



NAPIER
CITY COUNCIL

Te Kaunihera o Ahuriri

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ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 10 March 2022

Time: 9.00am-3.19pm (*Open*)
3.20pm-4.10pm (*Public Excluded*)
4.10pm-4.22pm (*Limited Distribution*)

Venue Zoom (Audio Visual Link)

Livestreamed via Council's Facebook site

Present **Chair:** Mayor Wise
Members: Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Taylor and Wright

In Attendance Chief Executive (Steph Rotarangi)
Director City Services (Lance Titter)
Director City Strategy (Richard Munneke)
Director Community Services (Antoinette Campbell)
Director Corporate Services (Adele Henderson)
Director Programme Delivery (Jon Kingsford)
Acting Director Infrastructure Services, (Debra Stewart)
Manager Communications and Marketing (Julia Atkinson)
Pou Whakarae (Mōrehu Te Tomo)
Manager Sport & Recreation (Glenn Lucas)
Team Leader Transportation (Robin Malley)
Team Leader Governance (Helen Barbier)
Manager Community Strategies (Natasha Mackie)
Community Funding Advisor (Belinda McLeod)
Senior Advisor Policy (Matt Adamson)
Team Leader Parks Reserves and Sportsgrounds (Jason Tickner)
Chief Financial Officer (Caroline Thomson)
Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori (Hiliary Prentice)
Team Leader Building Asset Management (Andrew Clibborn)
Ben Quane (Consultant, Dean and Quane NZ)
Jamie Yule (Consultant, Tonkin and Taylor)

	Geoff Canham (Principal Parks and Recreation Specialist, Thrives Spaces and Places (formerly Geoff Canham Consulting))
Public Forum:	Sarah Walmsley, Anna Pierard and Lila (LJ) Crichton (Prima Volta Charitable Trust) Graham Duncan and Michael Basset-Foss (Ahuriri Rockpool Development Trust); Stephen Daysh (Mitchell Daysh Consultants)
Administration	Governance Advisors (Carolyn Hunt and Anna Eady)

Karakia

Apologies

Nil

Conflicts of interest

Nil

Public forum

Sarah Walmsley and Anna Pierard - Prima Volta Charitable Trust addressed the meeting on new projects the Trust was looking to launch. Prima Volta delivers a range of programmes that develop creative expression through music and singing. The programmes are open to all young people in Hawke's Bay, however they focus on those where age, ethnicity, location and social economic factors are barriers.

Lila (LJ) Crichton, a Prima Volta graduate, gave his perspective on the initiative the Trust were seeking funding for. A short video of "The Magic Flute" production was played and the link for a 5 minute video was circulated to Councillors to view. The video was on Vimeo rather than youtube. <https://vimeo.com/677942859/f7c2e74827>

Graham Duncan - Ahuriri Rockpools Development introduced Michael Basset-Foss and Stephen Daysh in regard to the proposal to revitalise the Ahuriri beachfront located at Hardinge Road and Spriggs Park.

Mr Daysh, an experienced Resource Consents Planner, provided an overview of the project which was to provide a premium recreational experience enhancing Napier's attractiveness both in terms of a tourist destination and for locals. The Ahuriri Rock Pools Development Trust has now been established with community Trustees and have met with Council's Ngā Mānukanuka o te Iwi Committee to present their credentials and discuss getting iwi members on the Trust.

The Trust is seeking support of a \$70,000 grant for the development of a Feasibility Study. A one page summary was presented on the background and environmental and community benefits of the project. It will be very difficult to obtain consent and the development will need a very strong and inclusive partnership with mana whenua; a number of approaches have been made to Mana Ahuriri and other senior people in the Māori community. Meaningful engagement with mana whenua will need time and good processes. A key part of the feasibility and business

case is looking at a vision that mana whenua will be supportive of. Indications from mana whenua have been very respectful in initial discussions.

The development would include what the community have asked for in the Coastal Hazard Strategy for shore protection.

Attachments

- 1 One page summary tabled for Ahuriri Rockpools Development (Doc Id 1443180)

Announcements by the Mayor

Mana Ahuriri Settlement – Mayor Wise congratulated Mana Ahuriri with their settlement being finalised on 3 March 2022. This followed the third and final reading of the Deed of Settlement. The seven hapū of Ahuriri were recognised and Council looks forward to working in partnership with Mana Ahuriri.

