

# Decision paper: Karanga Plaza Tidal Steps - Swimming and Jumping Activity

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October 2022

## Ngā tūhunga | Recommendations

That the Eke Panuku Board:

- a. Note the work that has been completed to respond to the Board's request to provide the safest possible swimming and jumping activity at Karanga Plaza.
- b. Agree, based on current information and balancing the risks, that we will continue to allow swimming and jumping this summer at the Karanga steps and that the existing swimming and jumping controls and management measures that were agreed with the Board in March 2022 will remain in place.
- c. Approve, based on current information and balancing the risks, to further improve the safe swimming and jumping experience at the Karanga steps, through the implementation of the following additional mitigations over the next 12 months:
  - i. An upgrade to the existing signage with clear written instructions on swimming and jumping rules.
  - ii. An upgrade to the balustrade on the tidal steps so that jumping can be safely managed.
  - iii. An upgrade to the existing balustrade on the seawall to reduce the ability for people to climb and jump from the seawall.
  - iv. Investigate a barrier to prevent people from swimming underneath the tidal steps.
  - v. Investigate a grab rail on the adjacent pontoon to provide flotation support.
  - vi. Continue to sample the water at six sites, including Karanga steps, to determine the extent of the current water quality risk for swimming and jumping with the council's Safeswim programme.
  - vii. Provide real-time awareness of water quality risk through the Safeswim website and onsite signage in conjunction with council's Safeswim team.
  - viii. Continue to raise awareness of the health of our taonga (Te Waitematā) and the wider responsibilities of council and community to effectively address issues to improve water quality.

d. Note that:

- i. The Karanga Plaza tidal steps will continue to be on a regular cleaning programme to reduce the risk of cuts from shellfish above the low-tide water line and users slipping when the tidal steps are wet.
- ii. Security guards will continue to be active over the summer of 2022-23 to help with general behaviour in the area, support compliance with signage and educate the public on potential risks.
- iii. Adjustments will be made to the Wynyard Crossing Bridge balustrade in 2023 to reduce the ability for people to climb and jump into the Viaduct Marina navigation channel. It is treated as a separate project from Karanga Plaza tidal steps due to project value.
- iv. Identified engineering controls to be delivered over the next calendar year must adhere to Eke Panuku Project Management Framework which includes design, consenting, contract procurement and procurement of materials to be completed, and this will take at least 6-12 months.
- v. Auckland Council Legal will review the Harbourmaster's view that an exemption from Navigation Bylaw 2021 is not required because the existence of the current line of roped buoys gives a clear separation between transiting vessels and people in the water.

## **Whakarāpopototanga matua | Executive summary**

1. The purpose of this paper is to seek Board approval to continue to allow swimming and jumping at Karanga Plaza tidal steps and for the inclusion of new engineering controls and further management measures. In addition to the already agreed controls these additional controls, which will be progressively implemented over the next year, are intended to further mitigate swimming and jumping safety risks. This paper also provides an update on the assessment that has been undertaken to determine the best and safest location for swimming and jumping activity across the waterfront.
2. Eke Panuku initiated an internal health and safety review of all waterfront water edges (wharf, public space, stairs, reclamation, or bridge) in April 2021. As part of the health and safety improvement programme, the Executive and the Board reviewed the current approach to swimming and jumping. This highlighted the need to review, test and balance health and safety and the political and public expectations to swim, jump into and connect with the water.
3. In March 2022, the Executive and the Board reviewed and approved an interim response to improve safe swimming and jumping at Karanga Plaza tidal steps so that it remained open during 2022. At this time, the Board also requested greater clarity on where, if and how safe swimming and jumping should occur during the upcoming summer season of 2022-23.
4. As an evolution of this work, Eke Panuku has applied the swimming and jumping controls for Karanga Plaza tidal steps agreed with the Board in March 2022 and allocated project funding to progress a waterfront swimming and jumping strategy. The agreed project objectives for the strategy were to:

