



AHURIRI REGIONAL PARK JOINT COMMITTEE

Open Agenda

Meeting Date: Monday 15 June 2026

Time: 9.309am

Venue: Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Committee Members: **Chair:** Councillor Isaac-Sharland
Members: Councillor Simpson (NCC)
Councillors McIlroy and Parsons (HBRC)
Joseph Reti, Peter Eden (Deputy Chair), Marina Toatoa and
Evelyn Ratima (Mana Ahuriri Trust)

NCC Alternate: Cr Morley

HBRC Alternate: Cr Kirton

MAT Alternate: Parris Greening

Officer Responsible: Executive Director Strategy & Urban Development (Rachael
Bailey)

Administration: Governance Advisor (Carolyn Hunt)

Next Ahuriri Regional Park Joint Committee meeting

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

(Administration through the Napier City Council)

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

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

1. Te Mana kua tukuna me te Kaupapa

Delegated Authority and Purpose and Fields of Activity

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

- 1.1. To make recommendations to the respective council's on decisions pertaining to the development of the ARP that are within the jurisdiction of each Partner Council, as it relates to the site legally described as Lot 1 DP 388211. The ARP Joint Committee shall have discretion to determine the matters presented to the MAT Board for decision.
- 1.2. To commission reports and advice; and oversee the design and delivery of projects associated with the ARP:
 - a) Provide advice on and approve project briefs.
 - b) Commission a project manager and consultant team for the preparation of a masterplan.
 - c) Provide recommendations on Annual Plan budgeting and inclusion of funding in the Long Term Plan (LTP) by each Council to achieve agreed water storage and quality, ecology, cultural and recreation outcomes for the estuary, its streams drains and tributaries, and on adjacent land.
 - d) Provide recommendations on the completion of a proposal to be submitted by each Council in the LTP reflecting the current situation for the ARP.
 - e) Make recommendations on regulatory changes and other planning documents that support the delivery of the ARP.
 - f) Seek advice on the best models for future governance and/or management of the site.

- g) Collaborate in the preparation of applications for necessary consents to ensure timing is coordinated and activities applied for are consistent with the ARP Masterplan.
 - h) Establish and agree outcomes, deliverables and ensure milestone alignment and updates on a proposal towards the LTP for each Council.
- 1.3. The delivery of an ARP that promotes climate resilience, ecological and water quality improvements, biodiversity improvements, promotes a more natural estuary margin, and provides storm water management, low impact compatible recreational opportunities, cultural storytelling and educational opportunities.
 - 1.4. To strengthen collaborative relationships at all levels between NCC, HBRC and MAT, and in particular the co-governance, planning, operations, and monitoring functions, as they work through a co-governance relationship to develop the ARP. Council Partners that are consenting authorities reserve the right to be independent for any element that requires consent.
 - 1.5. To promote alignment of all Partners projects with the ARP projects, initiatives and planning documents, so that resources committed to protecting and enhancing the estuary through the development of the ARP are adequate; that they prudent and efficient; and are likely to produce the outcomes expected by the whole community. Partners will seek to identify and tap into external sources of funding as required.
 - 1.6. To facilitate collaboration in planning and design for all waterways, drainage and stormwater networks where they discharge into the ARP.
 - 1.7. To work with Te Komiti to establish processes and collaborate together on actions to restore the mauri of the Ahuriri Estuary through the development of the ARP on Lagoon Farm.
 - 1.8. To keep each Partner Council, MAT and Te Komiti regularly updated on the ARP Joint Committees progress.

2. Ngā mana kāore e tukuna

Powers not delegated

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

- 2.1. Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 2.2. Decisions relating to the allocation of funding, the use and development of land and watercourses, and matters relating to consenting lies with each Partner Council that has jurisdiction over these decisions. Recommendations only are made by the ARP Joint Committee.
- 2.3. Unless expressly specified in the ToR, the ARP Joint Committee only has the power to make recommendations to Partner Councils and to MAT.

3. Te utunga

Remuneration

- 3.1. Each Partner Council shall be responsible for remunerating its representatives on the ARP Joint Committee and for the cost of those persons' participation in the ARP Joint Committee. Participation in the ARP Joint Committee from Partner Councils is considered inclusive of the many activities Councillors are expected to fulfil within their role.

- 3.2. The costs associated with remunerating the Mana Whenua members shall be shared equally (50/50) between each Partner Council, and in accordance with the Hawke's Bay Regional Council Policy for Reimbursement for Project Meetings and Travel (Attachment 1), at the rate specified for Working Groups.

**4. Ngā hui
Meetings**

- 4.1. The NCC standing orders will be used to conduct ARP Joint Committee meetings as if the ARP Joint Committee were a local authority.
- 4.2. The ARP Joint Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference.
- 4.3. The quorum shall be one member per organisation and a minimum of 4 members in total.

**5. Te pōti
Voting**

- 5.1. The ARP Joint Committee has no decision making authority outside of operational spending. It is tasked with bringing recommendations to each Council Partner and Mana Whenua Partner for consideration.
- 5.2. Where voting is required, all Members of the ARP Joint Committee have full speaking rights.
- 5.3. Each Member has one vote.
- 5.4. When making recommendations, Members of the ARP Joint Committee must strive to achieve consensus, but if, in the opinion of the Chair/co-Chair, consensus is not practicable after a reasonable discussion, a recommendation of the ARP Joint Committee may be made by a minimum of 75% of those members present and voting at the meeting or voting.
- 5.5. The Chair/co-Chairperson may vote on any matter but does not have a casting vote.

**6. Te hautūtanga o te Komiti Hono
Leadership of the Joint Committee**

- 6.1. The Chair/Co-Chairs are appointed by the ARP Joint Committee.
- 6.2. The Deputy Chair, if required, is appointed by the ARP Joint Committee.

**7. Te Whakahaere Motuhake
Independent Facilitation**

- 7.1. Administrative support for the ARP Joint Committee (convening meetings, keeping minutes etc) will be provided by the staff of the Napier City Council's Governance team, unless otherwise agreed.

**8. Te Whakahaere Motuhake
Independent Facilitation**

- 8.1. Any matter or matters being considered by the ARP Joint Committee may be referred by the Co-Chairs for independent facilitation.

- 8.2. Where a matter is referred for independent facilitation:
- a. A sub-committee of the ARP Joint Committee may be established as required, with at least one Mana Whenua Member and at least one member from each Partner Council
 - b. The subcommittee shall identify and assess candidates to undertake the facilitation, and develop recommendations to the Joint Committee to appoint a preferred candidate.
 - c. The ARP Joint Committee shall receive and consider the subcommittee's recommendation and confirm an appointment.
 - d. The appointment may be made for a set duration (e.g. for 12 months) or on a task specific basis.
- 8.3. The role of independent facilitator is to assist the ARP Joint Committee to consider, debate and reach resolution on specified matters.
- 8.4. The independent facilitator shall act in every respect as an independent and neutral third party and shall have no voting or decision-making functions.

