May 2024 with McLean Park being the first facility and the following the conclusion of this review in August 2024 the Aquarium, Napier isite & Par2 Mini Golf and Faraday Centre started in September 2024. It was decided to hold the reimagining of the Napier Aquatic Centre for a number of years and commit the \$4.4 million remediation to extend the life of this asset for another 10-12 years.

### **The Reimagine Process**

1. **Parameter Setting:** The first process in reimagining was workshop with ELT and Elected Members parameters, effectively what was the boundary we will operate within. This was to avoid unaffordable or unrealistic blue-sky thinking.
2. **Options analysis:** Facility Managers, along with key staff, ELT, Elected Members and Mana Whenua (McLean Park options) were involved with developing options for each facility. Each option is conceptual and will be developed further as we work through the process. To date we have had two formal workshops from Elected Members giving direction on the development of options. This process is still in progress and final options presented to Elected Members in a final workshop on Thursday 13<sup>th</sup> February 2025.
3. **Preferred option to go through to Feasibility study:** Once we have a preferred option/s and we will seek a Council decision on testing the preferred option/s through a feasibility study and then onto operational implementation.

### **1.3 Issues**

All preferred option/s will be presented to Council for approval and then requested to go through to a feasibility study. Due to the fact that all the reimagine facilities are classified as 'significant assets' we will need to put these proposed options to the community for consultation and feedback. There is the situation that the community may disagree and / or differ opinion on the future of the reimagine facilities.

### **1.4 Significance and Engagement**

All the facilities in the reimagine reviews are classified as 'significant assets' so if the proposed options vary greatly from status quo, they will inevitably need to go through a formal engagement process with the community for their consultation and feedback.

### **1.5 Implications**

#### **Financial**

The key objective of doing the Business Review and now the reimagine process is to improve the financial position and sustainability of Council and each of these facilities. Currently the financial status quo position is untenable for the reimagine facilities and to support the Councils goal of being financially sustainable. This once in a generation review is going to position our organisation favourable with a more financially sustainable operation that doesn't rely so heavily on rates support.

#### **Social & Policy**

N/A

**Risk**

It is important to note that Napier City is a tourist city and each of the reimagine facilities are important to visitor attraction and then ultimately for the economic prosperity for the city and wider region. These facilities have been part of our city's landscape for generations and do play an important role in shaping our city and creates vibrancy.

The options process is critical in paving the future for our city and the importance of getting this right will be critical for Council staff but also governors. If status quo is maintained the capital cost to the Council is significant and this has to then be balanced with the economic impact the existing facilities have but also if there are any new proposed tourist activities. Napier still ultimately needs to attract people to visit and live here.

**1.6 Options**

N/A

**1.7 Development of Preferred Option**

N/A

**1.8 Attachments**

Nil



## 2. LOCAL WATER DONE WELL - PROGRESS UPDATE

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1824518
<i>Reporting Officer/s &amp; Unit:</i>	Andrew Lebioda, Manager Water Reforms Transition

### 2.1 Purpose of Report

The purpose of this report is to update the Ngā Mānukanuka o te Iwi Committee on the progress of work being done around Local Water Done Well both in regard to Napier City Council and the wider region as whole.

### Officer's Recommendation

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. Receive the report titled "Local Water Done Well – Progress Update" dated 31 January 2025.

### 2.2 Background Summary

Local Water Done Well is the Coalition Government's plan to address the current water infrastructure challenges New Zealand faces. This is being achieved by the introduction of three distinct bills to fully implement this policy.

Bill 1, introduced and passed in February 2024, repealed the previous Labour Government's reform.

Bill 2, enacted on 2 September 2024, introduced a new framework for local government to manage and deliver water services. Key areas included:

- Requirements for councils to develop Water Services Delivery Plans by 3 September 2025.
- Requirements that these Plans outline future water services delivery arrangements which can include delivery arrangements that take this responsibility outside of Council.
- Streamlined consultation and decision-making processes for setting up future water services delivery arrangements.

Bill 3 was introduced to Parliament in December 2024 and was referred to the Finance and Expenditure Committee for consideration. This final Bill establishes the enduring settings for the new water services system. It provides for:

- New structural arrangements for water services providers.
- New planning, reporting, and financial management requirements.
- Introduction of new economic regulation requirements implemented by the Commerce Commission.

- Changes to the water quality regulatory framework including a change in approach to Te Mana o te Wai.

This third, and final Bill, is anticipated to be passed into legislation in mid-2025 with submissions due by 23 February 2025.

The overarching purpose of the Government's changes is for councils – individually or jointly – to publicly demonstrate their intention and commitment to deliver water services in ways that are financially sustainable, meet regulatory quality standards for water network infrastructure and water quality, and unlock opportunities for growth.