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- a. Identify safe swimming and jumping locations that enable people to swim, jump into and connect with the water.
  - b. Demonstrate a well-thought-out approach as to how Eke Panuku addresses identified risks associated with swimming and jumping locations.
  - c. Recommend short-term solutions to accommodate safe swimming and jumping into the water at the Karanga Plaza tidal steps during the summer of 2022-23.
5. In July and August 2022, four workshops with mana whenua and key stakeholders were initiated. These were to gather input to shape the comparison of existing and potential swimming locations, draft principles and objectives, and identify risks associated with the swimming and jumping long list of options. Details on the four workshops and supporting material are included in Attachments A and B. The risk registers for long-list options and advice on controls are included in Attachment C.
6. Attendees agreed during workshops that Karanga Plaza tidal steps were an appropriate location to enable swimming and jumping activities as long as safety, drowning prevention and water quality measures to improve existing conditions occur. Other safe swimming locations shortlisted for further exploration included St Marys Bay and areas around Wynyard Point and Jellicoe Harbour.
7. Through this process, concerns about poor water quality were raised by Healthy Waters through the Safeswim programme. This is a partnership between the Auckland Council and other regional councils, Surf Life Saving New Zealand, Surf Life Saving Northern Region and the Auckland Regional Public Health Service. The programme provides real-time science-based advice on swimming sites within their programme so the public can make informed decisions on when and where to swim through their communication channels. The Karanga Plaza tidal steps swimming area is not yet covered by the Safeswim programme because the existing water quality data is insufficient and ongoing monitoring is required to determine if the location is suitable. Consequently, Healthy Waters has agreed to fast-track testing by sampling water at Karanga Plaza tidal steps for enterococci and hydrocarbons twice weekly for three months to build a reliable dataset of water quality and trends for summer 2022/23. They will then confirm if Karanga Plaza tidal steps are included in the Safeswim programme in December 2022.
8. In preparation for the Board decision, Healthy Waters provided a Memorandum of Understanding (memo) to inform management of the site for water-based recreation with the available dataset for enterococci testing. This memo was reviewed by the Auckland Regional Public Health Forum on 22 September 2022 and is included in Attachment D.
9. The summary of this work and review period has confirmed that Karanga Plaza tidal steps should continue as the swimming location in the short to medium term. Identified controls to be delivered over the next calendar year and their estimated completion date are summarised and illustrated in Section 27.
10. In the longer term, the work that is underway through the implementation of the Te Ara Tukutuku Plan will determine the place, location and design of potential additional or alternate swimming locations around Wynyard Point. The Board will see this work as it evolves over the next 2-3 years.

## Horopaki | Context

11. As the waterfront continues to develop and attract more people to the area, it is important to take careful consideration of the expectation of public access to water space for swimming and how this is safely managed alongside other existing activities, such as maritime uses (working and recreational boats) and public-facing activation and events.
12. Stakeholder engagement from mana whenua, key stakeholders and the Executive reinforced the need to provide access to water for swimming and jumping. Key themes are outlined below:
  - a. Most attendees recognised the cultural and social importance of equitable access to water and the potential that the removal of it could affect the reputation of Tāmaki Makaurau as a place to visit and enjoy the water, both pedestrian and marina users alike.
  - b. Most attendees thought swimming should be encouraged at the waterfront as long as safety, drowning prevention and water quality measures to improve existing conditions occur.
  - c. Most attendees found that all swimming opportunities were worth exploring further, providing that safety risks are addressed through the design process.
  - d. Most attendees recognised that banning swimming and jumping outright will shift the activity into areas less easily controlled and monitored by security staff. This would pose increased and unmanaged safety behaviours and risks to the participants, the general public and boat users.
13. At present, Karanga Plaza and St Marys Bay are the only two places designed for the public to access the water for swimming and jumping across the waterfront. There is no charge to access unlike other council-owned swimming pools, such as the Tepid Baths and Parnell Baths.
14. Since 2017, adjustments were made to Karanga Plaza tidal steps to respond to changing public usage and popularity of this space, such as:
  - a. A marked delineation between the marina's vessel transit area and water access for the public, through an inflatable boom.
  - b. The introduction of security guards during peak times.
  - c. Signage placed at the tidal steps as required indicating when people should not swim in the area.
  - d. "No Jumping" signage was installed on the Wynyard Crossing Bridge and Karanga seawall balustrades.
15. Through this review work we can confirm that Eke Panuku has no records of reported injuries related to the Karanga Plaza tidal steps.
16. Since 2017 security providers have been contracted by Eke Panuku in the Wynyard Quarter precinct to help manage anti-social behaviour. This included general patrolling of the tidal steps. Since January 2022, dedicated security guards were stationed at the tidal steps during peak times to improve water edge safety by:

