



## Meeting of the Environment and Services Committee

**Date:** Wednesday 14 August 2013  
**Time:** 9.30 am  
**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

### Agenda

ITEM	SUBJECT	PAGE
1.	Welcome/Notices/Apologies	
2.	Conflict of Interest Declarations	
3.	Confirmation of Minutes of the Environment and Services Committee held on 12 June 2013	
4.	Matters Arising from Minutes of the Environment and Services Committee held on 12 June 2013	
5.	Action Items from Meetings	3
6.	Call for General Business	
<b>Decision Items</b>		
7.	Notice of Motion: Cr M Douglas	7
<b>Information or Performance Monitoring</b>		
8.	Open Spaces Projects and Funding	11
9.	Verbal Update on Oil & Gas Exploration Discussions Throughout Hawke's Bay	
11am	<b><i>Peter Winder presentation:</i></b> <b><i>Potential Costs and Savings of Local Government Reform in Hawke's Bay Report</i></b>	
10.	Verbal Update on the Tukituki Water Permit Renewal Process	
11.	Verbal Update Coastal Water - Science Team	
12.	Statutory Advocacy Update	39
13.	General Business	45



**HAWKE'S BAY REGIONAL COUNCIL  
ENVIRONMENT AND SERVICES COMMITTEE**

**Wednesday 14 August 2013**

**SUBJECT: ACTION ITEMS FROM MEETINGS**

**Introduction**

1. **Attachment 1** lists items raised at previous meetings that require actions or follow-ups. All action items indicate who is responsible for each action, when it is expected to be completed and a brief status comment. Once the items have been completed and reported to Council they will be removed from the list.

**Decision Making Process**

2. Council is required to make a decision in accordance with Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within this section of the Act in relation to this item and have concluded that as this report is for information only and no decision is required in terms of the Local Government Act's provisions, the decision making procedures set out in the Act do not apply.

**Recommendation**

1. That the Environment and Services Committee receives the report "Action Items from Previous Meetings".



**Mike Adye  
GROUP MANAGER  
ASSET MANAGEMENT**



**Iain Maxwell  
GROUP MANAGER  
RESOURCE MANAGEMENT**

**Attachment/s**

- 1 Action Items Spreadsheet



**Actions from Previous Environment & Services Committee Meetings**

**12 June 2013**

Agenda Item	Action	Person Responsible	Due Date	Status/Comment
14 Statutory Advocacy	That the HPUDS Implementation Working Group provides an update to the E&S Committee in light of the draft changes to the Hastings District Plan and the City of Napier District Plan.	HC/GI	Aug	HPUDS Implementation WGs next scheduled meeting is in early September (postponed from 29 July 2013).



**HAWKE'S BAY REGIONAL COUNCIL**  
**ENVIRONMENT AND SERVICES COMMITTEE**

**Wednesday 14 August 2013**

**SUBJECT: NOTICE OF MOTION: CR M DOUGLAS**

**Reason for Report**

1. The purpose of this report is to provide elected members with the formal Notice of Motion received pursuant to Council's Standing Orders, Clause 3.10, to be considered at the 14 August 2013 Environment and Services Committee meeting.
2. The Notice of Motion is attached for the Committees consideration, provided it is moved and seconded.

**Notices of Motion**

3. The procedure for a Notice of Motion is dealt with in Council's Standing Orders. The relevant portions of the Standing Orders relating to this Notice of Motion are:

**3.10 NOTICES OF MOTION**

**3.10.1 Notices of motion to be in writing**

Notices of motion must be in writing signed by the mover, stating the meeting at which it is proposed that the notice of motion be considered, and must be delivered to the Chief Executive at least 5 clear working days before such meeting.

**3.10.2 Refusal of notice of motion**

The Chairperson may direct the Chief Executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the local authority; or
- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive may make; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

Reasons for refusing a notice of motion should be provided to the proposer.

**3.10.3 Mover of notice of motion**

Notices of motion may not proceed in the absence of the mover, unless moved by another member authorised in writing by the mover to do so.

**3.10.4 Alteration of notice of motion**

A notice of motion may be altered only by the mover with the consent of the meeting.

**3.10.5 When notices of motion lapse**

Notices of motion not moved on being called for by the chairperson, shall lapse.

**Recommendations**

***If the Notice of Motion is moved and seconded, then:***

The Environment and Services Committee:

1. Receives the Notice of Motion.

***If the Notice of Motion is received, then:***

The Environment and Services Committee recommends that Council:

2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
3. *to be determined at the Committee meeting.*



**Liz Lambert**  
**INTERIM CHIEF EXECUTIVE**

**Attachment/s**

- 1 Notice of Motion from Councillor Murray Douglas



**NOTICE OF MOTION** for the Council meeting July 31 2013.

1. THAT given the general guidance of this council to remove stock from riparian strips and conscious that Tukituki River Catchment Plan Change 6 will require and enforce stock exclusion under certain circumstances covered by Plan Change 6, this Council shall forthwith cease all council initiated action for stock to be grazed in council owned riparian strips immediately or where no contract exists, progressively where termination notice shall be given.
2. THAT staff report to the next council meeting listing any grazing contracts remaining, the date of issue of such a contract and the date of termination.

Murray Douglas

Councillor

EXPLANATION.

Water quality – as much as the significant emphasis in this council on water quantity- is a major policy issue of this council. Stock in and near waterways contribute to water quality degradation and also minimise the nutrient screening benefits of vegetation. Notwithstanding this obvious advantage it is incumbent of the council to show leadership guidance to the framing industry by removing stock from these riparian margins which generally have already been fenced and council is deliberately permitting stock inside the fence with resultant water quality risks.

I have discussed this with a number of staff and councillors over some time in regard to the stock in the Karamu Stream that graze intermittently throughout the year and even now in mid-winter with obvious pugging and water quality issues. I have been given no convincing explanation why council permits this practice and no convincing explanation as to how council can suggest and guide good land use rules for stock exclusion and then deliberately allow it on land it controls.

I am conscious that in Rule TT1 of Plan Change 6, there is provision for grazing within the permanently fenced riparian margin for ‘grazing...for weed control purposes’ providing that this grazing does not exceed 7 days and only once between the period 1 November to 30 April. I remain unconvinced about this option as well but if in the debate a reasonable explanation can be provided why council should allow a variation I may be amend the Notice.