This means all councils across the country must change and adapt their provision of water services to meet the new requirements. Financial modelling and analysis of LWDW policy indicates it is highly likely that status quo levels of investment planning and operations will not meet new requirements and standards.

The attached factsheet, *Local Government (Water Services) Bill Overview*, provides further context to the above.

### **Hawke's Bay Water work**

In mid-2024, Hawke's Bay Councils (Central Hawke's Bay District, Hastings District, Napier City and Wairoa District) agreed to a Terms of Reference to establish a coordinated, regional approach to LWDW. The focus of this joint work is to enable each Council to navigate the LWDW requirements, including to take a decision on the best service delivery model.

Prior to the previous Government's Three Waters reforms, councils had worked together to review the current and potential three waters service delivery options for the region. Out of this work, a joint asset-owning CCO Hawke's Bay Water model was the recommended option. This earlier work has been used as a starting point, with a focus on updating the approach to align with the emerging LWDW policy framework.

To reach a decision around delivery options and approach to the Water Services Delivery Plan (WSDP), a more detailed indicative Business Case is required, analysing the new delivery options under LWDW.

Key pieces of work that will be progressed as part of the Business Case include:

- Evaluation of Hawke's Bay water services delivery options (council-delivered services, council WSCCO or Multi-Council WSCCO), summarising key financial and non-financial impacts for each council and ratepayers
- Refining and finalising modelling assumptions as required for each service delivery option, including water investment requirements, revenue requirements, efficiencies, and other impacts such as potential stranded overheads (costs that would remain with councils under some options).
- Provide a consistent basis for councillors to make an informed decision on a preferred scenario, and a common information source for councils to develop proposals for public consultation.

The purpose of the Business Case is not to develop detailed implementation arrangements for each of the options (e.g. organisational design or commercial arrangements). Following public consultation and council decision-making, further work will be required to further develop the preferred service delivery option as part of preparing the WSDP.

An initial draft of the Business Case has been completed and is currently undergoing a peer-review and revision process. The finalised business case is anticipated to be issued in mid-February.

The LWDW Comms and Engagement Group, with representatives from each council, is developing a strategy for public consultation with the intention of being able to commence in early 2025, if agreed by councils.

The proposed approach to consultation is to combine efforts and use a 'regional' voice where appropriate, while also considering the existing relationships and unique ways in which each council consults its communities on significant issues.

This combined approach would see one co-branded consultation document outlining the proposed joint approach to water services delivery, with an overall summary on the counter-factual for each council. High level marketing would be co-branded (e.g. PRs, radio and regional print advertising), while promotion through each council's 'owned' channels would be targeted (e.g. social media, direct mail, etc.).

### 2.3 Issues

Council faces a truncated timeframe to respond to this Central Government policy. The below timeline outlines the key activities and milestones over the next nine months.



In addition to the challenge of the timeframe, Council is progressing this work with limited resources and budget. Central Government has not provided any additional funding to aid councils in progressing their response to LWDW. This impacts not only how Council responds to this key decision-making stage but will need to be considered during implementation of the preferred delivery model.

### 2.4 Significance and Engagement

In the context of this report this matter has been assessed as having low significance.

However, Council's wider approach to LWDW legislation will trigger high significance and full consultation will be required. A consultation strategy is currently being developed with timing for consultation being dependent on decision-making timeframes.

## 2.5 Implications

This report is for information purposes only, however, it is worth keeping the listed implications in mind as work progresses.

### Financial

Through developing a WSDP council will need to indicate the chosen model for delivering water services considering this will impact council balance sheet.

### Social & Policy

Regardless of the water services delivery model agreed upon it is expected that changes to current policies will be required. The quantum of this work is unknown at this time but will be investigated as progress is made.

### Risk

A key milestone in response to LWDW policy is submitting a WSDP. There is a risk that this plan is not accepted.

Lack of resourcing and meeting legislative deadlines puts council at risk of the appointment of a Crown Monitor or Crown Water Services Specialist at Council's cost.

## 2.6 Options

N/A – This report is informational only.

## 2.7 Development of Preferred Option

N/A – This report is informational only.

## 2.8 Attachments

- 1 Local Government (Water Services) Bill Overview (Doc Id 1824925 ) [↓](#)



December 2024

## LOCAL WATER DONE WELL

# *Factsheet: Water service delivery arrangements*

This is one of a series of factsheets giving an overview of key aspects of the Local Government (Water Services) Bill.

It is based on the provisions of the Bill as introduced in December 2024.

The Bill sets out the enduring settings for the new water services system. It is the third piece of legislation in the Government's three-stage process for implementing Local Water Done Well.

This factsheet provides an overview of the provisions in the Bill that relate to water service delivery arrangements. It should be read alongside other Local Water Done Well factsheets.