**9. Te whakatakoto pūrongo
Reporting**

- 9.1. All reports to the ARP Joint Committee shall be presented via the nominated Technical Advisory Group representative or from the ARP Joint Committee Co-Chairs.
- 9.2. Following each meeting of the ARP Joint Committee, the project manager shall prepare a brief summary report of the business of the meeting and circulate that report, for information to each Member. Such reports will be in addition to any formal minutes prepared by the Administering Authority which will be circulated to ARP Joint Committee representatives. It is the role of the Joint Committee Members to champion these reports within their respective Partner organisations.
- 9.3. The Technical Advisory Group shall ensure that the summary report required by 16.2 is also provided to each Partner Council for inclusion in the agenda for the next available Council meeting, and to Mana Whenua representatives for inclusion for the next available MAT Board meeting. A Technical Advisory Group Member shall attend the relevant Council meeting to speak to the summary report if requested and respond to any questions, and will also be available to attend the MAT Board meeting at their request.
- 9.4. The Technical Advisory Group must include a cultural advisor appointed by Mana Ahuriri Trust, and must be an integral member of the Technical Advisory Group

ORDER OF BUSINESS

Karakia

Apologies

Nil

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

A copy of the Minutes from the meeting held on Monday, 16 March 2026 are attached on page28

Agenda items

- 1 Terms of Reference - Confirmation7
- 2 Lagoon Farm Stormwater Project – Concept Design Review20

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

AGENDA ITEMS

1. TERMS OF REFERENCE - CONFIRMATION

Type of Report: Operational

Legal Reference: N/A

Document ID: 1914099

Reporting Officer/s & Unit: Phillipa Tocker, Strategic Project Lead
Stephen Moratti, Head of Strategy and Investments

1.0 Executive Summary - Te Kaupapa me te Whakarāpopototanga:

1.1 The Ahuriri Regional Park Joint Committee Terms of Reference (ToR) were adopted in 2025 (Attachment 1). This paper recommends the Committee note the ToR and details of arrangements for Napier City Council (NCC) as Council responsible for Joint Committee Administration

1.2 Inclusions:

- Membership of Technical Advisory Group (TAG);
- Recognition of internal NCC project arrangements;
- Clarification of remuneration and updating of reimbursement policy.

2.0 Officer's Recommendation

Ahuriri Regional Park Joint Committee::

- a) **Receive** the Terms of Reference - Confirmation dated 15 June 2026 as at **Attachment 1**.
- b) **Note** the internal NCC project arrangements
- c) **Note** the membership and status of the Technical Advisory Group
- d) **Note** the updated arrangements for remuneration of Mana Whenua members

2.1 The project team is led by NCC Strategic Programmes and Water Services project leads. A Project Steering Group (PSG) or similar will be established by NCC to work across these teams and coordinate internally. It may also include representatives from each partner organisation. The PSG will provide core coordination between the constituent project streams, monitor progress and support project management and reporting.

2.2 The ToR refer to a Technical Advisory Group (TAG) which comprises non-elected technical advisors to the project. The TAG is an 'as required' group drawing in appropriate expertise to advise the project team and Joint Committee. It will include, at a minimum, representatives of the partner organisations:

- NCC Water Services lead – Stephen Moratti
- NCC Strategic Programmes lead – Phillipa Tocker
- Mana Ahuriri Trust lead – Gareth Boyt

- HBRC lead – Bart Leslie

Internal or external advisors may be invited to join or commissioned to contribute to the TAG on any aspect of the project.

- 2.3 The ToR provide for remuneration for Mana Whenua members of the Committee by the partner Councils, in accordance with the HBRC Policy for Reimbursement for Project Meetings & Travel. As administering Council, NCC will arrange remuneration based on the current HBRC Policy direct with Mana Ahuriri Trust members (the irrelevant HBRC forms have been removed from the ToR).

3.0 Attachments

- 1 [↓](#) Current Terms of Reference Doc Id: 1915264

JOINT COMMITTEE (Administered by Napier City Council)

Ngā whakataunga mō ngā whakapuakitanga

Ahuriri Regional Park Joint Committee - Terms of Reference

(Administration through the Napier City Council)

<i>Reports to</i>	<i>Council</i>
<i>Chairperson</i>	<i>To be appointed by Committee</i>
<i>Deputy Chairperson</i>	<i>To be appointed by Committee</i>
<i>Membership</i>	<i>2 NCC Councillors (1 alternate)</i>
	<i>2 HBRC Councillors (1 alternate)</i>
	<i>4 Mana Ahuriri Trust Representatives (1 alternate)</i>
<i>Quorum</i>	<i>7</i>
<i>Meeting frequency</i>	<i>As required</i>
<i>Officer Responsible</i>	<i>Executive Director Strategy and Urban Development</i>

Tā mātau manawanui Our Commitment

The Napier City Council (NCC), Hawke's Bay Regional Council (HBRC), and Mana Ahuriri Trust (MAT) wish to partner on the Ahuriri Regional Park (ARP) project in a manner that works towards restoring the health and wellbeing of the Ahuriri Estuary through co-governance.

Both Partner Councils recognise kaitiakitanga of Ngā Hapū o Ahuriri, duly mandated through Te Komiti and at all times, will fully engage with Te Komiti both through its representative and as a group to seek guidance and to coordinate with the ARP Joint Committee on matters relating to Te Komiti's wider catchment plan (SO486367) as we work through the development of the ARP.

1.0 Kōrero Tuku Iho Historical Account

- 1.1 In the decade after the 1851 Ahuriri purchase, Ahuriri Hapū continued to occupy and use Te Whanganui-ā-Orotū in accordance with their tikanga. At this time Pākehā settlement had little impact on Te Whanganui-ā-Orotū.
- 1.2 In 1860 the Crown vested in the Hawke's Bay provincial government for the purposes of harbour development. The vesting empowered the Provincial Superintendent to develop harbour facilities to facilitate trade and commerce.
- 1.3 In 1874 Parliament passed legislation that set aside all of Te Whanganui-ā-Orotū as an endowment for a harbour board. Parliament established the Napier Harbour Board the following year. The Board's 12 members were prominent Hawke's Bay sheep farmers and businessmen, and none was a member of Ahuriri Hapū. Further legislation made Te Whanganui-ā-Orotū increasingly available for developments led by the Board.