**HAWKE'S BAY REGIONAL COUNCIL  
ENVIRONMENT AND SERVICES COMMITTEE**

**Wednesday 14 August 2013**

**SUBJECT: OPEN SPACES PROJECTS AND FUNDING**

**Reason for Report**

1. Council requested a report on open spaces, including:
  - 1.1. How much money is available
  - 1.2. The costs of ongoing maintenance and enhancement of existing assets/areas
  - 1.3. Options to consider for further/future investment
  - 1.4. An assessment of options against the Assessment Criteria to provide priorities for funding from the remainder of the budget.
2. This paper provides Council with an update on these Regional open space issues.

**Background**

3. In recent years open space investments have been funded through the Regional Community Fund. The background and current situation with this fund is included in this report.
4. Open space areas of activity addressed in this report include:
  - 4.1. Regional parks and reserves network
  - 4.2. Pathways.

**Regional Community Fund**

5. On 6 March 2008 Council resolved to establish a \$7.5m borrowing facility for the purposes of funding projects identified in Council's Open Space programme and also to fund capital projects of regional significance under the Community Facilities Fund criteria.
6. A number of additional projects have been approved by Council on 25 November 2009 and 21 September 2011 and 23 November 2011 for funding under this facility. Of those approved a number have now been completed.
7. Funding for all projects was approved at Council meetings.
8. The status of the borrowing facility is set out in the following table.

<b>Details</b>	<b>\$</b>	<b>\$</b>
Total Approved Facility		7,500,000
<b>Loans already drawn down</b>		
<b>Open Spaces</b>		
Weka Camp	30,000	
Te Mata Trust Board feasibility study contribution	25,000	
Te Mata Trust Board design contribution	50,000	
Tukituki River nutrient wetland development	226,000	
Clifton Beach rubble removal	49,000	
Waimarama Domain contribution	300,000	
Tutira Study	15,000	
Pathways – Water and Landscapes ride	1,500,000	
Winery Ride	590,260	
		(2,785,260)
<b>Community facilities</b>		
Waipawa Town Hall upgrade	500,000	
Hawke's Bay Museum – 1st instalment	450,000	
Hawke's Bay Museum – 2nd instalment	750,000	
		(1,700,000)

Details	\$	\$
Further Commitments made		
Open Spaces		
CHB Cycleways	100,000	
Open spaces review and policy development	15,000	
		(115,000)
Community facilities		
Wairoa Community Centre upgrade	500,000	
Te Mata Park visitor centre	500,000	
Regional Sports Park	1,100,000	
		(2,100,000)
<b>Total remaining funds</b>		<b>\$799,740</b>

### Regional Open Spaces

9. Council owned or administered open space areas include:
  - 9.1. Pekapeka wetland
  - 9.2. Pakowhai Country Park
  - 9.3. Tutira Country Park
  - 9.4. Cycleways/pathways and horse riding trails constructed on HBRC owned or administered land associated with flood protection schemes.
10. Other river berm land associated with flood protection schemes with assets on this land include:
  - 10.1. Waitangi wetland
  - 10.2. Muddy Creek wetland
  - 10.3. Lower Tukituki wetland
  - 10.4. Old Tutaekuri River bed enhancement
  - 10.5. Harakeke waterway
  - 10.6. Te Karamu enhancement
  - 10.7. Wetlands on the Upper Tukituki River
  - 10.8. Motorbike recreational area at Chesterhope
  - 10.9. Model flyers club runway and facilities at Awatoto
  - 10.10. Public vehicular access points at 22 locations on the Heretaunga and Ruataniwha plains.
11. All of these areas with the exception of Tutira Country Park are on land which HBRC owns or administers as they are on Reserve land mainly set aside for Soil Conservation and River Control purposes under the Soil Conservation and Rivers Control Act 1941. Tutira Country Park was purchased by HBRC in the mid 1990's from the Guthrie Smith Trust and is now designated as Reserve Land held for Soil Conservation and River Control purposes.
12. Historically HBRC and its predecessor organisation the HB Catchment Board has worked with a number of community groups to enhance these areas for public recreation and enjoyment and environmental enhancement. In recent years there has been increased focus on these areas with considerable investment made in their enhancement.

### HBRC Open Space Policy

13. At its meeting in August 2008, Council adopted its current Open Spaces policy, which is attached to this paper for Councillor information. **Attachment 1.**

### Open Space Network Plan Development

14. Following a decision of Council at its December 2012 meeting, staff are well advanced in the development of an Open Space Network Plan for HBRC open spaces.
15. Currently Hawke's Bay doesn't have a formally established and branded network of Regional Parks with each of the open space areas considered a separate entity. The purpose of the Open Space Network Plan is to align the vision and management of these spaces using a Regional Park Network approach. The goal is to provide for more strategic development and management of HBRC open space areas and assets that balances environmental protection or enhancement with recreation and community use.
16. With that in mind, the following vision has been proposed for the Regional Parks Network.
  - 16.1. "To create a network of Regional Parks that are accessible, healthy, well cared for and characteristically Hawke's Bay; providing space for people to appreciate and enjoy the outdoors, nature and life."
17. Staff expect to complete the development of a draft of this plan later this calendar year and present it to Council for consideration.