## What are the proposed changes?

### Responsibility for providing water services and how delivery arrangements can be structured

Under the Bill, each territorial authority must ensure water services are provided in its district, but will have discretion to determine the optimal structure and delivery method for its local circumstances.

Water services may be provided by a territorial authority in any one or more of the following ways:

- by the territorial authority providing services itself, directly ('in house');
- by transferring responsibility to a water organisation (through a transfer agreement), established by the territorial authority or in which it is a shareholder;
- a contract with a third party (including a water organisation) to provide water services on behalf of the territorial authority;
- a joint arrangement with other water services providers (a "joint water service provider arrangement"); or
- another type of arrangement that is consistent with the Act.

A territorial authority may use different means for providing different water services or different aspects of a water service. For example, responsibility for water supply and wastewater could be transferred to a water organisation, while stormwater is retained 'in house'.

## Local Water Done Well: Local Government (Water Services) Bill factsheet (December 2024)

If a territorial authority establishes or is a shareholder in a water organisation, it must enter into a transfer agreement with the organisation – and publish this document. The agreement sets out:

- the responsibilities, functions, powers, assets, liabilities, and other matters that are being transferred;
- any matters that are being retained by the territorial authority.

The transfer agreement must also set out arrangements to be put in place for charging and revenue collection for the water services that are being transferred, including whether this will be done by the territorial authority or the water organisation. Water organisations are empowered through the Bill to charge consumers directly for the water services they provide, if this is the preferred approach.

Having this agreement ensures there is transparency about where different responsibilities and accountabilities sit, and flexibility for territorial authorities to determine which arrangements will work best for them. For example, the agreement could transfer responsibilities relating to the management and operations of a water service, but not the ownership of assets.

The Bill also sets out the circumstances under which a new transfer agreement is required.

### ***Water service providers***

“Water service provider” is a term used throughout the Bill, and covers territorial authorities and water organisations (if responsibilities have been transferred). Most of the requirements and obligations in the Bill apply to all water service providers, including:

- statutory objectives – including the objectives to provide water services in a cost-effective and financially sustainable manner, and meet all applicable regulatory standards and requirements;
- financial principles – including that the provider must:
  - spend the revenue it receives from providing water services on providing water services; and
  - ensure the revenue it applies to the provision of water services is sufficient to sustain the long-term investment in the provision of water services;
- planning and reporting requirements; and
- being subject to restrictions against privatisation.

If a territorial authority or water organisation enters into a contract or joint water service provider arrangement, it continues to be responsible for ensuring the provision of water services. This includes ensuring the other party performs any functions and duties associated with providing the services to which the contract or joint arrangement relates. The other party is not considered a “water service provider” for the purposes of the Act.

Local Water Done Well: Local Government (Water Services) Bill factsheet (December 2024)

### ***Additional requirements for water organisations and consumer trusts***

The Bill provides that water organisations must be owned\* by:

- a single territorial authority;
- two or more territorial authorities;
- a mix of territorial authority and consumer trust shareholders;
- a consumer trust.

The following other requirements also apply to water organisations:

- they must be a company (and are therefore also covered by the Companies Act)\*;
- they must not do anything other than provide water services, or undertake activities that are related to, or necessary for, providing water services\*;
- they must have an independent, competency-based board – which cannot include people who are elected members or employees of a territorial authority that is a shareholder in the water organisation.

It will be possible for territorial authorities to apply for an exemption from some of these requirements (marked \*). Successful applications are given effect through Order in Council.

Exemption applications are made to the Secretary for Local Government, who will advise the Minister of Local Government on whether to recommend an exemption is granted, and any associated terms and conditions. After receiving the Secretary's advice, the Minister must recommend to the Governor-General that the exemption should be granted, or decline the application.

The Bill enables one or more territorial authorities to establish a consumer trust to own or co-own a water organisation, and sets out the arrangements that apply to trusts and trustees. Details about the consumer trust are set out in a trust deed, approved by the Secretary for Local Government.

Trustees in a consumer trust are directly elected by consumers of the water organisation, in accordance with the principles in the Bill. Trustees will represent the interests of consumers, and perform the roles and responsibilities of the shareholders in a water organisation under the Act.

### ***Role of regional councils***

The Bill makes provision for regions in which water services are provided not only by territorial authorities but also by the regional council. For example, this may be relevant in relation to urban stormwater services, such as ownership of detention dams and the management of urban watercourses.

The Bill clarifies that a regional council may:

- provide water services itself, directly;
- transfer responsibility for the provision of water services to a territorial authority in the region (under section 17 of the Local Government Act 2002);

## Local Water Done Well: Local Government (Water Services) Bill factsheet (December 2024)

- transfer responsibility for the provision of water services to a water organisation whose service area is in the region, by means of a transfer agreement with the territorial authority that established the organisation;
- enter into a contract with a third party (including a water organisation) to provide water services on behalf of the council;
- enter into a joint water service provider arrangement;
- become a shareholder in a water organisation established by a territorial authority in the region.