- 1.4 Harbour development works had a negative effect on the ecology of Te Whanganui-ā-Orotū. In 1920 Māori witnesses told the Native Land Claims Commission that dredging had made Te Whanganui-ā-Orotū salty, and that freshwater fish species had been replaced by saltwater species. According to one witness Māori had been unable to catch eels and other freshwater fish from the early twentieth century, and pipi beds had been smothered by reclamation. In addition, Te Whanganui-ā-Orotū and the Ahuriri estuary were polluted by sewage and factory effluent.
- 1.5 On 3 February 1931 a major earthquake hit Napier. The earthquake raised parts of the bed of Te Whanganui-ā-Orotū. Much of its waters emptied into the sea, leaving about two-thirds of the bed exposed.
- 1.6 According to legal advice obtained by the Crown after the earthquake, title to the newly- raised portions of Te Whanganui-ā-Orotū belonged to the Napier Harbour Board under the endowment provided for in the Napier Harbour Board Act 1874.
- 1.7 On 3 May 1934 the Napier Harbour Board agreed to lease 7,595 acres of Te Whanganui-ā-Orotū to the Crown for a 21-year period and the Crown commenced drainage and reclamation work in June 1934. The Crown also commenced farming operations on reclaimed areas of Te Whanganui-ā-Orotū.
- 1.8 By June 1937 the Public Works Department reported that 2,000 acres of Te Whanganui-ā-Orotū had been completely drained and drainage of a further 2,000 acres was well advanced.
- 1.9 In 1945 Parliament passed legislation that provided for certain areas of Napier Harbour Board land to be sold and leased to the Napier Borough Council for the expansion of urban Napier.
- 1.10 Throughout the third quarter of the twentieth century reclamation and subsequent alienations by the Harbour Board provided land for residential, industrial and recreational developments in Napier. The Napier Borough Council developed the Hawke's Bay Airport on reclaimed land that included islands taken under public works legislation in 1939. The Crown also developed the Ahuriri Farm Settlement on reclaimed land.
- 1.11 Nine islands were explicitly excluded from the endowment of Te Whanganui-ā-Orotū set aside for harbour development in 1874. After the earthquake the islands became surrounded by dry land. The Napier Harbour Board Empowering Act 1932-33 empowered the Native Land Court to vest in trustees six islands that were still Māori customary land.
- 1.12 In 1936, on the application of the Napier Harbour Board, the Native Land Court ordered the appointment of six trustees for the islands (approximately 20 acres in total). On 23 May 1939 the Board published a notice of intention to take the islands under the Public Works Act 1928.
- 1.13 Hori Tupaea lodged an objection but, for reasons that are unclear, it appears that no hearing occurred. On 6 October 1939 the Governor-General proclaimed the islands as taken and vested in the Napier Harbour Board. When the deadline for compensation claims expired on 16 November 1944 the Māori trustees had not filed a claim and so no compensation was paid.
- 1.14 In 1916 Hiha Ngarangione (of Ngāti Hinepare) and Oriwia Porou applied to the Native Land Court for an investigation of title to Te Whanganui-ā-Orotū, and based their claim on descent from the

tipuna Tāwhao. The Court dismissed the case on the basis that Te Whanganui-ā-Orotū was not Māori customary land and therefore not within its jurisdiction.

- 1.15 In 1916 the Department of Lands and Survey asked the Solicitor-General for his advice on whether the Crown held title to Te Whanganui-ā-Orotū. The Solicitor-General concluded that the wording of the 1851 Ahuriri deed did not include Te Whanganui-ā-Orotū within the boundaries of the purchase and that the boundary shown on the plan attached to the deed had been drawn in error. However, the Solicitor-General found that this was of no material importance because Te Whanganui-ā-Orotū was tidal and the Court of Appeal had determined that Māori customary title did not apply below the high water mark.
- 1.16 In 1920 the Crown established a Native Land Claims Commission to inquire into a number of petitions relating to Māori land, including a 1919 petition regarding Te Whanganui-ā-Orotū. The Commission found that the boundaries described in the 1851 Ahuriri deed “skirt along the interior line of the harbour, but do not include it.” However the Commission found that the Crown had made it clear to Māori that it was purchasing Te Whanganui-ā-Orotū in 1851 through references to “moana” in the deed, though it expressed doubt that Māori appreciated the full effect of the dealing when they signed.
- 1.17 In 1924 Te Wahapango of Ngāi Te Ruruku and eighteen others petitioned Parliament again. The petitioners reiterated their argument that Te Whanganui-ā-Orotū was not included within the boundaries of the Ahuriri purchase, and appealed to the Treaty of Waitangi as a guarantee of their fishing rights in Te Whanganui-ā-Orotū. The Native Affairs Committee reported that the petition should be referred to the Government for consideration but no Crown action resulted.
- 1.18 In 1932 Hori Tupaea of Ngāti Paarau and Ngāti Hinepare and four others petitioned Parliament seeking a share in the benefits accruing from the land upraised from the bed of Te Whanganui-ā-Orotū by the 1931 earthquake. The petition stated that Ahuriri Māori never intended to include Te Whanganui-ā-Orotū in the 1851 transaction. The petition went on to say that as a result of the earthquake Ahuriri Māori had “lost all that remained to them, and have nothing to represent the rights which they formerly had and which they were always so anxious to preserve.”
- 1.19 The Native Land Court inquired into the petition in 1934. Counsel for the petitioners argued that Te Whanganui-ā-Orotū belonged to Māori when the Treaty of Waitangi was signed. Accordingly, article 2 of the Treaty applied to it. Counsel for the petitioners also reiterated the argument that Ahuriri Hapū had not sold Te Whanganui-ā-Orotū to the Crown in 1851.
- 1.20 The Crown argued that Te Whanganui-ā-Orotū had been included in the Ahuriri purchase, as it was included within the boundary apparently illustrated on the plan exhibited when the Ahuriri deed was signed. The Crown also argued that even if Te Whanganui-ā-Orotū had not been included in the purchase, ownership had transferred to the Crown automatically by virtue of the common law because Te Whanganui-ā-Orotū was an arm of the sea. Hapū argued that this was a fresh water lagoon and was never an arm of the sea.
- 1.21 The Māori Land Court did not issue its report until 1948, after further petitions from Ahuriri Māori. The report focused on two questions: whether Te Whanganui-ā-Orotū was included in the 1851 Ahuriri purchase, and whether Te Whanganui-ā-Orotū was an arm of the sea as at 1840. The Judge who wrote the report found that the Crown had only purchased the small, tidal harbour adjacent to the Ahuriri opening. He concluded that the Court had insufficient evidence to decide the arm of the

sea question, though there was “some fairly strong evidence” that Te Whanganui-ā-Orotū was originally a fresh or brackish water lagoon.

- 1.22 In 1949 the Prime Minister visited Napier. Ahuriri Hapū later testified that they declined his offer to return 4,500 acres in the northern half of Te Whanganui-ā-Orotū because they wanted the entire area returned to them. According to Ahuriri Hapū, one kaumātua said to the Government at the time, "If you're ready to give us the northern end, then surely we must also own the southern end." In 1951 Ahuriri Māori made further inquiries about the Crown's response to the Māori Land Court's report. The Crown responded that it would not take action until the claimants proved that Te Whanganui-ā-Orotū had not been an arm of the sea.
- 1.23 In 1955 counsel for Ahuriri Māori asked the Māori Land Court whether it was still willing to receive evidence in support of the 1932 petitioners' argument that Te Whanganui-ā-Orotū was not an arm of the sea as at 1840. The Chief Judge declined, stating that the case must be regarded as closed due to the amount of time that had elapsed since the hearings in 1934 and the release of the Court's report in 1948. A further petition in 1965 and a letter to the Crown in 1972 produced no action by the Crown. The Crown considered the 1948 Māori Land Court report an insufficient basis for Crown action.
- 1.24 In 1988 the Crown disestablished the Hawke's Bay Harbour Board (previously Napier Harbour Board) and the remaining endowment lands began to be redistributed to other local authorities. That year the seven Ahuriri Hapū lodged the Te Whanganui-ā-Orotū (Wai 55) claim with the Waitangi Tribunal. Following this claim the Ahuriri Hapū Settlement claim commenced. The Mana Ahuriri deed of settlement first began in 2013 and recognises all historical claims of the seven hapū prior to 1992. It settled on March 3rd 2022 and includes the legislation for Te Komiti Muriwai o Te Whanga.