### **Current Maintenance Budgets**

18. Maintenance budgets for the various open space areas are included in HBRC annual plans. It is proposed that these budgets be reviewed when management plans for the individual open space areas are developed. Current budgets, while adequate for basic maintenance of the open space areas and facilities, are insufficient for ongoing development of the areas or renewal of assets.
19. HBRC development of the pathway network on its land, environmental enhancement of waterways within the Heretaunga Plains Scheme area and Pekapeka wetland project, has resulted in an increase in public interest in this area of HBRC work. This has been demonstrated through the recent HBRC awareness and satisfaction survey, the results of which were presented to Council at the 31 July meeting.
20. A uniform and consistent standard of maintenance across all open space assets has not been adopted. Staff propose that options for levels of service and associated budgets for each of the open space facilities is set out for Council consideration as individual management plans are developed. Arrangements can then be formalised to ensure all park assets and infrastructure are maintained in a serviceable state and to a standard that is consistent with park values as identified in the individual park plans and within the proposed Regional Parks Network Plan.
21. Staff have yet to complete an exercise of estimating open the value of assets established within the open space areas and facilities, however preliminary estimates are set out in the commentary below. Once asset values are known, staff will propose a depreciation regime for these assets.
22. Future budget requirements include but are not limited to:
  - 22.1. Maintenance of signage, car parks, boardwalks, walkways, bridges, roads, tracks, benches, picnic tables, fences, re-vegetation and amenity plantings, commercial plantings, and sites of cultural and historical significance.
  - 22.2. Control plant and animal pests to levels that are consistent with objectives and policies identified within individual park plans and within the proposed Regional Parks Network Plan, as well as to ensure that HBRC is a good neighbour to surrounding land
  - 22.3. Depreciation of Parks assets to fund asset replacement where required
  - 22.4. Agreed improvement programmes/works
  - 22.5. Community liaison, public education, and responding to public enquiry.

### **Possible Development**

23. Future development plans for the open space facilities are being considered. Possible development options will be considered as part of Individual Park Plans as they are

developed. Any possible developments will be designed to compliment and or enhance park values.

### **Proposed Future Directions**

24. Individual Park plans have yet to be developed. Council will be involved in the development of these plans and will adopt the final plans. The plans will be reviewed and developed over the next few years.
25. Preliminary staff ideas for each of these areas are, however, set out below:

#### **Pekapeka Wetland**

##### **Park Values**

26. A key regional site for championing environmental awareness and providing educational opportunities.
27. Ecologically significant – a regionally important wildlife habitat.
28. Culturally significant with waahi tapu status. Passive recreation site with controlled access.

##### **Vision**

29. Continue to restore ecological function within the wetland through ongoing plant and animal pest control.
30. Create a northern walkway and connection with HB trails.
31. Focus on cultural aspects of the wetland through protecting and restoring pa sites within and neighbouring the wetland.
32. Continue to realise the wetlands educational and champion qualities.

#### **Estimated budget requirements if this were to be achieved**

- 32.1. **Maintenance:** Increase current budget by 30k per annum (includes 25% ranger position) (Currently assets are depreciated at \$8,000 per year. This is funded through the project. Staff will review asset replacement values and depreciation over the coming months).
- 32.2. **Development:**
  - Poukawa Stream (Pekapeka to Stock Rd) tree Clearance and re-vegetation – 100k
  - Northern walkway construction and arrival area enhancements - 300k
  - Pa restoration – 200k (includes land purchase)
  - Western wetland restoration - 50k
  - Blue Gums revegetation – 50k
  - Toilet – 15k

#### **Waitangi Wetlands (Including Tukituki Estuary)**

##### **Park Values**

33. Ecologically significant, particularly the coastal zone (boulder bank) from the Tukituki Estuary to the Ngaruroro estuary and the Muddy Creek wetlands.
34. An important coastal recreation site for surfcasting, whitebaiting and fish netting, rowing, canoeing, jet skiing, wind surfing, horse trekking. Part of the regional cycleway.
35. Some historical significance.
36. Highly accessible.

##### **Vision**

37. Enhance the quality of the saltwater wetlands and coastal zone through protection of the boulder bank via plantings and more rigorous vehicle controls. Enhanced predator control program.
38. Eliminate vehicle activity within the park (except cycling). Increase active activity (walking) within the park through enhancing access points and carparks.
39. Integrate the historical and cultural components of the park more holistically. Educate the public on the ecological significance of this site.

**Estimated budget requirements if this were to be achieved**

- 39.1. **Maintenance:** increase budget by 30k per annum (includes ranger / caretaker position 25%)
- 39.2. **Development:** Replace park signage (urgent) – 60k  
Repair and Enhance visitor access points and carparks - 300k  
Re vegetation of boulder bank – 100k

**Pakowhai Country Park**

**Park Values**

40. Active recreation site. Dog Walking.
41. High amenity plantings including native, exotic arboretum and pine plantation.
42. Highly accessible. Centrally located between city centres and cycleway network.
43. Some historic and cultural significance (i.e. Old Ngaruroro River channel).

**Vision**

44. Establish facilities to better cater for dogs, including balancing dog user needs with those of other users such as children and school groups.
45. Expand the park to connect with the Te Karamu enhancement project.
46. Manage potential for increased public use of the Park and balance that against user enjoyment.

**Estimated budget requirements if this were to be achieved**

- 46.1. **Maintenance:** Increase budget by 15k per annum (includes ranger/caretaker position 25%)
- 46.2. **Development:** Replace park signage – 25k, Park expansion - 150k  
Redesign bridge approaches - 50k, Metal main access track and complete lime path – 25k, Toilet – 15k

## Tutira Country Park

### Park Values

47. Hawke's Bays second largest lake that provides opportunities for camping, fishing, walking and education.
48. Culturally significant with areas of Waahi Tapu status.
49. An important soil and ecological conservation area, including a wildlife refuge.
50. Long term issues with water quality.

### Vision

51. Showcase appropriate land use and water management through well managed forestry and farming operations, soil conservation plantings, riparian management and alternative land uses.
52. Enhance recreational and educational opportunities, particularly camping, walking, fishing and outdoor education through joint management with key partners (DOC, MTi, Guthrie Smith Trust).
53. Increase profile of the cultural significance of the Lake where appropriate through interpretive signage and well considered development and protection.
54. Enhance the amenity of the Lake and Park through riparian restoration around the lake and effective plant pest control on the park.
  - 54.1. Maintain and enhance park tracking infrastructure.

### Estimated budget requirements if this were to be achieved

- 54.2. **Maintenance:** This will be reviewed as part of the review of the Park Management Plan to be completed during the 2013/14 year.
- 54.3. **Development:** Largely signage and tracking 100k.
55. The Park includes approx. 130ha of commercial pines that are due to be harvested within the next 8 to 10 years. The harvesting of these pines will need to be carefully managed to minimise increased sediment flowing into the Lake. In addition there will need to be a well planned replanting programme for the planted areas. The necessary plans will be completed before the commencement of harvesting and with costs expected to be met from the harvest proceeds.
56. Approximately 140ha of high Unique Manuka Factor (UMF) Manuka has been planted on the steeped land within the park. This land was identified in the original management plan as being allowed to revegetate with native species. The planting of high UMF Manuka will enable HBRC to receive an income from this land from the proceeds of high UMF Manuka honey while the land is largely retired and allow revegetation of the area with other native species over the next decades.