If a regional council provides water services, it is considered a “water service provider” and subject to the relevant areas of the Bill.

## What does this mean for councils and CCOs?

From enactment, territorial authorities and any existing water services CCOs (including Watercare) will become “water service providers” and subject to the requirements set out in the Act.

Although some aspects of the Bill are similar to what territorial authorities and CCOs can do now – such as entering into contracts – there are differences from current legislative settings. This means that, even where a territorial authority chooses to carry on providing water services ‘in house’, it will be subject to some new requirements.

For example, from 2027, all water service providers will prepare water services strategies – instead of including information on water services in long-term plans and infrastructure strategies under the LGA02.

Another difference relates to contracting arrangements. Under the Bill, water service providers may enter into contracts with third parties for up to 50 years (instead of the current 35 year maximum). However, there are also provisions designed to improve the nature of these contractual arrangements and procurement processes, particularly for significant contracts. These include that:

- consultation will be required for significant contracts, and providers will need to include details on how the contracted party has performed during the year in their water services annual report;
- each water service provider must adopt a policy setting out the matters it will consider when determining whether a contract is significant (such as the value of the contract and if it involves a public-private partnership);
- before entering into contract that will create a public-private partnership, water service providers will be required to have regard to any relevant procurement rules and guidance issued by central government, and seek advice from a relevant central government agency or private sector experts;
- when negotiating a contract, a water service provider must consider whether compliance with current and anticipated regulatory requirements should be provided for in the contract.



Local Water Done Well: Local Government (Water Services) Bill factsheet (December 2024)

### ***What happens to existing water services council-controlled organisations?***

Council-controlled organisations (such as Watercare) that currently provide water services – and will continue to do so after the Bill is enacted – will automatically become water organisations, upon enactment. This means they will be subject to the new Act, and the responsibilities that apply to other water service providers.

Where a CCO becomes a water organisation and does not already meet the statutory requirements that apply to water organisations, it has six months following enactment to make the changes needed (or for territorial authority shareholders to obtain an exemption, if relevant). Similarly, a territorial authority that is a shareholder in a CCO that becomes a water organisation has six months in which to provide a transfer agreement, to formalise the responsibilities and other matters held by the organisation and the authority.

The definition of CCO in the Local Government Act 2002 is amended by the Bill to include a reference to water organisations. A water organisation is also a CCO if it is owned by one or more local authorities, and they are the majority shareholders (with trustees in a consumer trust being the minority).

Some of the provisions in the LGA02 that apply to CCOs will not apply to water organisation CCOs. In particular, the planning and reporting requirements in Part 4 of the Bill (such as statements of expectations and water services annual reports) apply instead of the requirements in Part 5 of the LGA02.

## **Next steps**

There will be an opportunity to provide submissions on the Local Government (Water Services) Bill at select committee.

The Department of Internal Affairs will prepare further guidance material to support the implementation of Local Water Done Well, following the enactment of the Bill. This is expected to be in mid-2025.

## **Further information**

The Local Government (Water Services) Bill is available at [www.legislation.govt.nz](http://www.legislation.govt.nz).

Information about the parliamentary process and timeline for the Bill, including how to make a submission to the select committee, is available at [www.parliament.govt.nz](http://www.parliament.govt.nz).

For further information about Local Water Done Well, including guidance and information for councils, visit [www.dia.govt.nz/Water-Services-Policy-and-Legislation](http://www.dia.govt.nz/Water-Services-Policy-and-Legislation)

**Questions?** Contact [waterservices@dia.govt.nz](mailto:waterservices@dia.govt.nz)

### 3. APPOINTMENT OF COUNCIL'S KAUMĀTUA

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1825538
<i>Reporting Officer/s &amp; Unit:</i>	Mōrehu Te Tomo, Pou Whakarae

#### 3.1 Purpose of Report

To endorse the nomination of Napier City Council's Kaumātua and Kuia.

#### Officer's Recommendation

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Endorse** Matiu Eru and Beverley Kemp-Harmer as Kaumātua and Kuia for Napier City Council effective from 20 February 2025.

#### 3.2 Background Summary

Napier City Council has had cultural advice from Kaumātua to guide, assist, and provide understanding for many years. In 2014, the council voted to solidify the role of Kaumātua. The Kaumātua appointed at the time was Piri Prentice. The appointment of the role at the time was a result of discussions between the Kaumātua of the Ahuriri area as the Kaumātua prior to Piri was Heitia Hiha, who handed the role over due to illness.

The role of Kaumātua is now nominated by the Ahuriri Kahui Kaumātua, who met prior to Christmas 2024 and nominated Matiu Eru. Also, there has been a discussion of including a Kuia to support the Kaumātua. The Kahui Kaumātua nominated Beverley Kemp-Harmer to this dual role.