2.0 Whakatakinga Introduction

- 2.1 Te Whanganui-a-Orotū is a place of great significance to Ngā Hapū o Ahuriri and is central to the existence and identity of Ahuriri Hapū. It is named after the ancestor Te Orotū who was a descendent of the great explorer ancestor Mahutapoanui who is the very beginning of the Ahuriri Hapū people.
- Since the arrival of European settlers, Ngā Hapū o Ahuriri have been alienated from Te Whanganui-ā-Orotū. This was the result of successive governments' actions including the vesting of land and waters, legislation, and the governance and management of these lands without representation from mana whenua. Throughout this time, Māori leaders have shown great conviction in their efforts to see their kaitiaki status recognised in relation to Te Whanganui-ā-Orotū, though with limited success. It is only comparatively recently that this status has been acknowledged, and we now transition towards co-governance supported through legislative reform.
- 2.2 The Ahuriri Hapū Claims Settlement Act 2021 establishes Te Komiti Muriwai O Te Whanga (Te Komiti) for the purpose of promoting the protection and enhancement of the environmental, economic, social, spiritual, historical and cultural values of Te Whanganui-ā-Orotū. Its role is to provide guidance and coordination in the management of Te Whanganui-ā-Orotū (Ahuriri Estuary), to local authorities and Crown agencies. Its functions include preparing and approving the Te

Muriwai o Te Whanga Plan and identifying the values, vision, objectives, and desired outcomes relevant to Te Muriwai o Te Whanga.

- 2.3 Te Komiti wants to collaborate with all groups that are focused on the health and wellbeing of Te Whanganui-ā-Orotū to achieve its objectives and its management plan for the Ahuriri Estuary including the surrounding catchment area.
- 2.4 NCC, HBRC and MAT seek to collaborate with Te Komiti to work towards restoring the mauri of the Ahuriri Estuary that has been critically affected by activities over many decades, within the constraints of the project. The respective Partner Councils and MAT wish to establish a Joint Committee to coordinate the respective projects, initiatives and plans of all Partners to restore the life force of the estuary.
- 2.5 This ARP Joint Committee is not intended to look at all issues within the broader Estuary catchment. Its focus is on projects and initiatives that NCC and HBRC can directly influence through their own land holdings on and adjacent to 'Lagoon Farm' and service delivery operations. That is, primarily through HBRC and NCC's Infrastructure and Asset Management Teams, and Integrated Catchment Management. The HBRC and NCC regulatory functions provide context for this Joint Committee. Additionally, MAT have influence through the Ahuriri Hapū Claims Settlement Act 2021, the Deed of Settlement, and Te Komiti Muriwai o te Whanga.
- 2.6 NCC and HBRC are committed to strengthening collaboration of each council's planning and delivery processes, alongside the priorities and projects of MAT and Te Komiti, in order to bring about a step change in the protection, mauri, and enhancement of the estuary. In that context the purpose of the ARP Joint Committee is to make recommendations in relation to the establishment of an ARP serving both that objective and providing significant water quality and biodiversity enhancement and cultural benefits for the community, as well as recreational benefits, while providing for climate resilience and stormwater management.
- 2.7 NCC and HBRC are both well placed to do this as both provide drainage and stormwater services to Napier through an extensive joint network of open waterways, along with regulatory, reserve and recreation assets and functions. Through MAT the Crown recognises the role of Ahuriri hapū as Kaitiaki of the Ahuriri Estuary and catchment areas. The settlement legislation establishes a permanent statutory committee to promote the protection and enhancement of the estuary and catchment areas for future generations.
- 2.8 The location of the ARP is currently known as Lagoon Farm, and has a legal description of Lot 1 DP 388211.

3.0 Ngā whakamāramatanga Definitions

For the purpose of these Terms of Reference:

- **“Act”** means the Local Government Act 2002.
- **“Administering Authority”** means Napier City Council
- **“Council member”** means an elected representative appointed by a Partner Council
- **“Member”** in relation to the ARP Joint Committee means each Council Member and each Mana Whenua Member

- **“Partner Council”** means one of the following local authorities: Napier City Council and Hawke’s Bay Regional Council.
- **“Technical Advisory Group or (TAG)”** means the non-elected technical advisors to the project, who may move in or out of TAG as required.
- **“Te Komiti Muriwai o te Whanga”** means the entity established by section 83 of the Ahuriri Hapū Claims Settlement Act 2021
- **“Te Muriwai o te Whanga”** means the Ahuriri Estuary and catchment areas shown on SO 486367

4.0 Te ingoa me te mana o te Komiti Hono Name and status of Joint Committee

- 4.1 The Joint Committee shall be known as the Ahuriri Regional Park (ARP) Joint Committee.
- 4.2 The ARP Joint Committee is a Joint Committee under clause 30(1)(b) of Schedule 7 of the Act.

5.0 Ngā Mema Kaunihera Hoa Haere Kōtui Partner Council Members

- 5.1 The two Councils represented within this Joint Committee are NCC and HBRC.
- 5.2 Each Partner Council shall appoint two Council members and one alternate each to sit on the ARP Joint Committee.
- 5.3 Each Partner Council shall notify the other Partner Council and the Mana Whenua members in writing of the appointments made.
- 5.4 Under clause 30A(6) Schedule 7 of the Act, the power to discharge any Council Member on the ARP Joint Committee and appoint his or her replacement shall be exercisable only by the Partner Council that appointed the Member.
- 5.5 The ARP Joint Committee shall invite lead officers to the meeting of the ARP Joint Committee from each Council in advisory roles as required.

6.0 Ngā Mema Mana Whenua Partner Mana Whenua Members

- 6.1 The representative partner from mana whenua in this ARP Joint Committee is MAT.
- 6.2 MAT may appoint four members and one alternate to sit on the ARP Joint Committee.
- 6.3 MAT must notify all Partner Councils in writing of the appointments made.
- 6.4 Under clause 30A(6) Schedule 7 of the Act, the power to discharge any mana whenua Member on the ARP Joint Committee and appoint his or her replacement shall be exercisable only by MAT.

7.0 Te Kaupapa o ngā whakataunga mō ngā whakapuakitanga Purpose of Terms of Reference

- 7.1 The purpose of the Terms of Reference is to:

- 7.1.2 Define the responsibilities of the ARP Joint Committee as delegated by the Partner Councils under the Act.
- 7.1.3 Provide for the administrative arrangements of the ARP Joint Committee as detailed in clause 14.0.