### Hawke's Bay Trails

57. Hawke's Bay Trails offer some 200km of largely flat and easy, off-road riding/ walking surfaces for recreational and commuter use, with a total cross agency value of \$23,000,000. Of this HBRC is responsible for the maintenance of approx. 92km of lime sand surfaced pathways with an asset value of approx. \$1,600,000.
58. To meet HBRC's ongoing maintenance obligation a budget of \$140,000 per annum has been included in HBRC LTP budgets for the next 10 years. This budget is just adequate to undertake physical maintenance of the pathways. No provision is currently provided for major flood damage repair costs, depreciation, or for meeting the cost of overall coordination and promotion of the network to maximise the benefit to Hawke's Bay.
59. Staff have made a preliminary estimate of long term budget requirements for depreciation and disaster reserve and believe that it would be prudent to set aside approx. \$100k per annum to meet these costs. This should be considered during the development of the 2015/25 draft LTP.



60. Currently, Hawke's Bay Trails are defined by three themed rides:
  - 60.1. Water Ride
  - 60.2. Landscapes Ride
  - 60.3. Wineries Ride.
61. These rides utilise the assets of HBRC and its key partners to form the trails. The Trail assets are generally maintained by their relevant owner.
62. The principal issues now facing Hawke's Bay Trails are:
  - 62.1. Maintaining current levels of service going forward including funding
  - 62.2. Reviewing maintenance methods and techniques to accommodate any changes
  - 62.3. Budgeting for replacement costs
  - 62.4. Marketing and promotions including funding
  - 62.5. Potential impacts of changes in local governance.

### **Governance**

63. Hawke's Bay Trails Steering Group (HBTSG) was formed in December 2012 to provide effective governance to the marketing and operational management of Hawke's Bay Trails. HBTSG is also an operational requirement of the New Zealand Cycle Trail Establishment Advisory Board (NZCT) Inc. provides for the governance and management of the New Zealand Cycle Trail, to which Hawke's Bay Trails is a 'Great Ride' member.

### **Levels of Service**

64. The key goal for Hawke's Bay Trails is to:
  - 64.1. Maintain the integrity of the trail network by reducing the frequency of damage and defects to the pathway surface and associated assets through an effective maintenance and inspection programme.
65. A further goal for the Trails is to:
  - 65.1. Increase patronage of the trail network - by effective marketing and communication (covered in the marketing plan).
66. The Trails goals are supported by the following objectives:
  - 66.1. Repairs of anything presenting a danger to the public within 1 working day of notification.
  - 66.2. Repairs to serious defects in the surface of the pavement which may pose a risk to pathway users within 1 working day of notification.
  - 66.3. Repair of minor damage, vandalism or defects within 1 week of notification.
  - 66.4. Repair of major flood, vandalism, defects or other damage within 2 weeks of notification.
  - 66.5. Adherence to Trail maintenance programme including flexibility to alter regime as required to achieve levels of service.

### **Growth Management**

67. Essential to the success of the Hawke's Bay Trails is the management of growth. This growth can be separated in to two components, user growth and network growth.

### **User Growth**

68. We expect the popularity of the Trails to grow over time due to natural and to targeted "marketed" growth. As the number of users increase, pinch points or stresses may occur in the network and associated infrastructure and businesses which may eventually lead to reduced levels of service and overall enjoyment of the Trails experience.

69. A component of the Marketing Plan is the management of the levels of service of the business providers, including capacity issues, although ultimately this is down to the individual businesses. As has happened with current network expansion, it is expected that new business opportunities will arise to take advantage of user growth and network density, thus alleviating some of the issues that may occur with growth.
70. Track counters have been installed to record hourly user totals. The counters use a single beam infra-red system to count the number of objects (walkers, cyclists) breaking the beam. This data will assist with user growth management and growth predictions.

### **Network Growth**

71. Network expansion is likely to come from two sources:
  - 71.1. Direct requests from people, organisations or agencies, where contribution funding could assist HBRC to realise network growth; and
  - 71.2. The need to increase Trails capacity to meet current or future demand.
  - 71.3. For example – the Hawke’s Bay Trails Steering Group and HDC have indicated provisional support for network expansion of the Water Ride between Fernhill and Chesterhope Bridges (Ngaruroro River stop banks), with a related paper road connection from Chesterhope to Taradale. This growth would complement HDC’s proposed Chesterhope Bridge cycle clip-on and HBRC’s own projected expansion of Pakowhai Regional Park, and is anecdotally supported by cycle tour operators and commuter networks. Further to this, the Puketapu Loop, Clive to Clifton and Marine Parade to Bay View sections of trail are extremely popular, with HBRC’s need to consider capacity management as Hawkes’ Bay Trails grows in reputation.

### **Conclusion**

72. This paper has provided a summary of the Regional Open Spaces programme and an update of funding. Council approved a loan facility of \$7,500,000 in 2008 and approximately 10% of this remains available for allocation.
73. The focus of the paper is on the Council owned or administered open space areas. For all the key areas the values, vision, estimated budgets, maintenance and suggested developments are presented in the paper.
74. However more detailed information, and opportunities for input, will be available through the proposed Regional Parks Network Plan. Detailed development proposals will be considered as part of individual Park Plans.

### **Decision Making Process**

75. Council is required to make a decision in accordance with Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within this section of the Act in relation to this item and have concluded that, as this report is for information only and no decision is to be made, the decision making provisions of the Local Government Act 2002 do not apply.

### **Recommendations**

That the Environment and Services Committee:

1. Receives the “Open Spaces Projects and Funding” report.
2. Notes that approximately \$800k remains within the \$7.5m borrowing facility Council established in its 2009/19 LTP for community infrastructure and open spaces.
3. Notes that staff expect to present a Parks Network Plan for Council consideration later in 2013.
4. Notes that HBRC has significant financial commitment to maintain existing open space facilities and as yet the full extent of this commitment is not included in Council’s annual budgets.