The Ahuriri Kahui Kaumātua was established last year to support and guide all areas of Te Ao Māori within Ahuriri. It is made up of Kaumātua from all the traditional marae of Ahuriri and descendants of those marae. The nominations of Matiu and Beverly reflect the high level of mātauranga they hold.

#### 3.3 Issues

No Issues

#### 3.4 Significance and Engagement

To provide opportunities for Māori to contribute to our decision-making processes in a meaningful way, through engagement and/or partnership approaches.

This role will provide high-level support for the Mayor and Chief Executive.

#### 3.5 Implications

##### Financial

As per the Council recommendation from 8 June 2023 when the Kaumātua remuneration was reviewed, the salary will remain at \$15,000.00 per annum per representative.

### **Social & Policy**

Not applicable

### **Risk**

Not having a Kaumātua will hinder the support from Mana Whenua as their roles are to strengthen the partnership. Guidance to the Mayor and Chief Executive in Te Ao Māori within Ahuriri would also be at risk.

### **3.6 Options**

The options available to Council are as follows:

- a. **Endorse** Matiu Eru and Beverley Kemp-Harmer as the Kaumātua and Kuia for Napier City Council effective from 20 February 2025.
- b. **Do not endorse** Matiu Eru and Beverley Kemp-Harmer as the Kaumātua and Kuia for Napier City Council effective from 20 February 2025.

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

The recommendation of the Ngā Mānukanuka o te Iwi Komiti will be sent to the next Council Meeting, 20 February 2025, for ratification.

### **3.8 Attachments**

Nil

# NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE)

## Open Minutes

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Meeting Date: Wednesday 13 November 2024

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Time: 12:30pm – 2:39pm

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Venue  
Small Exhibition Hall  
War Memorial Centre  
Marine Parade  
Napier

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*Livestreamed via Council's Facebook page*

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Present

**Acting Chair:** Mayor Kirsten Wise  
Mana Ahuriri Trust (Evelyn Ratima)  
Moteo Marae (Maureen Box)  
Petane Marae (Shyann Raihania)  
Pukemokimoki Marae (Tiwana Aranui)  
Timikara Marae (Kirk Leonard)  
Wharerangi Marae (Beverley Kemp-Harmer)  
Sustainable Napier Committee Chair (Councillor Price)  
Napier People & Places Committee Chair (Councillor McGrath)  
Prosperous Napier Committee Chair (Councillor Crown)  
Chief Executive (Louise Miller)  
Executive Director Community Services (Thunes Cloete)  
Executive Director Infrastructure Services (Russell Bond)  
Executive Director City Strategy (Rachael Bailey)  
Manager Community Strategies (Anne Bradbury)  
Manager Strategy and Transformation (Stephanie Murphy)  
Team Leader Governance (Anna Eady)  
Team Leader Corporate Planning (Jane McLoughlin)  
Māori Partnership Manager – Te Kaiwhakahaere Hononga Māori (Hilary Prentice)  
Māori Partnership Manager (Jackie Ham)  
Te Waka Rangapū Kaiawhina (Xanthia Ashby)  
Senior Policy Analyst (Michele Grigg)  
Strategic Planning Lead (Connie Mills)

	Manager City Development (Paulina Wilhelm) [online] Manager Water Reforms Transition (Andrew Lebioda)
In Attendance	Pou Whakarae (Mōrehu Te Tomo)
Administration	Governance Advisor (Jemma McDade)

## NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) – Open Minutes

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## ORDER OF BUSINESS

### Karakia

Tiwana Aranui opened the meeting with a Karakia

## Apologies

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### COUNCIL RESOLUTION

Beverley Kemp-Harmer / Kirk Leonard

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That the apologies from Deputy Mayor Brosnan and Krystal Haimona be accepted.

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Carried

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## Conflicts of interest

Nil

## Public forum

Nil

## Announcements by the Chairperson

Mayor Wise acknowledged the passing of Sir Robert 'Bom' Gillies, the last surviving member of the 28<sup>th</sup> Māori battalion, as a sad day for the nation. Tiwana Aranui recognised the local connection with the Māori battalion.

## Announcements by the management

Nil

## Confirmation of minutes

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Evelyn Ratima / Mayor Wise

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That the Minutes of the meeting held on Thursday 29 August 2024 were taken as a true and accurate record of the meeting.

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Carried

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# AGENDA ITEMS

## 1. HOUSING STRATEGY

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*Type of Report:* Enter Significance of Report

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*Legal Reference:* Enter Legal Reference

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*Document ID:* 1803568

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*Reporting Officer/s & Unit:* Anne Bradbury, Manager Community Strategies

## 1.1 Purpose of Report

This report outlines the final Housing Strategy and seeks endorsement for the Housing Strategy. It also asks the komiti (committee) to recommend the Housing Strategy is taken to the Council for adoption.