8.0 Te Mana kua tukuna me te Kaupapa Delegated Authority and Purpose/Fields of Activity

- 8.1 The ARP Joint Committee has responsibilities delegated by the Partner Councils to fulfil its purpose being:
- 8.1.1 To make recommendations to the respective council's on decisions pertaining to the development of the ARP that are within the jurisdiction of each Partner Council, as it relates to the site legally described as Lot 1 DP 388211. The ARP Joint Committee shall have discretion to determine the matters presented to the MAT Board for decision.
- 8.1.2 To commission reports and advice; and oversee the design and delivery of projects associated with the ARP:
- a. Provide advice on and approve project briefs
 - b. Commission a project manager and consultant team for the preparation of a masterplan
 - c. Provide recommendations on Annual Plan budgeting and inclusion of funding in the Long Term Plan (LTP) by each Council to achieve agreed water storage and quality, ecology, cultural and recreation outcomes for the estuary, its streams drains and tributaries, and on adjacent land.
 - d. Provide recommendations on the completion of a proposal to be submitted by each Council in the LTP reflecting the current situation for the ARP
 - e. Make recommendations on regulatory changes and other planning documents that support the delivery of the ARP
 - f. Seek advice on the best models for future governance and/or management of the site
 - g. Collaborate in the preparation of applications for necessary consents to ensure timing is coordinated and activities applied for are consistent with the ARP Masterplan
 - h. Establish and agree outcomes, deliverables and ensure milestone alignment and updates on a proposal towards the LTP for each Council.
- 8.1.3 The delivery of an ARP that promotes climate resilience, ecological and water quality improvements, biodiversity improvements, promotes a more natural estuary margin, and provides storm water management, low impact compatible recreational opportunities, cultural storytelling and educational opportunities.
- 8.1.4 To strengthen collaborative relationships at all levels between NCC, HBRC and MAT, and in particular the co-governance, planning, operations, and monitoring functions, as they work through a co-governance relationship to develop the ARP. Council Partners that are consenting authorities reserve the right to be independent for any element that requires consent.
- 8.1.5 To promote alignment of all Partners projects with the ARP projects, initiatives and planning documents, so that resources committed to protecting and enhancing the estuary through

the development of the ARP are adequate; that they prudent and efficient; and are likely to produce the outcomes expected by the whole community. Partners will seek to identify and tap into external sources of funding as required.

8.1.6 To facilitate collaboration in planning and design for all waterways, drainage and stormwater networks where they discharge into the ARP.

8.1.7 To work with Te Komiti to establish processes and collaborate together on actions to restore the mauri of the Ahuriri Estuary through the development of the ARP on Lagoon Farm.

8.1.8 To keep each Partner Council, MAT and Te Komiti regularly updated on the ARP Joint Committees progress.

9.0 Ngā mana kāore e tukuna Powers not delegated

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

- 9.1 Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 9.2 Decisions relating to the allocation of funding, the use and development of land and watercourses, and matters relating to consenting lies with each Partner Council that has jurisdiction over these decisions. Recommendations only are made by the ARP Joint Committee.
- 9.3 Unless expressly specified in 8.1 of this ToR, the ARP Joint Committee only has the power to make recommendations to Partner Councils and to MAT.

10.0 Te utunga Remuneration

- 10.1 Each Partner Council shall be responsible for remunerating its representatives on the ARP Joint Committee and for the cost of those persons' participation in the ARP Joint Committee. Participation in the ARP Joint Committee from Partner Councils is considered inclusive of the many activities Councillors are expected to fulfil within their role.
- 10.2 The costs associated with remunerating the Mana Whenua members shall be shared equally (50/50) between each Partner Council, and in accordance with the Hawke's Bay Regional Council Policy for Reimbursement for Project Meetings and Travel (Attachment 1), at the rate specified for Working Groups.

11.0 Ngā hui Meetings

- 11.1 The NCC standing orders will be used to conduct ARP Joint Committee meetings as if the ARP Joint Committee were a local authority.
- 11.2 The ARP Joint Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference.

11.3 The quorum shall be one member per organisation and a minimum of 4 members in total.

12.0 Te pōti Voting

12.1 The ARP Joint Committee has no decision making authority outside of operational spending. It is tasked with bringing recommendations to each Council Partner and Mana Whenua Partner for consideration.

12.2 Where voting is required, all Members of the ARP Joint Committee have full speaking rights.

12.3 Each Member has one vote.

12.4 When making recommendations, Members of the ARP Joint Committee must strive to achieve consensus, but if, in the opinion of the Chair/co-Chair, consensus is not practicable after a reasonable discussion, a recommendation of the ARP Joint Committee may be made by a minimum of 75% of those members present and voting at the meeting or voting.

12.5 The Chair/co-Chairperson may vote on any matter but does not have a casting vote.

13.0 Te hautūtanga o te Komiti Hono Leadership of the Joint Committee

13.1 The Chair/Co-Chairs are appointed by the ARP Joint Committee.

13.2 The Deputy Chair, if required, is appointed by the ARP Joint Committee.

14.0 Te Tautoko ā-Whakahaere Administrative Support

14.1 Administrative support for the ARP Joint Committee (convening meetings, keeping minutes etc) will be provided by the staff of the Napier City Council's Governance team, unless otherwise agreed.

15.0 Te Whakahaere Motuhake Independent Facilitation

15.1 Any matter or matters being considered by the ARP Joint Committee may be referred by the Co-Chairs for independent facilitation.

15.2 Where a matter is referred for independent facilitation:

- a. A sub-committee of the ARP Joint Committee may be established as required, with at least one Mana Whenua Member and at least one member from each Partner Council
- b. The subcommittee shall identify and assess candidates to undertake the facilitation, and develop recommendations to the Joint Committee to appoint a preferred candidate.
- c. The ARP Joint Committee shall receive and consider the subcommittee's recommendation and confirm an appointment.
- d. The appointment may be made for a set duration (e.g. for 12 months) or on a task specific basis.

- 15.3 The role of independent facilitator is to assist the ARP Joint Committee to consider, debate and reach resolution on specified matters.
- 15.4 The independent facilitator shall act in every respect as an independent and neutral third party and shall have no voting or decision-making functions.

16.0 Te whakatakoto pūrongo Reporting

- 16.1 All reports to the ARP Joint Committee shall be presented via the nominated Technical Advisory Group representative or from the ARP Joint Committee Co-Chairs.
- 16.2 Following each meeting of the ARP Joint Committee, the project manager shall prepare a brief summary report of the business of the meeting and circulate that report, for information to each Member. Such reports will be in addition to any formal minutes prepared by the Administering Authority which will be circulated to ARP Joint Committee representatives. It is the role of the Joint Committee Members to champion these reports within their respective Partner organisations.
- 16.3 The Technical Advisory Group shall ensure that the summary report required by 16.2 is also provided to each Partner Council for inclusion in the agenda for the next available Council meeting, and to Mana Whenua representatives for inclusion for the next available MAT Board meeting. A Technical Advisory Group Member shall attend the relevant Council meeting to speak to the summary report if requested and respond to any questions, and will also be available to attend the MAT Board meeting at their request.
- 16.4 The Technical Advisory Group must include a cultural advisor appointed by Mana Ahuriri Trust, and must be an integral member of the Technical Advisory Group.

17.0 Ngākau Pono Good Faith

- 17.1 In the event of any circumstances arising that were unforeseen by the Partner Councils, MAT, or their respective representatives at the time of adopting this Terms of Reference, the Partner Councils and MAT and their respective representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of the Partner Councils and MAT collectively.

18.0 Ngā panonitanga o ngā whakataunga mō ngā whakapuakitanga Variations to these Terms of Reference

- 18.1 Any Member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the ARP Joint Committee.
- 18.2 Amendments to the Terms of Reference may only be made with the approval of all Council and Mana Whenua Partners at the recommendation of the ARP Joint Committee. Changes recommended by the ARP Joint Committee would be determined through the voting procedure outlined in clause 12 of this ToR.