Three Waters – The working group that was established last year after widespread opposition to the Three Waters Reform presented their 47 recommendations to Minister Mahuta this week. The main changes put forward were:

- Instituting a public shareholding structure intended to address and protect community ownership issues. Council will hold shares on behalf of their communities.
- Establishing tighter accountability for water services entity boards to the community through stronger mechanism.
- Looking to introduce sub-regional committees, designed to ensure local voices are considered in investment prioritisation.
- Establishment of a Water Services Ombudsman.
- Recognising Te Mana o te Wai, the health and wellbeing of water, to the wider environment as an underlying principal.
- Ensuring co-governance, embracing te reo Māori, to improve three water service delivery and environmental protection.

Napier is disappointed with the recommendations that have come through. The Hawke's Bay model was presented to the Working Group and were able to show the viability of the Hawke's Bay model, unfortunately that has been dismissed.

What has been recommended by the Working Group only goes some way to addressing the critical issues raised by Council and the community to Government. Hawke's Bay's voice will be lost from decision making and local asset ownership. The idea of sub-regional groups feeding into regional representation groups adds another layer of accountability between local community and entities.

Napier City Council (NCC) will continue to work alongside the other Hawke's Bay Councils. NCC is also a member of the communities for local democracy which consists of 31 councils around the country and will continue to campaign against the proposed three waters reform. The Minister has not yet provided any additional information or her thoughts on the recommendations from the Working Group. Council will wait to hear in regards to changes that have been recommended.

The Working Group's Terms of Reference are very limited and did not enable them to address some of those critical issues that have been highlighted by the community and councils.

Announcements by the management

Three Waters Reform - The Chief Executive reiterated the scope given to the Government's Representation and Accountability Group was limited in Council's view, and their 47 recommendations reflect their scope. It was disappointing there was not the ability to discuss the structure of the water service entities in this significant period.

Confirmation of minutes

Council resolution	Councillors Tapine / Chrystal
	That the Draft Minutes of the Ordinary meeting held on 21 December 2021 be confirmed as a true and accurate record of the meeting.
	Carried

AGENDA ITEMS

1. AQUATIC FACILITIES

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1439827
<i>Reporting Officer/s & Unit:</i>	Glenn Lucas, Manager Sport & Recreation

1.1 Purpose of Report

The purpose of this report is to provide supplementary information in relation to the resolutions contained in the two reports presented at the Extraordinary Sustainable Napier Committee meeting held on 17 February 2022.

At the meeting

The Manager Sports and Recreation, Mr Lucas, advised that the following external experts would be online for questions, if required:

- Jamie Yule - Engineering Geologist and Project Manager, Tonkin and Taylor
- Ben Quane - Technical Director Quantity Surveyor and Project Manager, Deane & Quane
- Geoff Canham - Principal Parks and Recreation Specialist, Thrives Spaces and Places (formerly Geoff Canham Consulting)
- Cam Drury – Director Principal Planner – Strategy

Mr Lucas provided a brief overview of the report which is a combination of two reports presented to the Extraordinary Sustainable Napier Committee meeting held on 17 February 2022, being:

- The Aquatic Development – Options for Consultation (Doc Id 1439834)
- The Napier Aquatic Centre Capital Review Programme (Doc Id 1439833) included:

Tabled and circulated was "Aquatic Facilities Questions and Answers"(Doc Id 1442318), answers to questions raised by Councillors during workshops.

Mr Brown displayed a graph on the Napier Aquatic Centre Remediation Prioritised Recommendations period followed by construction period. Summary of cash flow for 2022/23. (Doc Id1443194)

It was proposed that the \$8m for remediation of the current facility could be split in two to ensure money is only committed as required. This would provide flexibility not to preload all expenditure.

In response to questions at the meeting it was clarified:

- The geotechnical conditions of the Prebensen Drive site is similar to the Onekawa site; it is a long way below ground before there are resistance layers, which creates difficulties if piling is required.
- At Prebensen the surface was scraped and fill deposited and engineered to preload the site. With the preload complete and settled geotechnical conditions are mitigated and the site is ready for construction. The Onekawa site is more challenging geotechnically as there is uncontrolled fill across the site. The Prebensen site is set back from water bodies to mitigate any lateral spread risk.
- As Onekawa is a previous landfill site and some of the Park's capping is quite thin additional capping would be required to ensure all contaminated soil is covered. Development on site that requires shallow foundations and minimum excavation could be built, however an Aquatic Centre requires a much deeper sub-structure.
- Regardless whether building commercial or residential the Onekawa site has difficulties, both from a contamination and geotechnical perspective. Levels of contamination exceed the residential thresholds and parts of the site may require remediation.
- There are a number of landfills across New Zealand that are now open space reserve and this may be a future option for the Onekawa site.
- The external experts all confirmed that all reports and work completed for Napier City Council as part of this process were subject to their code of ethics, independent review and risk assessment and all work processes followed best practice and the appropriate industry standard guidelines. In some cases reports have been externally peer reviewed.
- The Council's roading team identified three options to provide a traffic management solution required at Onekawa if Aquatic facilities are sited there. It was predicted the new facility could generate 300,000 visits per year. The options being:
 - a) Creating roundabouts at the junctions of Flanders/Maadi Roads and Flanders/Riverbend Roads,
 - b) Using the existing entry/exit on Maadi Rd opposite the shops, or
 - c) Creating a new link road between Flanders and Taradale Roads. This is the favoured option from a road engineering perspective.
- The provisional amount of \$1.5m was examined against the works required for Options a, b and c above. The budget was regarded as too low for each of the options and the recommendation was made that a budget of \$3.5m would be more appropriate.