---

### At the meeting

The officer presented the report providing the update that due to the postponement of this Komiti's 18 October meeting, the Housing Strategy has been approved by Council. Amendments have been made following consultation and these changes are outlined in the paper. The Strategy is not the end point, the three focus areas for Council will continue.

Questions were answered clarifying:

- The development arm of Mana Ahuriri has been consulted. Although they are not providing housing yet, they are in the process of developing housing. There are no other Māori housing providers in Ahuriri that could have been engaged.
- Information has been sourced from Housing Aotearoa, Ministry of Housing and Urban Development, Kāinga Ora, Mana Ahuriri, Councillor Boag, and K3. These stakeholders provided the vision. The Strategy is wider than housing provision and seeks to enable the progression from sleeping rough to home ownership.
- This Strategy is still the start of this journey. The action plans developed from this strategy will be a collective and collaborative effort to overcome challenges and meet the needs of the community.
- Conversations with marae could form part of the climate resilience outcomes. Many of our marae are in the Hastings boundary. This would need to be a collaborative approach. Council's role is as regulator and enabler. Treaty partners would need to take the lead.
- Additional housing proposals and capacity fall within the District Plan and Future Development Strategy. Natural Hazards provide multiple constraints. Updates will be provided to the Committee at the relevant junctures.

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Beverley Kemp-Harmer / Kirk Leonard

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Endorse** the Housing Strategy shown in Attachment 1 DOC ID 1800288 .

**ACTION:** Continue to provide updates to the Komiti

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Carried

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## 2. UPDATE ON CLIMATE ACTION JOINT COMMITTEE AND COASTAL HAZARDS STRATEGY

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 1803570

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*Reporting Officer/s & Unit:* Michele Grigg, Senior Policy Analyst  
Connie Mills, Strategic Planning Lead

## 2.1 Purpose of Report

To provide an update to Ngā Mānukanuka o te Iwi on the work of the Climate Action Joint Committee and an update on the Clifton to Tangoio Coastal Hazards Strategy.

---

### At the meeting

The officers presented the report.

This paper was brought in response to a request from the Komiti.

The Climate Action Joint Committee includes five Councils, mana whenua representatives and a technical advisory group. The Committee focuses on promoting action to mitigate climate action changes through its endorsed work programme. A regional climate change risk assessment has been undertaken using data held by the councils and other entities to identify the climate risks and their impact.

The Clifton to Tangoio Coastal Hazards Strategy Committee was established in 2014 with the Strategy finalised in August 2024. Hawkes Bay Regional Council (HBRC) is best placed to implement the strategy with Napier City Council (NCC) remaining on the technical advisory group. Short, medium and long terms views are being considered, with most of the implementations for Ahuriri in the medium phase (20-30 years). This has been developed in collaboration with the community including academic, engineering experts. The next steps sit with HBRC.

Questions were answered clarifying:

- As the leading agency, HBRC will be working through the implications for coastal properties weighing up the private and public benefit. Information will be reported back as it becomes available.
- Staff from both planning and infrastructure directorates within NCC are part of the process. This will also ensures sound succession planning with the organisation.
- The Strategy review sits with HBRC. Membership is reviewed on a three yearly basis in line with the election cycle. NCC is involved in an advisory capacity.

---

Evelyn Ratima / Shyann Raihania

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Note** the update on the work of the Climate Action Joint Committee.
- b. **Note** the update on the work of the Coastal Hazards Strategy.

**ACTION:** Continue to provide updates to the Komiti

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Carried

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## 3. UPDATE ON SITES OF SIGNIFICANCE TO MĀORI VARIATION TO PROPOSED NAPIER DISTRICT PLAN

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*Type of Report:* Operational

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*Legal Reference:* Resource Management Act 1991

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*Document ID:* 1803571

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*Reporting Officer/s & Unit:* Fleur Lincoln, Principal Policy Planner

### 3.1 Purpose of Report

The purpose of this report is to provide an update on the Sites of Significance to Māori variation to the Proposed Napier District Plan.

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#### At the meeting

Manager City Development (Paulina Wilhelm) presented the report online.

Questions were answered clarifying:

- Council's preferred approach is to engage with affected landowners in partnership with mana whenua.

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Beverley Kemp-Harmer / Maureen Box

---

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Note** the update provided on the Sites of Significance to Māori variation to the Proposed Napier District Plan.

**ACTION:** Amend the report: Section 3.4 of the report will be amended to replace 'dependent on mana whenua appetite to be involved' with 'whether mana whenua would like to be involved'.