**Mike Adye**  
**GROUP MANAGER ASSET MANAGEMENT**



**Liz Lambert**  
**INTERIM CHIEF EXECUTIVE**

**Attachment/s**

- 1 Open Spaces Investment Policy





*Open Space*

## **Investment Policy**

**(Adopted by HBRC 27 August 2008)**

Attachment 1

Item 8

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## 1. Background

In 2007 the Hawke's Bay Regional Council commissioned a review of the provision of public open space in the Hawke's Bay. The resulting report (*Hawke's Bay Rural Open Space Study: Resource Assessment*<sup>1</sup>) concluded that while the region has a number of public open spaces where the community can go to recreate, there are some gaps or limitations, particularly in the near-urban area and in respect of coastal access.

In consideration of the findings of this report, and having regard to the responsibilities and functions of the Council under Part 2 of the Local Government Act 2002 and Part 4 of the Resource Management Act 1991, the Council has determined that there is sound justification for the Council to be further involved in the provision of public open space to meet this and other demands. Council recognises that such spaces can be multi-purpose and can achieve a number of environmental, social and cultural outcomes.

It is, however, also understood that involvement in the provision of open space requires a clear identification and prioritisation of public open space requirements and for a policy to be developed to guide the Council in making these assessments – either in the active acquisition of areas of open space, or as opportunities come to hand.

The following policy document has been prepared on this basis.

## 2. Policy Outline

The aim of this policy is to identify the types of open space that are currently most needed in the region of Hawke's Bay and provide a system of evaluation of potential sites that Council may in future consider purchasing or otherwise securing for public benefit.

The policy has two levels. The first of these describes open space that will be actively sought by the Council. That is, where the Council will take the initiative of actively investigating, funding and purchasing (or otherwise securing public access to) open space of the relevant description. This is referred to as 'Category 1' open space.

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<sup>1</sup> Environmental Management Services Ltd (July 2007)

The second level is open space that will be passively sought by the Council. These are areas of open space that may be purchased or otherwise secured by the Council as opportunity arises and where a good deal may be on offer at the time. These are referred to as 'Category 2' open space and recognises that while there may be an active programme of procurement (seeking Category 1 open space) there also needs to be an ability to respond to unexpected situations and opportunities as they arise.

**Category 1** priority open space is:

- **Coastal space** (with primary focus on strip access)
- **Near Urban**
- **Ecological**
- **Aligned with HBRC's Strategic Goals**

**Category 2** priority open space includes:

- **Outstanding natural features** (ONF's)
- **Lakes or other inland open waters**
- **River access**

### 3. Evaluation Process

A three stage process has been developed to ensure efficiency and satisfaction of Hawkes Bay Regional Council objectives.

	<b>Stage</b>	<b>Actioned by</b>	<b>Process</b>
1	Policy categories	HBRC staff/ industry expert	Factual tests
2	Subjective evaluation	HBRC staff/ industry expert	Weighted assessment matrix
3	Approval	Strategic Committee/Council	Submit results of stage 1 and 2 evaluation

The first stage of evaluation for all candidate sites is to determine whether the proposed site fits the description of either Category 1 or Category 2 open



space. Those categories are defined in Sections 5 and 6 of this policy and summarised in Table 1. In order to be considered further a site must fit one or other of these categories.

Having passed this test the next stage of assessment is to determine the *degree* of compliance and the extent to which the candidate site has other supporting attributes that would count in its favour. A list of 15 subjective attribute criteria are considered to be the essential determinates of a good investment opportunity. Each of the 15 criteria will be evaluated and a weighted assessment determined for each criteria. For this purpose a point-scoring system has been devised. The scoring system is as set out in Table 2. The total combined score (the sum of the scoring for all supporting attributes) is intended to provide a means of comparison between possible alternative sites. The supporting attributes are described in more detail in section 7. Set out below are the 15 criteria each having a score range of 1 – 5 (1= low, 5= high) and each criteria will be given a predetermined weighting which reflects the relative importance of each criteria with respect to the type of investment being sought by Council.

### Key Attributes

1. Coastal access (proximity to a road-end)
2. Proximity to centres of population
3. Ecological value
4. Linkage to existing public open space
5. Water quality improvements
6. Recreational value
7. Cultural and Historical value
8. Camping potential adjacent to water bodies
9. Partnership benefits (with TLA's, DOC & community groups)
10. Environmental education opportunity
11. At risk environments (including ecological risk, flood risk)
12. Iconic value

### Financial Attributes

13. Development costs
14. Maintenance costs
15. Other financial returns
16. Resale potential

Score	Result
< 60%	Decline
60% to 65%	Further Analysis
> 65%	Proceed

If the proposed investment has a score below 60%, once the projects contribution score is divided by the possible maximum score, the project will be discounted from further consideration. If the score is between 60 and 65% further specific analysis will be carried out on the project to determine whether any specific attributes scores can be reconsidered or if consideration of the financial commitment may improve the project scoring. Scores over 65% will proceed to the next stage of a more detailed investment analysis.

#### 4. Open Space Investment Policies

**Policy OS1:** Council will provide financial resources and/or other assistance to actively identify and secure, for public access, use and enjoyment, such areas as described in this policy document as *Category 1 Priorities for Open Space*. Candidate sites must comply with one or more of the Category 1 criteria.

**Policy OS2:** Council will consider providing financial and/or other assistance for securing, for public access, use and enjoyment, such areas as described in this policy document as *Category 2 Priorities for Open Space*. Opportunities will be taken as they arise. Candidate sites must fully comply with one or more of the Category 2 criteria.

**Policy OS3:** All candidate sites shall be evaluated for compliance with relevant Category 1 or Category 2 criteria and evaluated against all of the criteria for *Other Supporting Attributes*.

#### 5. Category 1 Priorities for Open Space

The following are Category 1 Priorities for Open Space:

5.1 **Coastal open space** – with focus on:

- (a) Securing permanent legal foot access along the coastal margin where access is currently barred or impeded by natural obstacles and effectively requires all-tide passage over private land.