19.0 Whakapānga ā-Pāpāho Media Contact

19.1 To be agreed by ARP Joint Committee, generally to be the Chair/Co-Chairs and Deputy Chair.

19.2 The first point of contact from media in relation to this project is Napier City Council. Napier City Council will consult with its Partner members as appropriate.

Terms of Reference adopted by resolution:

- Mana Ahuriri Trust - 30 June 2022
- Napier City Council – 14 July 2022
- Hawke's Bay Regional Council – 27 July 2022

2. LAGOON FARM STORMWATER PROJECT – CONCEPT DESIGN REVIEW

Type of Report: Operational

Legal Reference: N/A

Document ID: 1914655

Reporting Officer/s & Unit: Stephen Moratti, Head of Strategy and Investments
Phillipa Tocker, Strategic Project Lead

1.0 Executive Summary - Te Kaupapa me te Whakarāpopototanga:

1.1 Seek Joint Committee endorsement to:

- Reassess the current Lagoon Farm stormwater concept design, and
- Pause Ahuriri Regional Park (ARP) recreational development until a viable stormwater solution is confirmed

1.2 Lagoon Farm is central to Napier's stormwater system, managing flood flows and urban runoff.

- Over 70% of Napier's stormwater discharges to Te Whanganui-a-Orotū, degrading water quality and ecological health.
- The project is a key opportunity to:
 - (a) Improve water quality
 - (b) Restore wetlands and biodiversity
 - (c) Deliver outcomes aligned with Te Tiriti settlement and Mana Ahuriri kaitiakitanga

1.3 Recent investigations show the current concept design is not viable due to:

- Highly permeable soils: wetlands will not retain water without extensive lining
- Significant cost escalation: Clay or engineered lining adds ~\$23M, pushing project costs over \$56M
- Bird strike risk near Hawke's Bay Airport requiring design modifications and/or an ongoing management plan

1.4 Officers' recommendation is to pause ARP recreational works and to return to optioneering for the stormwater solution using nature-based stormwater designs aligned with the site constraints

- Benefits include
 - (a) Lower capital cost
 - (b) Reduced bird strike risk
 - (c) Strong alignment with Te Tiriti partners
- Risks include
 - (d) Project delay
 - (e) Additional concept design costs

2.0 Recommendations - *Ngā Tūtohunga*

That Ahuriri Regional Park Joint Committee:

- a. **Receives** the report titled Lagoon Farm Stormwater Project – Concept Design Review dated 15 June 2026.
- b. **Endorses** a reassessment of the Lagoon Farm Stormwater Project concept design, informed by recent technical investigations.
- c. **Endorses** to put the Ahuriri Regional Park recreational developments concept on hold until the stormwater concept is fully defined.

3.0 Background - *Ngā Tuāpapa:*

3.1 Long before roads, pumps, and plans, before the stopbanks were raised and the land was carved into pasture, there was only water, sky, and earth—and the story that binds them. In the beginning, Ranginui and Papatūānuku were locked in a close embrace. Their children, living in darkness between them, longed for light and space. After much debate, Tāne-mahuta pushed them apart. Ranginui rose above, Papatūānuku remained below, and into that space came light, wind, rain—and life.

The tears of Ranginui fell upon Papatūānuku, becoming rivers, streams, wetlands, and estuaries. And in time, one of those places would be known as Te Whanganui-a-Orotū, the great harbour of Orotū.

3.2 The Estuary as a Storehouse

For generations, Ahuriri Hapū lived alongside Te Whanga. It was not simply a landscape—it was a storehouse that never closed, a place where food could be gathered morning, noon, and night. The waters were abundant:

- Tuna moved through the river systems
- Inanga and other fish spawned in the tidal edges
- Shellfish beds thrived across the estuary
- Birds fed and nested in the wetlands

The estuary and its tributaries—like the Taipō Stream and Pūrimu waterways—were rich sources of mahinga kai, providing sustenance and shaping cultural identity. To mana whenua, the health of the water was inseparable from the health of the people. The estuary held whakapapa, stories, and survival.

3.3 Change and Loss

But the balance between Ranginui and Papatūānuku shifted.

From the mid-1800s, land sales and development began to transform the harbour. In 1931, the great earthquake lifted the estuary floor, draining much of the lagoon and converting water into land.

Drainage, reclamation, and farming followed. Over time:

- Wetlands were lost
- Flood control systems reshaped the hydrology
- Rivers were diverted

Urban development expanded. By the modern era, more than 70% of Napier's stormwater flowed into the estuary, carrying contaminants, sediment, and pollutants. The waters that once sustained life began to degrade it.

3.4 Lagoon Farm and the Engineered Landscape

At the heart of this transformation sat Lagoon Farm—289 hectares of land that had once been part of the estuary bed. It became a critical part of the city's drainage system:

- Holding floodwaters during storms
- Pumping excess water back into the estuary
- Receiving runoff from urban catchments

But this role came with consequences. The stormwater carried:

- Heavy metals
- Nutrients
- Sediment
- Industrial contaminants

These pollutants accumulated in the estuary, undermining its ecological health and threatening traditional food sources. The land had been engineered to protect the city, but at the cost of the wai.

3.5 Te Tiriti o Waitangi settlement

The Treaty settlement between the Crown and Ahuriri Hapū, enacted through the Ahuriri Hapū Claims Settlement Act 2021, provides formal recognition, apology, and redress for historical breaches of Te Tiriti o Waitangi, while also establishing a new framework for the ongoing protection and restoration of Te Whanganui-a-Orotū. The settlement specifically recognises Te Whanganui-a-Orotū as a wāhi taonga of deep cultural, historical, and spiritual significance to Mana Ahuriri, and affirms the hapu's role as kaitiaki of the environment. Importantly, it establishes Te Komiti Muriwai o Te Whanga, a statutory joint committee involving Mana Ahuriri, local authorities, and central government agencies, to promote the protection and enhancement of the estuary's environmental, cultural, social, and economic values for present and future generations. This co-governance approach embeds partnership in decision-making and provides the legislative basis for coordinated action to restore the health, mauri, and long-term wellbeing of the estuary and its wider catchment.

3.6 The New Vision: Working With Nature

The shared vision has not changed: we must restore Te Whanganui-a-Orotū and rebuild its mauri.

To achieve this, we must change our approach:

- From engineered drainage to nature-based systems
- From discharge to treatment and restoration

Lagoon Farm is not just infrastructure; it is an opportunity:

- A place to restore wetlands
- A place to intercept and treat stormwater before it reaches Te Whanganui-a-Orotū

- A place to restore biodiversity and habitat
- A place to reconnect people to the land and water

This aligns directly with the Komiti plan, where Te Ora o te Wai and Te Mauri o te Taiao are foundational.

Yet the path forward is not simple.

3.7 Bird strike risk

- The estuary sits beside Hawke's Bay Airport. Large open water bodies attract birds, and bird strikes pose a risk to aircraft.
- Wetland design must carefully limit open water areas
- Habitat must favour species like bittern over large flocking waterfowl

3.8 Geotechnical realities

The land itself carries its own limits. Lagoon Farm soils are highly permeable, which means that water is not retained and wetlands would dry out during long dry periods, and wetland plants would die.

3.9 Returning to Balance

Despite the constraints, the direction is clear.

The future of the Lagoon Farm stormwater project is not about forcing the land into a fixed design. It is about working with Papatūānuku rather than against her.