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Carried

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## 4. DISTRICT PLAN SUBMISSIONS SUMMARY

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 1803566

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*Reporting Officer/s & Unit:* Paulina Wilhelm, Manager City Development

### 4. Purpose of Report

To update Ngā Mānukanuka o te Iwi on the submissions for the Proposed District Plan

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### At the meeting

The officer presented the report online:

Questions were answered clarifying:

- The Māori Commissioner is Rauru Kirikiri.
- The District Plan covers a wide range of topics and is a long process involving officers and elected members.

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Shyann Raihania / Beverley Kemp-Harmer

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Receive** the presentation on the summary of submissions for the Proposed District Plan. DOC ID 1799557

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Carried

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## 5. 2025 LOCAL GOVERNMENT ELECTION UPDATE

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*Type of Report:* Operational

*Legal Reference:* Local Government Act 2002, Local Electoral Act 2001

*Document ID:* 1804240

*Reporting Officer/s & Unit:* Anna Eady, Team Leader Governance  
Jane McLoughlin, Project Manager - Strategy and Transformation

### 5.1 Purpose of Report

This paper seeks insights from the Komiti on the best ways to increase community participation in the key steps of the 2025 Local Government Election, those being enrolment on the electoral roll, nomination and standing for election, and voting for the new Council and also on the Māori wards poll. The Komiti's input is essential in shaping our approach and ensuring a successful election.

This paper will also give an update on the Representation Review.

---

### At the meeting

The officers presented the report.

Questions were answered clarifying:

- Council is keen to work alongside communities to encourage voter engagement. It was recognised that change is needed to increase voter turnout and get the community involved.
  - Engagement with rangatahi is key. Marae can play their part, having champions and promoting the importance of voting through appropriate social media channels. It was noted that rangatahi need to receive the message that their vote counts so that taking
-

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part in local and national elections becomes a normal practice for them. Messaging should be conveyed in a way that is relatable, accessible and meaningful to rangatahi.

- Schools and Kura Kaupapa can be involved in the communication and education process. Information should be shared in an accessible way that outlines why voting is important and the impact it can have. Social media platforms could be utilised using local places and faces. Campaign elements would be targeted to specific groups. Youth Council could also be involved.
  - A Hui a Iwi will be held in December to brainstorm good ways to reach people. The Komiti are invited to this hui. Engagement will be an ongoing part of the election process. Officers are scoping how to best involve Youth Council in this part of the engagement.
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Evelyn Ratima / Kirk Leonard

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The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Note** election planning is underway and officers seek the Komiti's insights on how to encourage participation at the 2025 local government election and Māori wards poll.
- b. **Note** the following insights to facilitate enrolment on the electoral roll for Māori in Napier, in particular 18-24 year olds.
  - i. Feedback should be sought from youth and youth providers.
  - ii. Send information to organisations to post of their social media pages and to give to their champions to share.
  - iii. Through the schools, in particular the Kura Kaupapa.
  - iv. Through Radio Kahungunu.
  - v. Messaging to younger Māori should be relevant and focus on why their input is important.
  - vi. Provide suggested communications plan for iwi organisation input.
- c. **Note** the following insights to encourage Māori candidates to stand in the 2025 local government election in the Te Whanga Māori ward, or one of the three general wards, and/or the Mayoralty.
  - i. Send information to organisations to share with their people and to post on their social media pages.
  - ii. Through Radio Kahungunu
  - iii. Messaging to younger Māori should be relevant and focus on why their input is important.
  - iv. Provide suggested communications plan for iwi organisation input.
- d. **Note** Council has received legal advice that Councils cannot promote a position on whether or not to retain Māori ward(s). Promoting a 'Council position' would likely breach the principles in the Local Electoral Act 2001 and could cause the Poll to be declared void.

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Carried

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## 6. MARAENUI TO TE AWA STORMWATER PROJECT

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Type of Report:

Information

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*Legal Reference:* N/A

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*Document ID:* 1806627

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*Reporting Officer/s & Unit:* Andrew Lebioda, Manager Water Reforms Transition

## 6.1 Purpose of Report

To provide the Committee with an update of the Maraenui to Te Awa Stormwater project to date.

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### At the meeting

The officer presented the report.

Questions were answered clarifying:

- An ecology expert has been engaged to assist with the skink habitat. Although prolific along the east coast, the habitat is shrinking and the species is protected. It has not been determined if this is a native species.
- A driver of this project is to mitigate the future flooding effects in Maraenui to allow for development.
- Mana whenua and tangata whenua contribution is welcomed particularly to the cultural narrative, plantings, storytelling and wayfinding sections of the detailed design. The full detailed design will come back to the Komiti as one of the gateways.
- Engagement with the Komiti will also be sought regarding other current water projects including stormwater.

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Kirk Leonard / Tiwana Aranui

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The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. Receive the report titled 'Maraenui to Te Awa Stormwater Project' dated 13 November 2024.