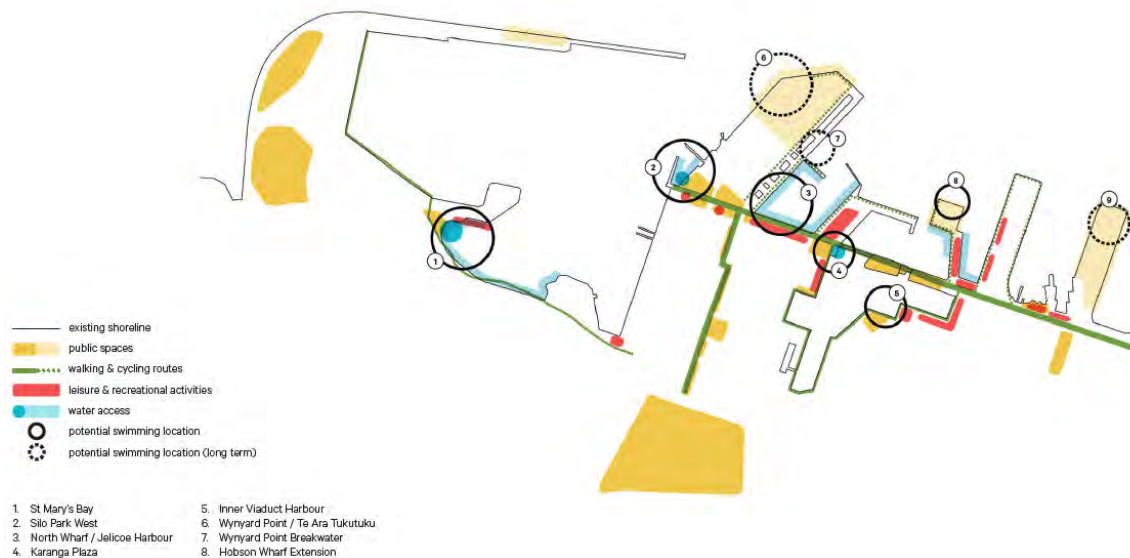
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- a. Offering surveillance of waterfront public space.
  - b. Promoting safe behaviours with jumpers at Karanga Plaza tidal steps.
  - c. Intervening when people plan to jump from the Wynyard Crossing Bridge or from the Karanga Plaza seawall and balustrade.
17. There are two relevant bylaws that swimming and jumping activities must consider. The Wharves Bylaw regulates the use of council-owned or operated wharves and boat ramps but is set to lapse on 29 October 2022 and be replaced by the Navigation Bylaw 2021.
18. The Navigation Bylaw 2021 sets out the rules for all vessels and people using Auckland's waters to ensure their safety. It specifies that a person must not swim, jump or dive from or within 50 metres of a wharf, quay, jetty, pontoon, boat ramp or similar structure when a vessel is approaching, manoeuvring alongside or departing. The enforcement agency is the Harbourmaster. They state that this Bylaw does not apply, and no exemption is necessary because there is an unmistakably marked delineation between the marinas' vessel transit area and water access for the public, through an inflatable boom. Harbourmaster correspondence stating that no exemption is required is included in Attachment E.