The Council's primary focus is on providing strip-access. Larger park concepts are not a priority except where supported by other open space attributes described in this policy.

- (b) Clarifying and asserting existing public access rights where these are currently unclear or in dispute. Legitimate public access to certain parts of the coast is currently prevented by some landowners claiming no right of access, and actively preventing access, despite cadastral evidence of the existence of paper roads or public reserves. Council will seek a negotiated solution in the first instance and focus on non-motorised access only.
- (c) Safeguarding or re-locating existing coastal access where coastal erosion, landslides etc. are threatening to make access no longer viable.

5.2 **Near Urban** – with focus on:

- (a) Providing a near urban country park with multiple use opportunities. Park will be of a rural nature providing a minimum number of formal facilities.
- (b) Containing a broad number of environmental aspects, such as water, wetlands, flora and fauna, wildlife habitat etc.
- (c) A location that encourages maximum use and access by the urban population.

5.3 **Ecological** – with focus on:

- (a) Land or property that has significant existing ecological values.
- (b) Existing ecological values will be protected or enhanced by intervention.

5.4 **Alignment with HBRC Strategic Goals** – with focus on:

- (a) Encompassing the open space and at least 2 other Council strategic goals.
- (b) Provides for the concept of sustainability.

## 6. **Category 2 Priorities for Open Space**

The following are Category 2 Priorities for Open Space:

6.1 **Outstanding Natural Features** – where purchase would:

Permanently protect an officially recognised Outstanding Natural Feature (ONF) in circumstances where existing private ownership does not already provide adequate long term protection.

6.2 **Lake or other inland open waters** – that is:

- (a) Within close proximity of a significant population base.
- (b) Suitable for recreational activities such as water skiing, rowing and other such activities as are currently restricted to the lower Clive River and Wairoa River, as an example.
- (c) Providing habitat for native wetland plants, birds, fish and insects.

This may be in the form of an artificially created open water body.

6.3 **River access**

River access, throughout the Region, is already generally good. Providing for more public access to rivers is not a priority but opportunities for securing additional marginal strips and access may be taken up as part of existing council projects such as flood control and drainage schemes (as part of the Wairoa, Central and Southern Schemes).

Item 8

Attachment 1

## 7. Supporting Attributes for Categories 1 and 2

The following are other supporting attributes for Category 1 and Category 2 Open Space. All candidate sites must be evaluated against these supporting attributes in addition to relevant Category 1 / Category 2 criteria. A positive match with any of these attributes will be considered to add weight to the case for commitment to a candidate site.

The following are divided in to 'Key Attributes' and 'Financial Attributes'

### 7.1 Key Attributes

The ideal site will:

(1) **Have proximity to a road-end (for coastal land)**

In the coastal area the places where additional public access will be most valuable is where the public can get to from an existing road end. Opportunities to create a loop-circuit are also important. As a guide:

- First priority is for sections of coastline within 2 km of a road-end, especially where the route allows two road-ends to be linked, or where a loop-circuit is created.
- Second priority is coastline within 4 km of a road-end (especially between road-ends or on a return-loop).
- Third priority is coastline greater than 4 km from a road-end.

(2) **Have proximity to a centre of population** – with preference for:

As first priority: Areas that can be visited in the course of a 1 – 3 hour total excursion time (including return car travel and on-site activity). These excursion times should be measured from regional centres and weighted on a population basis. This weighting favours proximity to Napier-Hastings (122,000 popn), secondly CHB (13,000 popn) and thirdly Wairoa (9,000 popn).

As second priority: Areas that can be visited in the course of a 3 – 5 hour total excursion time. Same population-based weightings apply.

- (3) **Contain sites of ecological significance** – specifically:

Regionally significant habitat for vulnerable or endangered species of native plants, animals, fish or insects, (as supported by Recommended Area for Protection (RAP) status and/or classification in the IUCN Redbook Listing of Endangered Species) in situations where the on-going viability and/or recovery of the habitat or target species will be better served by public ownership than through continued private ownership of the site.

- (4) **Provide linkage to other existing open space** – whereby either:

- (a) Takes maximum advantage of and uses Council owned land or assets, including appropriate areas within existing schemes, or
- (b) Linkage will be created and new opportunities for public use and enjoyment that would not otherwise be possible if the sites were unconnected; or
- (c) Linkage will support other attributes described in this policy.

- (5) **Have potential for water quality improvements** – whereby:

Planting or natural regeneration will measurably improve the quality of local surface water by reducing silt run-off or intercepting excess nutrients in groundwater.

- (6) **Provide opportunity for a mix of recreational activities** – with preference for:

- (a) Opportunity for specific ‘niche’ recreational activities that are currently under-represented in the region and/or significantly constrained by access to suitable sites on public land (e.g. hang-gliding, caving, horse-riding)
- (b) Opportunity for the site to be used for a broad, mixed range of activities that will neither conflict with each other nor conflict with other attributes (such as ecological attributes) of the site.

- (7) **Contain sites of cultural or historical significance** – either:
- (a) A Category I or Category II listed historic site from the register of the NZ Historic Places Trust.
  - (b) A significant historic or cultural site publicly listed on a district, city or regional council database.
  - (c) A landmark of recorded and proven significance in local Maori mythology.

(8) **Have camping potential adjacent to water bodies**

Each potential site for camping must be considered on its merits and in consultation with DOC and TLA's. Key issues to cover and determine include (1) flood risks, (2) long term operation and maintenance costs, (3) likely impacts on the viability of existing commercial camp grounds in the area, and (4) the type of user-charge, ownership and management structure that would best fit local circumstances (i.e. whether free, fee-paying, seasonality adjusted, council-owned/run, privately-owned/run, or council and private partnership). But as a guide:

First priority is for road-access camping sites available over the summer.

Second priority is for road-accessed camping sites available all year.

- (d) Third priority is for foot-access camping sites (at least 2 km from a road end) that provide a place of overnight refuge for longer journeys adjacent to water bodies.

(9) **Provide partnership benefits** – whereby:

Partnership intervention will (1) compliment work and/or policy objectives relating to open space opportunities of local territorial authorities, the Department of Conservation or other community groups (2) expand the range of benefits beyond purely Regional Council interests (3) not compromise or



replace any legal requirements or obligations of TLA's, Government departments or other agencies.