- Restoring wetlands to filter and cleanse water
- Allowing parts of the land to reconnect to tidal influence
- Improving water quality before discharge
- Supporting biodiversity rather than displacing it
- And ultimately, restoring the conditions that allow mahinga kai to return.

Te Wanganui-a-Orotu was a place of abundant and rich resources, which once fed and sustained the multitudes of people for generations. It is a taonga and site of great significance for us all, not only culturally but environmentally. Following the 1931 earthquake, Te Whanganui-a-Orotu was changed forever where what remained, were the memories and stories of this once thriving Whanga.

3.10 Closing the Circle

The Lagoon Farm stormwater project will not just manage water, it will help to rebuild the relationship between people, whenua, and Te Whanganui-a-Orotu.

A place where:

- The water is healthy
- The land is resilient
- The birds, fish, and plants return
- And once again, the Te Whanganui-a-Orotu becomes a storehouse that never closes.

4.0 Discussion - Ngā Whakamārama:

4.1 The intent has not changed; however, we need to find a viable solution to achieve the outcome of restoring the mauri of Te Whanganui-a-Orotu.

4.2 Due to the constraints that we now understand about the Lagoon Farm land, we need a solution that works with Papatūānuku. The body of knowledge on working with nature has also increased since the original regional park concepts were developed, and we are seeking the committee's endorsement to develop a concept that works with nature to provide a place for stormwater to move to, and be cleaned, before finding its way to Te Whanganui-a-Orotu.

4.3 Water Services has engaged a new Professional Services Panel who come with experience in nature-based solutions and innovative thinking. When combined with the Mana Ahuriri Taiao team, we are confident that we can develop a cost-effective solution to restore the mauri of Te Whanganui-a-Orotu. Failure is not an option.

4.4 The Water Services team is also working on in-stream treatment options, which is outside of the scope of the Joint Committee. The Ngā Mānukanuka o Te Iwi committee will be providing governance for this work; however the team is also happy to keep the Joint Committee informed throughout the process as both work streams will lead to improvements in Te Whanga.

4.5 Financial Implications:

The LTP has \$22,000,000 for Lagoon Farm Diversion spread between 26/27, 27/28 and 28/29 financial years and the plan is to develop the concept during the 26/27 financial year with the aim of construction during the period 2027-2029. However; until designs are finalised construction timelines remain very high level.

5.0 Options - *He kōwhiringa anō*:

5.1 Option One - Recommended Option

Pause the regional park development until the concept design for the Lagoon Farm Stormwater diversion and treatment has been completed.

Carry out additional optioneering and develop a concept for stormwater diversion and treatment using nature-based solutions that work with the current lagoon farm land to provide a cost-effective solution to divert stormwater and to restore the mauri of Te Whanganui-a-Orotu.

Advantages

- Likely to be a lower cost than the current Ahuriri Regional Park concept designs
- Will provide a solution that minimises impact of bird strike by providing habitat that is less favourable to the large migrating birds such as swans and Canadian Geese.
- Is supported by our Te Tiriti partners

Disadvantages

- This option does require the project team to go back to the optioneering stage and new concept designs will be required.

5.2 Option Two – Status Quo

- Continue to detailed design with the current concept.

Advantages

- Progress continues with the agreed concept.

Disadvantages

- This option is unlikely to be affordable due to the very large volumes of clay liner or engineered lining that will be required. Current estimates are that the clay liner option would cost an additional \$23M driving the cost of the ARP project over \$56M.
- Solutions would need to be found to reduce the impact of the bird strike; which would likely require an ongoing bird management programme.

6.0 Next Steps - Te Koke

- 6.1 If endorsed and if Councils approval is granted the team will form a working group to develop the concept design working with the current landforms.
- 6.2 The working group will include NCC Engineers, Mana Ahuriri Taiao team members, and Green Infrastructure Specialists and will report back to the committee with concept options.

7.0 Attachments

Nil

Summary of Considerations - *Tuhinga Whakarāpopoto:*

The current concept design for the Ahuriri Regional Park stormwater detention and treatment are not feasible due to ground porosity and bird strike risks. Therefore, the concept needs to be revisited. There is no benefit in continuing the recreational and educational design until the stormwater concept has been resolved.

Fit with purpose of Local Government - *Ngā aronga tā te Kaunihera- ā-rohe kōrero*

Council is required to give effect to the purpose of local government as set out in Section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf) of communities in the present and for the future.

Due to the significant costs required to mitigate the bird strike risks and the ground porosity, revisiting the concept options is considered the most cost effective option available.

Māori Impact Statement - *He kōrero whaitake tā te māori kōrero:*

Giving effect to Te Muriwai o Te Whanga is required under the Te Tiriti settlement. Te Whanganui-a-Orotū is a wāhi taonga of deep cultural, historical, and spiritual significance to Mana Ahuriri and this mahi must continue to implement the outcomes of Te Muriwai o Te Whanga.

Climate Change - *Te Huringa o te āhuarangi*

This decision does not have an impact on:

- Greenhouse gas emissions or Napier's adaptation to a changing climate.

However, the final outcomes of the project will improve both the carbon balance and Napier's ability to adapt to changing climate. The stormwater detention solution will provide a pathway for the increasing intensity of rain events that Napier will face and the planting in area should be an improvement in carbon sequestration over the current grass paddocks.

LTP/ Annual Plan/ Financial Strategy/ Infrastructure Strategy - *Te Pae Tawhiti/ ā-tau / ā- Taunaki Ahumoni /ā- Taunaki Hanganga*

The LTP has \$22,000,000 for Lagoon Farm Diversion spread between 26/27, 27/28 and 28/29 financial years and the plan is to develop the concept during the 26/27 financial year with the aim of construction during the period 2027-2029. However; until designs are finalised construction timelines remain very high level

Financial considerations - *Whai whakaaro Ahumoni:*

This decision will require additional funds to be spent revisiting the concept options; however the additional costs are insignificant relative to the additional costs required to implement the current concept.

Significance and Engagement - *Ko te Hiranga me te Hiwaia o te whakaaro:*

This decision has been assessed under the Council's Significance and Engagement Policy as being of high significance.

Lagoon Farm is an asset of significance, and the Ahuriri Regional Park and Lagoon Farm Stormwater projects are significant projects; and although the intent of these projects has not changed, we will need to consider and communicate these changes as appropriate. Notwithstanding that this committee will continue to provide input and governance.

Consultation (internal/external) - Ngā Uiuinga (Ki te Kaunihera /ki ngā tāngata katoa)

No additional consultation outside of this committee has occurred.

Risks: Legal/ Health and Safety etc. - Whaktūpato Ture/ Hauora me te Haumarū

This decision does not alter Council's legislative, compliance, or environmental obligations. There is some reputational risk in revisiting the concept options; however, that risk is outweighed by the financial and bird strike risks associated with proceeding with the current concept.