**ACTION:** The Stormwater Improvements Since 2020 Napier Flood report from the 24 October Sustainable Napier Committee to be shared with the Komiti

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Carried

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## Updates from Committee Representatives

### Timikara Marae

The marae is waiting for their new marae and is working to maintain their identity; manaaki is key. The construction of a new wharenui is anticipated.

### Pukemokimoki Marae

It is positive to have such a busy Council marae and to have a two way conversation with Council to find solutions. The relationship has been cemented, in part, through working together in the last flood. The door is always open. A new project is to investigate the installation of solar panels on the marae and funding is currently being sought. This month saw the marae welcome it's 900,000 visitor, celebrating the legacy to be left for those who follow.

### Wharerangi Marae

The marae opened in 2022 and has had many visits from schools. It was great to welcome the Council onto the marae last week to see the working of the marae and who we are. In December the harakeke group are coming in to work on the marae so there will be no visitors during this period. It takes a lot of mahi and the whole whanau to put together the whariki.

### Petane Marae

The marae board have been involved in a cultural impact assessment with HBRC. We are nearly at the end of that process. On the positive side we have participated in many local activities. We are at the first stage of our relocation and are looking for whenua to be able to move to stage two and rebuild our whare. We are energised and ready for these next steps.

### Moteo Marae

The marae is nearly there with the sewerage system being renewed following Cyclone Gabrielle. There was silt in the tank and pump. The wharenuī and wharekai have been relined and the white goods replaced. Monitoring has been taking place at the Tūtaekurī with tests for eels being carried out at Redclyffe. 75 eels were caught overnight and released back into the river. A cultural impact assessment has been carried out in the kawekas and of the bridges at Rissington, Patoka and Dartmoor. The reopening of the Puketapu bridge has begun and funding has been received from the Cyclone fund to replace equipment from the pā and add a bus shelter. There has been a safety concern since the cyclone due to an increase in heavy traffic. Timikara was the top marae at the Pā wars event at Greenmeadows school with over 419 registrations.

### Mana Ahuriri

Mana Ahuriri were proud sponsors of the Pā wars. The attendees made the day a success and next year is being anticipated. The focus is building relationships; growing and getting closer to people. On November 29 there are celebrations at Waiohiki to coincide with the opening of the wharekura. It is great to see the marae coming together after the Cyclone and gaining momentum. Our AGM is on 7 December. We have also hosted a symposium with 80 iwi who came together to build connections. We appreciate the relationship with councils and recognise the importance of working together and building strong relationships. Our commercial arm has housing projects coming up and is planning to lead the way in nurturing and building for the next generation.

### Prosperous Napier Committee

Councillor Crown acknowledged the mahi that the marae are currently involved in. The Prosperous Napier Committee is the Corporate Services arm of Council. Work has started on the annual plan for 2025. The projects that are to be delivered, funded and tracked have been identified as part of the three year plan. Council is enabling development to happen and working to make good things happen that have an impact on the people who live here.

### Napier People and Places Committee

Councillor McGrath informed the Komiti about the work of the Community Services directorate which includes the operation of Kennedy Park, Ocean Spa, McLean Park, the Pools and more. A major review of the facilities is currently being undertaken. This is a big time consuming task, the aim of which is to use the money in the best way we can.

### Sustainable Napier Committee

Councillor Price updated the current projects from the Infrastructure directorate. A lot of work recently has been on progressing Local Water Done Well and working out what our long term

model will be. The paper detailing work done since the 2020 floods will be sent out to the Komiti.

Questions were answered clarifying:

- Council welcomes mana whenua involvement and notes the offer of advice or guidance. Building and maintaining open and communicative relationships with mana whenua is important to Council.
- Recent news stories regarding the land at Riverbend road are frustrating. Council has been working with land owners to determine whether the site can be included as a potential development site. A significant process has to be undertaken before that can occur to ensure that it will not flood. Inadequate explanation of the situation was given in the article.

### Updates from Pou Whakarae

The team is busy with the 150 year celebrations. We are looking forward to welcoming visitors from our sister city in Canada with 11 visitors set to attend a pōhiri at Wharerangi marae. The Te Aka project and Waka hub are progressing well. Te Reo Māori resources have been produced for all staff with inductions for new staff on the marae for half a day. Te Waka Rangapū are reviewing our Strategy which will go until July 2025. The Wall Walk event last month with Council staff was a huge success, excellent Kaupapa from a different point of view. We have the Hui a iwi coming up and are looking forward to the kōrero. Council staff have passed level 1 and 2 Te Reo classes recently and are looking forward to further success next year.

### General business

Nil

*Tiwana Aranui closed the meeting with a karakia at 2:39pm*

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

Chairperson .....

Date of approval .....