A map of traffic options and costings was displayed and tabled at the meeting (Doc Id1444312)

- Tonkin and Taylor's geotech report of Prebensen identified potential lateral spread risk zones. The footprint of the proposed pool is in the low risk zone for lateral spread. This

information is contained in the Scope of Tender report approved by Council in March 2019.

Site plan displayed with lateral spread zones highlighted (Doc Id 1444311)

*The meeting adjourned at 10.18am and
reconvened at 10.23am*

- The Long Term Plan (LTP) identifies what debt cap there is in terms of loans and there is capacity for additional items. However if Council were to continue with this process an LTP amendment would be required. A minimum rate increase of 5% would be required for a loan to accommodate a new pool.
 - The Ministry of Education website was used assess distance to schools from the two sites. The sites are only 2.7km apart. Preferential weighting for the location of the pool to a particular school area cannot be fairly used.
 - Irrespective of whether a waterway is engineered or natural it is regarded to be similar lateral spread risk. The assessment looks at an open free face for material to effectively flow into the creek.
 - The recommendation for both sites is to avoid piling as a foundation option and go with a shallow foundation on a raft or ground improved block. The risks are not around ground water issues but more that the noise and vibration from the piling would be significant and there is not confidence in a founding layer, also noting the price of steel is subject to significant fluctuation. However, in regard to groundwater at Onekawa, the presence of a very shallow groundwater table has been noted, and if there is a requirement to dewater a portion of the site to construct the facility this would need to be assessed as part of the Resource Consent process.
 - Initial assumptions are that the site would be built up to mitigate the associated costs and risks of dewatering.
 - The preferred design has been the result of 10+ years. Officers would estimate that to develop a new design would take approximately one year and have additional cost and require a new business case.
 - The Napier aquatic redevelopment is intended to be a community pool, serving its local community. While the Mitre 10 Sports Park facility will be a significant regional asset providing benefit to many, the additional 30-40 minute travel time would likely be prohibitive for many. Location and accessibility are key considerations for users. Experiences around New Zealand for “catchment areas” or distance to travel support this assertion.
 - The Mitre 10 Sports Park 50 metre pool is due to open 1 August 2022, but this aims to cater for high performance training, competition swim training, health and fitness swimming, water activities, and learn to swim. It will not be a venue for recreational swimmers.
 - If an aquatic facility was built on the Prebensen site it could be completed by 2026. Operational impact on the Onekawa site would depend on which option is chosen. The option chosen would have minimal effect on the existing pool with some possible impact on the splash pad and hydro-slide. The aim would be to maintain levels of service in the Ivan Wilson pool and for learn to swim.
 - For both options at Onekawa there will be an impact to operations of the existing centre during the enabling works and construction periods. These impacts would be for at least three years.
 - Recommending \$8.6m split into 2 x \$4m with second \$4m going through the Annual Plan processes to determine how it is spent. The programme managed in a way that decisions
-

are put off until required and the bulk of expenditure is spread across from a risk perspective. Prudent aimed for with an \$8.6m spend on Health and Safety improvements and service continuity improvements, to extend the life of the current pool 5-10 years.

- All options and costings need to be provided to the community rather than the consultation being split up into sections. This will enable the community to determine what things are important and give fully informed feedback.
- The second phase of consultation would be another special consultative procedure based on a proposed decision Council makes with the feedback of the community. The proposed option would be more focussed. Funding and timing would be considered through an LTP amendment and would also consider other factors such as rate caps and any other implications for other Council business.
- Of the \$8m to be put aside for the current facility, \$5m is for Health and Safety issues. Council needs to be prudent as the facility is aging. Priority will be given to health and safety issues.
- If there is any immediate risk of a health and safety issue there is no requirement to go to Council to get approval to fix it. The Building Asset Management and Operational Teams have been, and will continue to remediate any health and safety risk straight away.