- (10) **Provide opportunity for environmental education** – whereby:

The educational component will be consistent with Regional Council functions, policies and targeted educational programmes.

- (11) **At risk environments (Ecological, flood)** – whereby:

Ownership or intervention will ensure the long term protection or enhancement of at risk environments in the Hawkes Bay.

- (12) **Iconic value** – whereby:

Each site or opportunity being considered will be weighted for any iconic value, uniqueness or any extra factor or feature that can be identified as being of local, regional or national significance by reference to relevant Outstanding Landscape reports held by Council or Territorial Authorities.

## Financial Attributes

The ideal site will consider:

- (13) **Development costs**

Development costs, including significant capital investments are considered and weighted on a case by case basis.

- (14) **Maintenance costs**

Maintenance needs and costs are to be calculated ahead of any purchase and will be based on the intended use of the site.

(15) **Other financial returns**

Other financial returns may be possible, for example, through leases concessions or carbon credits. Financial returns are to be calculated as exclusive of future value for re-sale except where re-sale of part or all of the land-holding will not compromise the primary public good objectives of the initial purchase.

(16) **Resale potential** – whereby:

In the event of a future change of circumstances the site can be readily disposed of (in whole or in part) at any time in the future if necessary.

**Table 1: Minimum Qualifying Criteria for Regional Council Involvement**

**OPEN SPACE PROJECT:**

**PROPERTY COMMENT:**

Open Space to be <u>actively</u> sought (“Category 1”)		
	Coastal Access	Qualifies? Yes / No
Minimum requirements for Council involvement	<ul style="list-style-type: none"> <li>Coastal strip is currently impractical to access without crossing private land; OR</li> <li>Public access is disputed and needs to be clarified; OR</li> <li>Existing public access is under threat (e.g. from erosion)</li> </ul>	
	Near Urban	Qualifies? Yes / No
Minimum requirements for Council involvement	<ul style="list-style-type: none"> <li>Is of country park concept with a minimum number of formal facilities; OR</li> <li>Contains a number of environmental aspects, e.g. water, flora &amp; fauna, wildlife; OR</li> <li>Be located to encourage significant use by urban population</li> </ul>	
	Ecological	Qualifies? Yes / No
Minimum requirements for Council involvement	<ul style="list-style-type: none"> <li>Has significant existing ecological values; OR</li> <li>Existing ecological values will be protected or enhanced by intervention</li> </ul>	
	Aligned with HBRC Strategic Goals	Qualifies? Yes / No
Minimum requirements for Council involvement	<ul style="list-style-type: none"> <li>Encompasses the open space and at least 2 other Council strategic goals,</li> <li>Provides for the concept of sustainability</li> </ul>	

**Open Space to be passively sought (“Category 2”)**

	Outstanding Natural Feature	Qualifies? Yes / No
Minimum requirements for Council involvement	<ul style="list-style-type: none"> <li>At risk in long term if remaining in private ownership; AND</li> <li>Available at no more than normal market cost</li> </ul>	
	Lake or inland open water	Qualifies? Yes / No
Minimum requirements for Council involvement	<ul style="list-style-type: none"> <li>Within close proximity of a significant population base; AND</li> <li>Suitable for water skiing &amp; rowing; AND</li> <li>Available at no more than normal market cost</li> </ul>	
	River access	Qualifies? Yes / No
Minimum requirements for Council involvement	<ul style="list-style-type: none"> <li>Available at significantly below normal market cost</li> </ul>	

Table 2: Attributes

	Key Attributes	Score Range	Score	Weighting	Max. Weighting	Contribution	Maximum
1	Coastal Access	1 - 5			10		
2	Proximity to Centres of Population	1 - 5			10		
3	Ecological value	1 - 5			10		
4	Linkages	1 - 5			10		
5	Water quality improvements	1 - 5			5		
6	Recreational Opportunity	1 - 5			5		
7	Cultural and Historical value	1 - 5			5		
8	Camping Potential	1 - 5			5		
9	Partnership benefits	1 - 5			5		

10	Environmental education	1 - 5			5		<b>Item 8</b>
11	At Risk Environments	1 - 5			5		
12	Iconic value	1 - 5			5		

	<b>Financial Attributes</b>	<b>Score Range</b>	<b>Score</b>	<b>Weighting</b>	<b>Max. Weighting</b>	<b>Contribution</b>	<b>Maximum</b>
13	Development Costs	1 - 5			5		
14	Maintenance costs	1 - 5			5		
15	Other financial returns (e.g. leases, concessions, carbon credits)	1 - 5			5		<b>Attachment 1</b>
16	Resale potential	1 - 5			5		
	<b>Total Score</b>				5		

**Attachment 1**

**Overall Score = Total contribution score**

**Total maximum scorex 100%**

Decline	< 60%
Further Analysis	60 to 65%
Proceed	> 65%



**HAWKE'S BAY REGIONAL COUNCIL  
ENVIRONMENT AND SERVICES COMMITTEE**

**Wednesday 14 August 2013**

**Item 12**

**SUBJECT: STATUTORY ADVOCACY UPDATE**

**Reason for Report**

1. This paper reports on proposals forwarded to the Regional Council and assessed by staff acting under delegated authority as part of the Council's Statutory Advocacy project between 25 June to 8 August 2013.
2. The Statutory Advocacy project ('Project 192') centres on resource management-related proposals upon which the Regional Council has an opportunity to make comments or to lodge a submission. These include, but are not limited to:
  - 2.1. resource consent applications publicly notified by a territorial authority
  - 2.2. district plan reviews or district plan changes released by a territorial authority
  - 2.3. private plan change requests publicly notified by a territorial authority
  - 2.4. notices of requirements for designations in district plans
  - 2.5. non-statutory strategies, structure plans, registrations, etc prepared by territorial authorities, government ministries or other agencies involved in resource management.
3. In all cases, the Regional Council is **not** the decision-maker, applicant nor proponent. In the Statutory Advocacy project, the Regional Council is purely an agency with an opportunity to make comments or lodge submissions on others' proposals. The Council's position in relation to such proposals is informed by the Council's own Plans, Policies and Strategies, plus its land ownership or asset management interests.
4. The summary plus accompanying map outlines those proposals that the Council's Statutory Advocacy project is currently actively engaged in.