## **Nga whiringa me te taatai | Options and analysis**

19. The work completed has focused on two key areas:
- a. Karanga Plaza tidal steps, in readiness for the 22/23 summer. The responses to this are outlined in this paper.
  - b. Alternative locations on the waterfront that could be created as future locations for swimming and jumping.
20. Eke Panuku with mana whenua and key stakeholders have identified and appraised nine waterfront locations against a draft vision and four draft principles identified in the early stages of the project. The nine locations were selected based on current and future conditions, and their connection to existing public spaces, walking and cycling routes, leisure and recreational activities and public access to water.

**Figure 1: Long List of Potential Swimming Locations**



21. Eke Panuku has shortlisted swimming locations for new and improved swimming activities at St Marys Bay, Karanga Plaza tidal steps and areas around Wynyard Point and Jellicoe Harbour. With regard to Wynyard Point, the implementation of the Te Ara Tukutuku Plan will determine the place, location and design of access to the water. The Board will see this work as it evolves over the next 2-3 years.

## **Ngā ritenga ā-pūtea | Financial and resourcing impacts**

22. To implement the recommendations in this report, there is some additional operating and capital expenditure. At a high level this has been indicated as:

- a. \$20-30K opex over the next calendar year for signage and sampling water quality in conjunction with Safeswim at six sites.
- b. \$150-250K capex over the next calendar year to implement engineering controls, such as:
  - i. An upgrade to the balustrade on tidal steps.
  - ii. An upgrade to the existing balustrade on the existing seawall.
  - iii. A barrier to prevent people from swimming underneath tidal steps.
  - iv. A grab rail on the adjacent pontoon to provide floatation support.

23. The identified opex and capex costs will be factored into the Transform Waterfront programme budget and the ongoing opex costs for maintenance and the continuation of security guard service will be factored into the Assets and Facilities budget.

## **Ngā raru tūpono me ngā whakamaurutanga | Risks and mitigations**

24. Eke Panuku engaged Isthmus Group Ltd and Resolve Group Ltd to assist with a risk, safety and opportunities study on current and possible future swimming locations and activities in the Auckland City area.
25. The risks and controls for Karanga Plaza tidal steps have been reviewed by the Executive. The Executive agree, considering on balance the desire and expectation of a public waterfront including water access, that the additional engineering controls and management measures should significantly reduce health and safety risks for the continuation of safe swimming and jumping for the summer of 2022-23.
26. The Executive also considered the option that trained lifeguards could be trialled on-site at peak times to supervise the safety and rescue of swimmers. Having considered the risks at this location, it agreed to not implement this control at this time. Key reasons include:
  - a. A lifeguarding service to the waterfront could bring a component of increased health and safety expectations that is inconsistent with a range of other swimming areas across the Auckland region where lifeguards are not provided.
  - b. There is a range of other controls put in place to significantly reduce the risks.
  - c. There have been no records of reported injuries related to the Karanga Plaza tidal steps.
27. The proposed engineering controls are outlined below. The estimated delivery timeline for Stage 1 is 1-6 months and Stage 2 is 6-12 months. Identified controls for Stage 2 are anticipated to take longer because they must adhere to Eke Panuku Project Management Framework which includes design, consenting, contract procurement and procurement of materials to be completed.

**Figure 2: Karanga Plaza Tidal Steps Proposed Engineering for summer 2022-23**



## **Tauākī whakaaweawe Māori | Māori impacts**

28. In July 2022, Eke Panuku presented to the mana whenua forum on this topic. Three iwi representatives then worked with the project team - Ngāti Te Ata, Ngāti Whātua Ōrākei and Ngāti Manuhiri. The key messages from this korero include:

- a. Re-engaging with the water offers mana whenua enhanced emotional well-being through increased physical connection with ancestors and the ability to carry out a broader range of customary practices.
- b. Improving the mauri of Te Waitematā and the ecology and nested systems that sit within this has been expressed by mana whenua as “[...] water is us; we are the water; we co-exist with species/taonga that live in the water.” The challenge is how this project can improve water quality, marine ecology, wildlife, kaimoana and learn lessons from previous projects.
- c. Any swimming locations should provide amenities for groups to gather. Tikanga will need to be considered – for example, any BBQ or kai facilities should not be co-located with bathroom/changing facilities.