Original Recommendation from the Extraordinary Sustainable Napier Committee meeting held on 17 February 2022

That Council:

Napier Aquatic Centre Capital Review Programme

- a) Note the risks to ongoing service delivery at the Napier Aquatic Centre;
- b) Note the independent relationship with the new aquatic development and the Napier Aquatic Centre capital expenditure requirements;
- c) Endorse an additional \$8,626,435 of capital funding over 2022/23 and 2023/24 to perform the recommended health and safety and service continuity capital improvements; and
- d) Endorse an additional \$80,000 of operational expenditure per year of the remaining life of the asset to enable repair and maintenance of end of life components.
- e) Direct officers to prepare a phased plan of the proposed detailed expenditure to bring back to Council for endorsement.

Aquatic redevelopment: Options for consultation

- a) Note the geotechnical and contamination reports and implications for potential aquatic redevelopment.
- b) Note the independent multi-criteria site analysis results for the Onekawa and Prebensen sites.
- c) Note the interdependent relationship with the new aquatic development and the work required to extend the life of the existing facility.
- d) Note the impact of increasing construction costs.
- e) Councillors are to forward all questions to Council Officers to investigate and bring responses back before the Council meeting on 10 March 2022.

*The meeting adjourned at 11.50am and
reconvened at 12.05pm*

The external experts were acknowledged and thanked and left the meeting.

Mayor Wise waived Standing Order 21.6 to enable all members to fully debate the recommendations.

Elected members discussed and debated the recommendations which were displayed at the meeting (Doc Id 1443288).

*The meeting adjourned at 12.51pm
and reconvened at 1.27pm*

**Council
resolution**

Mayor Wise / Councillor Boag

Amended Resolution

Mayor Wise/Councillor Boag

Aquatic Redevelopment

- a) Note the geotechnical and contamination reports and implications for potential aquatic redevelopment.
- b) Note the independent multi-criteria site analysis results for the Onekawa and Prebensen sites.
- c) Note the interdependent relationship with the new aquatic development and the work required to extend the life of the existing facility.
- d) Note the impact of increasing construction costs.
- e) Direct staff to prepare the consultation material and plan for the new aquatic facility in two stages.
 - i). In 2022, in the first stage the community will be consulted on the location, existing design and indicative costs of the new aquatic centre options, for a decision prior to July 2022; and
 - ii). In 2023, the second stage of consultation on the final design, timing and funding will be consulted on as a Long Term Plan Amendment to the 2021-2031 LTP, to be adopted by 30 June 2023.
- f) Consultation will be on 2 options as below, with no preferred option chosen:
 - a) New build at Onekawa Park; and
 - b) New build at the Tamatea Drive site
- g) That the consultation document includes inform pieces on:
 - i. Maintenance and service level continuity costs at Onekawa
 - ii. All options considered by Council but not chosen for consultation includes:
 - New build site options at Onekawa; and
 - The redevelopment of the existing Onekawa facility (Site option 2); and
 - Closure of current Onekawa aquatic centre without replacement; and
 - All alternative new build site locations in the city boundary.

- iii. There will be future consultation on the proposed future use of Onekawa park, as a community space, if an alternative site is chosen.
- iv. The undecided future use of the Tamatea Drive site, if an alternative site is chosen.
- v. The design and all of the learnings and specific changes that have been made to the original design to suit Napier .
- h The consultation plan and documents are to be approved by Council and include:
 - i. Note direct stakeholder, user group and community engagement be included; and
 - ii. A web-page be developed to present all of the aquatic reports, past and new along with the workshop information Councillors have had to support the consultation.
- i) Note this is a priority consultation and may impact timeframes for existing planned consultations.
- k) Direct Council Officers to explore further design options including modifications to reduce costs prior to the second stage of consultation.

Napier Aquatic Centre Capital Review Programme

- a) Note the risks to ongoing service delivery at the Napier Aquatic Centre.
- b) Note the independent relationship with the new aquatic development and the Napier Aquatic Centre capital expenditure requirements.
- c) Endorse an additional \$4m total of capital funding (loan funded) be included in the Annual Plan 2022/23 for the 2022/23 and 2023/24 years as needed to keep Onekawa open and operating to the best of its ability for the next 3-4 years.
- d) Delegate to the Chief Executive to approve this expenditure as and if required within current delegations.
- e) Note that the current Napier Aquatic Centre may require further investment for 2023/24 onwards, but that would be brought back to Council for consideration.
- f) Endorse an additional \$80,000 of operational expenditure per year of the remaining life of the asset to enable repair and maintenance of end-of-life components (funded from existing budgets).

Carried

Councillor Wright voted AGAINST the Motion

Attachments

- 1 Aquatic Facilities Questions and Answers - tabled (Doc Id 1442318)
- 2 NAC Remediation Prioritised Recommendations (Doc Id 1443194)
- 3 Traffic options and Costings (Doc Id 1444312)