**Decision Making Process**

5. Council is required to make a decision in accordance with Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within this section of the Act in relation to this item and have concluded that, as this report is for information only and no decision is to be made, the decision making provisions of the Local Government Act 2002 do not apply.

**Recommendation**

1. That the Environment and Services Committee receives the Statutory Advocacy Update report.



**Esther-Amy Bate  
PLANNER**



**Helen Codlin  
GROUP MANAGER STRATEGIC  
DEVELOPMENT**

**Attachment/s**

- 1 Statutory Advocacy Map
- 2 Statutory Advocacy Update







# Statutory Advocacy

- 1. Subdivision – Mr. B. Joseph
- 2. Subdivision – Mr. Brian Nicholls
- 3. Subdivision – Silverhill Trustees Ltd
- 4. Draft Plan Change 10 – NCC
- 5. Draft District Plan – HDC
- 6. Land Use – Te Mata Park Trust Board

Item 12

Attachment 1



Statutory Advocacy Update (as at 8 August 2013)

Received	TLA	Map Ref	Activity	Applicant/ Agency	Status	Current Situation
26 April 2013	HDC	6	<p><b>Resource Consent – Land Use</b></p> <p>To establish a Visitor Centre and viewing platform comprising of a cafe, theatre, retail, and education area within a site identified as an Outstanding Natural Feature.</p>	<p>Te Mata Park Trust Board</p> <p>Consultant – Consult Plus Ltd</p>	Notified by HDC Discretionary	<p>31 May 2013</p> <ul style="list-style-type: none"> <li>Submission period closed 24 May 2013</li> <li>Council has provided some funding for the project.</li> <li>No submission lodged.</li> </ul>
10 April 2013	HDC	5	<p><b>Release of Draft District Plan</b></p> <p>Review of the Hastings District Plan in its entirety. Includes the harmonisation of district wide provisions between the Napier District Plan with the Hastings District Plan where relevant.</p>	HDC	Draft  (non-notified)	<p>31 May 2013</p> <ul style="list-style-type: none"> <li>As a Draft the document has no legal status yet under the Resource Management Act. The Draft is precursor to a Proposed District Plan HDC intend publicly notifying in September 2013.</li> <li>Various informal comments made by staff on draft content, particularly relating to natural hazards, HPUDS and RPS Change4, riparian management.</li> <li>Deadline for comments is 31 May 2013.</li> </ul>
5 April 2013	NCC	4	<p><b>Draft Plan Change 10</b></p> <p>A community driven Plan Change to harmonise district wide provisions between the Napier District Plan with the Hastings District Plan, incorporate the Ahuriri Subdistrict Plan and update provisions as a result of recent Napier City Council policy changes and decisions into the Napier District Plan.</p>	NCC	Draft  (non-notified)	<p>31 May 2013</p> <ul style="list-style-type: none"> <li>As a Draft the document has no legal status yet under the Resource Management Act. The Draft is precursor to a Proposed District Plan HDC intend publicly notifying in September 2013.</li> <li>Informal comments made by staff on draft content relating to HPUDS and RPS Change4.</li> <li>Deadline for comments is 31 May 2013.</li> </ul>
14 February 2013	NCC	3	<p><b>Resource Consent – Subdivision</b></p> <p>The application seeks to subdivide and develop an existing site to create a mix of 17 residential lots and 2 lots to be vested as roads on Oak Road, Poraiti, Napier.</p>	<p>Silverhill Trustees Ltd</p> <p>Consultant – Consult Plus Ltd</p>	Notified by NCC Restricted Discretionary	<p>31 May 2013</p> <ul style="list-style-type: none"> <li>Awaiting further stormwater management details.</li> <li>Submission period closed 15 March 2013.</li> <li>Submission lodged by Council opposing the application due to concerns regarding the site coverage and stormwater solutions proposed by the applicant.</li> </ul>

Received	TLA	Map Ref	Activity	Applicant/ Agency	Status	Current Situation
24 May 2010	NCC	2	<p><b>Resource Consent - Subdivision</b></p> <p>The application seeks to subdivide an area of land currently zoned as Main Rural on 66 Franklin Road, Bay View into 6 lots and undertake earthworks.</p>	Brian Nicholls	<p><b>Notified by NCC Restricted Discretionary (hearing pending)</b></p>	<p><b>31 May 2013</b></p> <ul style="list-style-type: none"> <li>Permitted Activity status letter issued by Council for discharge of on-site wastewater.</li> <li>Pending hearing by NCC.</li> <li>Previously HBRC lodged a submission opposing proposal unless all 6 lots were fully serviced. HBRC staff have had discussions since lodging submission with NCC and applicant. Discussions focused on stormwater and wastewater design options for the proposed subdivision.</li> </ul>
23 August 2010	NCC	1	<p><b>Resource Consent – Subdivision</b></p> <p>The application seeks to subdivide 58 McElwee Street, Jervoistown Certificate of Title HBM2/1351 into two separate lots.</p>	Mr B. Joseph Consultant – Consult Plus Ltd	<p><b>Notified by NCC Restricted Discretionary (subject to appeal)</b></p>	<p><b>31 March 2013</b></p> <ul style="list-style-type: none"> <li>No further update. Application on hold pending hearing by NCC re Plan Change 7.</li> <li>Previously HBRC lodged submission opposing proposal. NCC declined consent and applicant appealed NCC's decision. HBRC joined appeal proceedings as an interested party. HBRC's interests primarily relate to stormwater management and disposal.</li> </ul>

**HAWKE'S BAY REGIONAL COUNCIL  
ENVIRONMENT AND SERVICES COMMITTEE**

**Wednesday 14 August 2013**

**Item 13**

**SUBJECT: GENERAL BUSINESS**

**Reason for Report**

This report has been prepared to assist Councillors note the General Business to be discussed as determined earlier in Agenda Item 7.

<b>ITEM</b>	<b>TOPIC</b>	<b>COUNCILLOR / STAFF</b>
1.		
2.		
3.		
4.		
5.		