## **Ngā whakaaweawe mō te hunga whaipānga | Stakeholder impacts**

29. Central waterfront spaces are an important part of the neighbourhood for more than 40,000 residents that call the city centre and waterfront home. Safe access to the water is important for these stakeholders, as well as visitors to the waterfront. Safe water access is also a topic of interest for elected members and mana whenua.



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30. To date, a number of workshops have been held, where we have taken on board stakeholder and subject matter expert feedback and advice to prepare this decision paper.
31. The stakeholders engaged were:
- a. Mana whenua
  - b. Auckland Council Healthy Waters and Watercare
  - c. Waitematā Local Board and Waitematā and Gulf Ward Councillor
  - d. Cityguard Security, Harbourmaster, Viaduct Harbour Holdings Ltd – marinas team and Bridge hut operators

### **Tauākī whakaaweawe āhuarangi | Environment and climate change impacts**

32. Climate change is predicted to subject the Wynyard Quarter to increased flood risk, increased temperatures and increased frequency and severity of storm and drought conditions. In responding to these risks and vulnerabilities, Eke Panuku, in conjunction with the council's Safeswim programme, must continue to actively manage real-time awareness of water quality risk at Karanga Plaza tidal steps because people should not enter the water after more than >5mm rain in 24 hours due to the risk of poor water quality.

### **Ngā koringa ā-muri | Next steps**

33. Continue to sample the water at St Marys Bay, Karanga Plaza tidal steps and areas around Wynyard Point and Jellicoe Harbour to determine the extent of the current water quality risk for swimming.
34. Deliver the additional mitigations summarised in section 27 at Karanga Plaza tidal steps over the next calendar year.

### **Ngā tāpirihanga | Attachments**

- Attachment A – Waterfront swimming workshops
- Attachment B – Waterfront swimming options report
- Attachment C – Risk and safety memo
- Attachment D – Karanga Plaza water quality memo
- Attachment E – Navigation bylaw 2021 exemption

### **Ngā kaihaina | Signatories**

Gyles Bendall, GM Design & Place

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Ian Wheeler, Chief Operating Officer

David Rankin, Chief Executive

## Waterfront Swimming and Jumping Workshops:

Date	Facilitator	Workshop	Workshop summary
14/07/22	Resolve Group Ltd	Workshop 1: Swim & Jumping High-level Implications + Opportunities Workshop	<ul style="list-style-type: none"> <li>Gathering a wide range of perspectives and ensuring potential swimming locations' advantages and disadvantages were captured holistically through a user-led experience design workshop and a long-list collation of issues, hazards, opportunities &amp; controls workshop</li> </ul>
27/07/22	Resolve Group Ltd	Workshop 2: Detailed risk workshop on the Karanga Plaza Tidal Steps.	<ul style="list-style-type: none"> <li>Identify risks and suggest controls to the management and operation of the Karanga Plaza Tidal Steps.</li> <li>Populate the risk register.</li> </ul>
11/08/22	Isthmus Group Ltd	Workshop 3: Draft Long List Swimming & Jumping Locations Workshop	<ul style="list-style-type: none"> <li>Identify and review the advantages and disadvantages of 9 potential swimming locations</li> <li>Gather feedback on a wide range of high-level water opportunities, land opportunities and management opportunities that encourage safe swimming at the waterfront for the short and long term.</li> </ul>
26/08/22	Resolve Group Ltd	Workshop 4: Detailed risk workshop on the Long-list locations and high-level activities	<ul style="list-style-type: none"> <li>Review risk registers for long-list options and suggest controls for management and operation of the long-list locations and high-level activities.</li> <li>Populate the risk registers</li> </ul>

Workshop attendees included: mana whenua, Eke Panuku (waterfront operations, the marina team, events, design & planning), Healthy Waters (water quality and testing), the Harbour Master, Drowning Prevention, Safeswim, Resolve Group (safety consultants) and Isthmus (design consultants).