AHURIRI REGIONAL PARK JOINT COMMITTEE

Open Minutes

Meeting Date: Monday 16 March 2026

Time: 9.30am - 10.10am

Venue Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Present: **Chair:** Cr Isaac-Sharland
Cr Simpson (NCC), Crs McIlroy and Parsons [online] (HBRC),
Joseph Reti, Parris Greening and Evelyn Ratima [online] (Mana
Ahuriri Trust)

In Attendance: **Napier City Council**
Executive Director Water Services (Russell Bond)
Strategic Project Lead (Laura Rolls)
Strategic Project Lead (Phillipa Tocker)
Portfolio Lead – Open Spaces (Antony Rewcastle)
Head of Strategy and Investments (Stephen Moratti)
Regional Park Planner (Bart Leslie) (HBRC)
Environmental Manager Gareth Boyt) (Mana Ahuriri Trust)

Also in Attendance Cameron Drury (Stradegy) Consultant
Cr Morley

Administration Governance Advisor (Carolyn Hunt)

AHURIRI REGIONAL PARK JOINT COMMITTEE – Open Minutes

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ORDER OF BUSINESS

The meeting was opened by the Executive Director Water Services, Mr Bond in the Chair, pending the election of the Chair of the Ahuriri Regional Park Joint Committee.

Karakia

The meeting opened with the Council karakia.

Apologies

COMMITTEE RESOLUTION

Parris Greening / Councillor Isaac-Sharland

That the apology for absence from Peter Eden (MAT) be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the management

Nil

Confirmation of minutes

Nil

AGENDA ITEMS

1. APPOINTMENT OF CHAIR AND DEPUTY CHAIR

Type of Report: Procedural

Legal Reference: Local Government Act 2002

Document ID: 1897512

Reporting Officer/s & Unit: Phillipa Tocker, Strategic Project Lead

1.0 Executive Summary - Te Kaupapa me te Whakarāpopototanga:

- 1.1 The purpose of this report is to appoint a Chair and Deputy Chair for the Ahuriri Regional Park Joint Committee in line with the existing Terms of Reference for the 2025-2028 triennium.

At the meeting

The Executive Director Water Services, Mr Bond called for nominations for the position of Chair of the Ahuriri Regional Park Joint Committee.

Election of Chair

Councillor Isaac-Sharland was nominated as Chair by Parris Greening and seconded by Councillor Mcllroy.

Councillor Isaac-Sharland accepted the nomination as Chair of the Ahuriri Regional Park Joint Committee. There being no other nominations, Councillor Isaac-Sharland was duly elected unopposed as Chair.

Councillor Isaac-Sharland assumed the role of Chair at 9.40am

Election of Deputy Chair

The newly appointed Chair, Councillor Isaac-Sharland called for nominations for the position of Deputy Chair of the Ahuriri Regional Park Joint Committee.

Peter Eden was nominated as Deputy Chair by Councillor Mcllroy and seconded by Joseph Reti. There being no other nominations, Peter Eden was duly elected unopposed as Deputy Chair.

COMMITTEE RESOLUTION

Joseph Reti / Councillor Mcllroy

The Ahuriri Regional Park Joint Committee:

- a) **Receive** the report titled Appointment of Chair and Deputy Chair dated 16 March 2026.
- b) **Approve** Councillor Isaac-Sharland (Napier City Council) be appointed as Chair of the Ahuriri Regional Park Joint Committee for the 2025-2028 triennium.
- c) **Approve** Peter Eden (Mana Ahuriri Trust) be appointed as Deputy Chair of the Ahuriri Regional Park Joint Committee for the 2025-2028 triennium.

Carried

2. AHURIRI REGIONAL PARK - PROJECT UPDATE

Type of Report: Information

Legal Reference: N/A

Document ID: 1901269

Reporting Officer/s & Unit: Phillipa Tocker, Strategic Project Lead

1.0 Executive Summary - Te Kaupapa me te Whakarāpopototanga:

1.1 This report is to provide context and update the Committee on current status of the project.

At the meeting

The Strategic Project Lead, Ms Tocker supported by Mr Rewcastle spoke to the report summarising key points.

Ms Tocker advised that issues had emerged with the current Masterplan concept regarding:

- Preliminary results of permeability and infiltration testing suggest further interrogation of the current wetland concept will be required.
- Further investigation required on bird strike risk in conjunction with concept review.
- In addition, Napier City Council Waters group are investigating in-stream stormwater treatment options.

In response to questions the following was clarified:

- The draft bird strike assessment report, although complete, requires peer review due to the project's associated risks.
- The peer review is required because it is not fully clear whether the report reflects what is proposed in the Masterplan or whether it is intended to provide broader guidance.
- Additional specialist expertise may then be needed to clarify the report's implications for the Masterplan. Ahuriri Regional Park (ARP) was established to help restore the health and wellbeing of the Ahuriri Estuary, working Lagoon Farm Diversion project.
- The concept was to run stormwater through a wetland over a period of 48 hours. During that time, vegetation would draw nutrients and contaminants from the water. Initial geotechnical investigations found that on the eastern side, the ground proved too permeable, causing the water to pass through too quickly before reaching the Estuary. Further testing at sixteen sites has been undertaken, including one further west to determine whether the high permeability was widespread.
- The site testing will inform suitability for a low-permeability barrier. Initial concept design assumed the use of a clay liner as the primary method for reducing permeability. Further assessment is required to confirm whether sufficient clay material is available on-site or nearby. A clay liner would be approximately 500mm deep, subject to design refinement. Alternative solutions may need to be explored if clay proves unsuitable or insufficient.
- Tonkin+Taylor have provided an update on recent geotechnical test results, noting that there is still a process to work through before the results can be released. It is anticipated that the groundwater and permeability reports will be available in April.
- Ms Tocker confirmed that Hawke's Bay Regional Council (HBRC) had deferred its capital funding contribution to after 2027, noting that no further detail was available at this stage as the funding had been included in the now superseded 2027 Long Term Plan. She advised that current project funding was being met through the Council's operational budgets, and that only very preliminary work had been undertaken on potential funding sources for future stages of the plan.
- Mr Rewcastle advised that the stormwater consent requirements were not contingent on the ARP, and that associated stormwater management would not necessarily occur on this site. He noted that HBRC has provided clear guidance regarding the treatment feasibility study.

COMMITTEE RESOLUTION

Councillor McIlroy / Councillor Simpson

The Ahuriri Regional Park Joint Committee::

- a) **Receive** the memo titled Ahuriri Regional Park - Project Update and Lagoon Farm Stormwater Briefing dated 2 March 2026. (Doc Id 1901325)
- b) **Receive** the presentation titled Lagoon Farm Stormwater Diversion and Ahuriri Regional Park (Doc Id 1901325) to Napier City Council elected members (dated 15 December 2125).
- c) **Note** that investigations are in progress on bird strike risk and land treatment approach to inform design and costings for Lagoon Farm stormwater treatment.
- d) **Provide guidance** on the following considerations that may inform project activity or priorities:
 - Review the bird strike and geotechnical assessment reports and circulate as soon as possible.
 - Project officers to provide a forward meeting schedule for 2026 and planned effective work programme
 - Provide information on any other stormwater treatment work that can be done concurrently.
 - Officers to organise induction workshops, including external experts in Wetland and environmental restoration on the Ahuriri Regional Park for the Committee.
 - Officers to organise a site visit for Committee members of Lagoon Farm, led by mana whenua guide, to hear the cultural side as well as technical information.

Carried

Minor matters

There were no minor matters to discuss.

Joseph Reti closed the meeting with a karakia at 10.10am

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

Chairperson

Date of approval